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LB 962

him. We were talking earlier about first in time, first in right, versus correlative rights. And the bill, as I understand it, in a situation where, for example, the Department of Natural Resources finds that a basin is fully appropriated, they would make a preliminary declaration of that. And I want to see if I'm getting this right. When they make that declaration, the preliminary declaration, there's a stay on all new surface water appropriations, and on all new ground water wells.

SENATOR SCHIMEK: Senator Schrock.

SENATOR BEUTLER: Is that right?

SENATOR SCHROCK: That is correct, Senator Beutler.

SENATOR BEUTLER: Okay. And if eventually that determination becomes final, and if the NRDs agree to that, then with respect to ground water, there will be no new wells in a particular basin or reach.

SENATOR SCHROCK: Unless they would agree to curtail use or efficiencies would free up water. In other words, if consumptive use would decline because of efficiencies and less water, then down the road maybe they could expand. But there could be no new consumptive use of water, as I understand it.

SENATOR BEUTLER: Okay. So in effect, assuming that all of the basins become fully appropriated before too long, the ground water system is changing from that correlative rights system, in part at least, to the extent that there will be no new people sharing water in the future, unless, as you say, there's some reallocation or freeing up of water. Is that pretty accurate?

SENATOR SCHROCK: I think that's correct.

SENATOR BEUTLER: Okay.

SENATOR SCHROCK: Yes.

SENATOR BEUTLER: And the...there are two ways of controlling the overall amount of water. I mean, I suppose you could say,