

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 4, 2004

LB 962

appropriate. There's an amendment that I have offered to LB 962 that is filed, has been filed. It won't come up until we get to the amendment, FA1512. That amendment has come out of work with different individuals regarding communities and their desire to have the language reflect their opportunity to provide the quality water that they need in the context of what LB 962 intends to accomplish. And so that will...that will come up. LB 962 is probably not going to solve all of our problems, but it's a step in a direction that I think is appropriate. Is everything in with LB 962 the greatest idea? No. But I've heard it repeatedly on this floor that, as you move further west, the water issues become more complex, and I agree. And sometimes as you move further west and those waters become more...those water issues become more complex, those water issues come east, and that issue was yesterday before the Nebraska Supreme Court. The case regarding Pumpkin Creek had oral arguments heard. You can read about it in some of the media reports about what the discussion was like, what comments were made, why the case was even brought, what the grounds are for that suit. And as I look at the individuals that I represent in western Nebraska, Pumpkin Creek is in my legislative district. I'm a surface water irrigator. I also have an opportunity to use some ground water, but most of what I do in a daily activity outside of this body is farm and, realistically, I use those siphon tubes that Senator Schrock talked about. And I think part of the discussion that is lost as far as the western end of the state is what does irrigation look like, and I was talking with Senator Mines yesterday about what a siphon tube is. He has no idea what they were. I said, well, come on out; we'll teach you how to do it; we always need help. But I think there is such a difference in water in the state of Nebraska, I think what we're trying to do is strike a delicate balance between the local authority that we have granted to NRDs, as far as the regulation of ground water, and the need for coordination between those entities, both in the overappropriated or fully appropriated areas, as well as a state policy in regards to how that coordinates with the Department of Natural Resources with surface water. It is a delicate balance. I've discussed this with Senator Beutler privately off the floor and tried to come to an understanding of where he's at. I can read the news reports. I can read the opinions of those who