

different location. Originally the bill provided that it could be transferred to a different use and location. The committee amendments specify that it can be only transferred by location and not for use. I move the adoption of the committee amendments.

PRESIDENT: Senator Cullan.

SENATOR CULLAN: No, I would like to address Senator Schmit on the bill itself.

PRESIDENT: Is there further discussion on the committee amendments? If not, the question is shall the amendments be adopted. All those in favor vote aye, opposed vote no. Have you all voted? The Clerk will record.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT: Motion carries. The committee amendments are adopted. The Chair recognizes Senator Schmit for the opening statement on the bill.

SENATOR SCHMIT: Mr. President, members of the Legislature, LB 21 is a bill that I introduced to provide that appropriations of water that are presently being handled through a surface irrigation district can be changed from one location to another if certain conditions are met. Number one, we have to prove that it will not adversely impact upon any other water user in the district. Number two, that the appropriation will use water from the same source. And number three, the quantity of water will remain the same as previously. And number four, the water will be applied to the same use as it was previously. The Director of Water Resources must approve the transfer and he may add whatever additional requirements he determines necessary to protect the original appropriators and to protect the appropriators in the other district. The major purpose of this statute, Mr. President, members of the body, is to allow the retention of the original priority date of the water right. There have been some questions relative to whether or not it will allow transbasin diversion. The bill as amended by striking all references to use I believe adequately protects against transbasin diversion of the water. The Natural Resources Commission did not attend the hearing. The hearing was held on January 27th. On January 21st, I recieved a letter from the Natural Resources Commission. Senator Wesely has a question about it and I will be glad to answer that question now, Senator Wesely, if you wish to