

April 1, 1985

LB 488

SENATOR SIECK: Yes, Mr. President, members of the body, actually delivered and actually used is...it could be two different meanings here and I am going to ask Senator Vickers what his intent was by having "actually delivered". Now does that mean that the water has to be delivered to that particular area before it can be charged the 50 cents an acre?

SPEAKER NICHOL: Senator Vickers, please.

SENATOR VICKERS: Senator Sieck, the answer to your question is that the reason for this language change was because of the Department of Water Resources felt that in their determination of whether or not this application should be examined and approved that they could really only use the term "directly delivered" because "actually used" was not a term that they could measure. They simply want it because the measurement is all that they are interested in, and if the water is directly delivered to the landowner or to the applicant, it is measured at the point that it is being delivered. If it is to the applicant, it is out of the river where it is measured. If it is to the irrigator, it is at the point where it enters their land. That was the reason for the change.

SENATOR SIECK: Okay, this is water that you are taking out of the river or the...?

SENATOR VICKERS: The applicant...the surface water's applicant is the irrigation district so it would be water taken out of the river, yes.

SENATOR SIECK: Now this does not pertain to an area that has been recharged earlier and has been, you might say, delivered maybe five, ten years earlier?

SENATOR VICKERS: No, no, this is talking about the applicant, the application by an irrigation district or a potential user of surface water. This is for the application for that surface water at the point where it is taken from the river as to whether or not it is...how it is going to be measured, directly delivered as opposed to actually used.

SENATOR SIECK: Okay, that clarifies it. Thank you.