

two, and then manufacturing comes number three. Neither does it in any way deny any person from having his day in court so anything could end up in court even though our statutes do give some guidelines as to what the courts ought to do. It is only fair and reasonable that we do start paying some attention as to who is liable and who is not liable in the cases that the water shortage in a certain area becomes acute. That is about all I have to say in the introduction of the bill and I would be happy to answer any question if I could. I move the advancement of LB 27 to E & R Initial.

PRESIDENT: The Chair recognizes Senator Dworak.

SENATOR DWORAK: I have a question of Senator Kremer. Senator Kremer, in reading this particular bill, domestic wells have to be of reasonable depth, as I understand it. I want to know what the word "reasonable" means. I would like that nailed down a little bit as to what constitutes reasonableness.

SENATOR KREMER: Senator Dworak, I made an attempt to address that issue in my opening remarks.

SENATOR DWORAK: I am sorry, Senator Kremer, but somebody came back here and started talking to me but I am sorry.

SENATOR KREMER: And I didn't do a very good job but I did say that the word "reasonable", it has been hard to determine not only in this bill but in many other bills that have been before us or in any other issues that have been before us. I guess I would have to say that in this particular case that if a domestic well was drilled and the pump was set at, we'll say, from a foot to two foot, just at the upper level of the water supply, that would not be a reasonable depth. This person should be aware that because of the intensive use of water in our state it is possible that groundwater levels could fluctuate greatly depending on the rainfall, depending on the use of water in that particular area and he should be aware of that and at least set this pump and drill this well to a depth where he knew that he would not run out of water as soon as there was a drop in the water table that we are experiencing now and experience from year to year depending upon the rainfall and so on.

SENATOR DWORAK: Okay, thank you, Senator Kremer. I have a lot of reservations about this bill and, of course, I did not have the opportunity to sit on the Public Works Committee and listen to all the testimony on it but it appears to me that the Constitution, in my estimation, is very specific as to priorities of water use and domestic use has the number