

exactly what you mean. I think in my opening remarks I did say that as far as I know this is the first step in trying to give some guidelines to the courts when they deal with the dispute that can arise between the owners of irrigation and domestic wells as they use the underground water. I will have to beg to differ with you, Senator Dworak, when you said that our Constitution addresses itself to the priority of water. This is not the case. Our Constitution is silent. This is by statute only. So the Constitution does not address itself to the priority system and I think if you will check you will find (interruption).

SENATOR DWORAK: Senator Kremer, my question again was that in your opening remarks you indicated that one of the reasons for this bill was because of legislation that will follow in this area. Now my specific question again is, what future legislation are you contemplating that is contingent upon the passing of this bill?

SENATOR KREMER: What I tried to say, understood or not, what I tried to say that as we continue to use water in the State of Nebraska and to develop the use of water that I would assume that there will be more and more problems related to this use of water and I tried to relate to you what the courts that I have heard in the past have been saying that with respect to groundwater, the Constitution and the statutes are relatively silent. We have many laws related to the use of surface water but not to groundwater and I think that it's the responsibility of the Legislature to start some kind of movement toward giving the court some guidelines as these problems come to the surface and they will. We do know that in the State of Nebraska we have a declining water situation in many, many areas. They will continue even if we stop, and I don't think we can, the installation of irrigation wells but just natural development points to a time in the future, some point of time, when we are going to experience more and more problems, and to me, this is a first step to giving some guidelines to the courts what they ought to do or can do if there is a dispute between the owners of these two types of wells and I would anticipate there will be some legislation in the future.

SENATOR DWORAK: So then there is no specific legislation contemplated that would rest on the passage of this bill?

SENATOR KREMER: My answer would have to be I think you're right.

SENATOR DWORAK: Thank you, Senator Kremer. Now, you say