

February 7, 1979

LB 27

SPEAKER MARVEL: You have thirty seconds, Senator Nichol.

SENATOR NICHOL: That's enough.

SENATOR KREMER: The cone of influence generally is pretty close to the well. The cone of influence as a cone of depression has a tendency to broaden as the irrigation season proceeds, but generally it's pretty close to the well. We call it a drop of water level, or a cone of influence, but generally it's pretty close to the well. And most of the domestic wells...and if a domestic well is close to an irrigation well, generally both wells belong to him. Personally, I cannot see that Senator George's amendment helps at all. It's really a simple thing. All we're trying to say is that if wells...or domestic wells are drilled years ago and hanging under two or three feet of water, and irrigation development does take place, and it is a resource that should be used...it's helped our economy, and then he has really no right to collect damages from an irrigator, unless he is down there a good long ways already, and then he's protected, or if he's there first he's protected. I don't think we've got a problem.

SENATOR NICHOL: Thank you, Senator Kremer.

SPEAKER MARVEL: Senator Cope, you had your light on. Do you want to finish your dissertation? Senator Kahle.

SENATOR KAHLE: Mr. Speaker, members, I've been looking over the original bill and I see no relationship to the original with what we're trying to do now. I would oppose the George amendment, and I think what we tried to do in the beginning is what we should get back to, and that was the fact that if a person had an irrigation well in and his neighbor wanted to put a domestic well in, he had to go down into the aquifer far enough to get enough water. I think that's as simple as what the original motion was. Now we're getting it so complicated I think we're getting into some things that we really should not be in with this bill. If you want to go into this this deeply you should probably spend some time with it, and work out something that might work. But all under the sun that LB 27 was supposed to do as I see it was to protect the irrigator from someone putting a domestic well in close by and saying that he was going to have to stop his irrigation well so that the domestic well could have water. I think that's what we should keep it to, so I would urge you to defeat the George motion...or the George amendment and also the other amendments that are on it.