

SENATOR SCHMIT: Anyone that believes that statement of Senator Kremer knows that the issue of ability has been resolved right now, passing the buck back to me. I'm glad to have a chance, Senator Kremer, to help you on the bill. At this time I would just like to call your attention to the white copy which you have and I will very briefly go through the bill and outline it for you and then we can come back later on and deal with the specifics. Section 1 is the intent of the bill. It says, "Every landowner shall be entitled to a reasonable and beneficial use of the ground water underlying his or her land, subject to Chapter 46, article 6." Those five conditions are these. Number one, well spacing; number two, transfers across state lines; number three, the municipal and rural domestic ground water transfers permit; number four, Industrial Ground Water Regulatory Act of course which is LB 56, Senator Cullan's bill of last year and then the last and final item are the preferences. These are all, of course, subject to the correlative rights of others in times of shortage. The goal shall be to extend the ground water reservoir life to the greatest extent practicable and that would provide, it would allow or permit a sustained yield. In other words, there is nothing in this bill that mandates the dewatering of a reservoir. There is nothing in this bill that states that a yield must be one which would cause a decline. If the Natural Resource District chooses to do so, they can allocate water for a sustained yield. Section 3 of the bill provides for the district plan. It provides the method whereby you can get into the management plan. I call your attention to page 5, Section 3. It says, "A district shall prepare a ground water management plan based upon the best available information and submit such a plan to the director for review and approval." Then it outlines the identification and the information that can be used in that proposal. The Director of Water Resources has ninety days to review the plan. From that time he can return it to the district with his approval or with his reasons why he would not recommend. The district then must hold a hearing within sixty days after the director returns the plan to the district. That's included in Section 7. In Section 8 the district then, if they decide to designate a management area has ninety days after the plan is returned to him by the Director of Water Resources. They have ninety days in which to designate or not designate a management area. The reason for the limitation is that it was felt by many persons who testified and who visited with us that we do not want the plan to lie around for a period of a year or two and all of a sudden have the board decide that they chose to oppose a management plan when, in fact, conditions may have changed. Then Section 9, the order is