

adding to, at the end of Line 13 the following "provided that no domestic well owner be required to anticipate a substantial drop in the water level." That's offered by Senator George.

SPEAKER MARVEL: The Chair recognizes Senator George.

SENATOR GEORGE: Thank you, Mr. President and members. I basically agree as I said before that the irrigation well owner, if he has been there first, deserves some kind of protection, but I want to go back to the same example that I used a few minutes ago...if that domestic well comes after the irrigation well, and let's say that he has been reasonable and drilled that domestic well, let's say 50 feet lower than the irrigation well, there is still a good possibility that that domestic well could be out of water in a matter of let's say 2 or 3 years, because there was a rather substantial and unanticipated high use by the irrigator. I don't think that the domestic well owner should be liable for replacing the well, unless we want to change our priority system, which says the domestic wells come first. So there has to be some protection that maybe, I hope at least, that this also would answer Senator Duis's questions. I move for the adoption of the amendment.

SPEAKER MARVEL: All those in favor of the George amendment to the Kremer amendment vote aye, opposed vote no. Senator Cullan.

SENATOR CULLAN: I would like to ask some questions, if you please, on the...to Senator George.

SPEAKER MARVEL: Okay.

SENATOR CULLAN: Mr. President and members of the Legislature, Senator George I'm not exactly sure I understand the amendment that you're proposing to Legislative Bill 27. You mentioned in your discussion of that amendment that you were concerned about domestic...individuals with domestic wells being liable for damage that they do to irrigation wells? Is that what I understood you to say?

SENATOR GEORGE: No...I just...no, that isn't exactly correct, Senator Cullan. What I'm trying to say is that if there is a substantial not anticipated high usage by that irrigator, then we should not simply leave out that domestic well owner with the cost of replacing and deepening his well. If this is a substantial used...that's substantial, let's say dropped the water table by 50 or 60 feet or something like that.