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on factual information and while we would never be able to avoid the political decisions, at least the basic decision ought to be one based on fact. So the suggestion I have here is something I believe is similar to what the United States Supreme Court uses in which a special master can be appointed to ascertain the facts of the case. What I would be envisioning, which would be amending page 7, starting in line 20, would be the authorization of appointment of such an individual to gather the facts as they saw them together with a requirement that various departments of state government have responsibilities in this area would present their facts. That then this special master at a public hearing, and I think it ought to be spelled out that they would be required and in the areas affected, that those facts would be presented in which the applicant and those that opposed the applicant could address what is purportedly the facts, contest them if they wish, agreeing on those that they could. The basis of that hearing would become the basis for an appeal should they go to a court decision. From that point a decision could be rendered by the director of water resources. The papers that I have passed out also suggest the possibility, although I am not necessarily advocating it, that you could even expand the Director of the Water Resources to include maybe a special appointed board to make a recommendation again of experts, perhaps an attorney, an engineer, someone with background would again evaluate the factual matter to make a recommendation eventually to the board, to the Director of Water Resources. I think it would not be inappropriate to also make some indication as to how clear and convincing their evidence ought to be whether it is just a preponderance of evidence, I think that probably relates more frequently to criminal cases but I think here we need assurance both at the basin of origin as well as to the basin that might receive the water that the facts, for the people that live in those areas, that the facts are really as clear as they could possibly be based upon the information that is available. Now I'm not unaware that I am suggesting, I'm sure that some one will indicate that coming in with a proposal at a late date, for which I apologize, but I also agree that this can be a significant piece of legislation. I hate to see something designated as significant legislation, which is probably as vague at least as vague to me as some of these provisions are that can only be subjected to numerous law suits in the future. What I am proposing I do not believe affects anyone pro or antiwater diversion. My concern is that the process is one that can more generally reflect a factual decision to the extent that we can rather than one that is perhaps more politically influenced. I would hope that at least the

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