

deal with a conflict without involving the court system, if at all possible. I think with the Dierks amendment, we are telling an irrigator, and I don't care if it's a ground water irrigator or surface irrigator, that they are almost going to have to go to court and make the case before they come in the NRD door. They are going to have to spend the money. They are going to have to have the economic backing to prove their technological case before they even get the ear of the NRD. I think the section that is attempting to be amended here, the sections are worded appropriately, and I'd like to speak a little bit more about the power issue because, believe you, me, I have had this thrown at me in my...in my capacity as the senator from the 23rd District time and time again in the last two and a half months, that I'm trying to give more power to Mike Jess, I'm trying to take power away from local NRD boards, and I don't know how anyone who reads the bill or takes the time to outline the bill can honestly make that statement. And I'll stand by that. I'll stand by that statement. The NRDs are given an extension of their responsibilities and authorities by this bill. They already have the power to limit ground water pumping. They already have the power to designate spacing of wells. They already have the power to require meters. They have the power to require reduction in irrigated acres. They have the power to require best management practices, soil and water sampling, educational programs, water quality monitoring, a moratorium on new wells, and other rules and regulations. They have that power. Why do we need the bill? Simply because we have one stream of law that says this is the law on surface water. We have another stream of law that says this is the law on ground water, and never the twain shall meet unless it's in court and a judge decides. This is an extension of those authorities already given to the NRDs to give them some additional authority to try to work out a solution where a conflict may prove to exist between the ground water usage and the surface water usage. Michael Jess and the DWR could get involved where we have a problem with an interstate compact or decree or a MOA, an agreement with another state, but where it involves an internal decision in that NRD or a decision between that NRD and the adjacent NRD, the power is with the NRD board. And if those people that are on those boards are so naive, I fail to understand how they could come out in such overwhelming support for this bill. Now they are on the front line in their respective districts taking heat for what they do, just like we take for what we do.