

surface appropriators. I don't want this law to have the presumption that the only way we will meet stream flow targets or commitments is if we restrict ground water users, and that's what it does. My concern is that conjunctive use provides a means whereby the surface appropriators' contribution to flows, needed to meet instream water flows, could come at the expense of ground water irrigators. In this case, I understand that the plans being looked at could, indeed, cut severely into current surface diversions by necessity and by design. So, this amendment may have little practical effect, but it is the principle of the amendment that I'm interested in, and I would hope that the body would give it serious consideration. Thank you, Madam President.

SENATOR CROSBY: Thank you, Senator Dierks. Discussion on the Dierks amendment? Senator Elmer.

SENATOR ELMER: Thank you. Thank you, Madam President, members. Many of the things that are being discussed in this water bill have ramifications only in extremists. We all recognize that in times of shortage, that we have situations where water use has to be curtailed. In all practicality, the practice followed by both surface water and ground water irrigators in this state is share and share alike. And in times of shortage, to share in that shortage. This amendment has something in it that does not require sharing the shortage. Senator Dierks is offering a requirement that older ground water irrigators, those that have wells that are older, would be automatically exempted and be treated differently than someone who might be a newer developer of ground water irrigation, and begins to institute first in time, first in right for ground water pumpers. The current bill provides that ground water irrigators will all be treated alike unless the natural resource district, within where an integrated water management plan might be instituted, could see a good reason to treat some ground water irrigators differently than others. I don't believe that anyone wants to treat a group of individuals with favor in times of shortage. Whereby those that might happen to have been made...that may have made a recent investment in an irrigation system would have to curtail their water use while someone that had been in the irrigation business longer than they had could enjoy unlimited use. And the young, new irrigator suffer financial disasters while his neighbors continued to use the water unrestrictedly. I strongly object to this part of the amendment especially and would urge you to