

potentially discourage development, if you hadn't drilled a well before a given date. And on the other hand they will encourage the drilling and development of wells potentially at a time when it does not make any economic sense, but you wish to protect before a date certain some rights or some access or some privileges that you might not have after that date and that does not seem to me to be a sensible policy to pursue. If we were going to use a date of...at all, it would have been my druthers, quite frankly, to just have a date that predated the bill and simply have been done with it and you wouldn't have had a race for it. The amendment that you have before you simply strikes out subsection (6)(b), removes the references to time, but adds words in the prior sections which would indeed give the NRDs the flexibility to address differing ground water users and the different ground water user needs and special circumstances in a far more flexible way than any way related to time. You just insert a few words into subsection (4) and you have almost complete flexibility given to the NRD to regulate the use of ground water by wells related to hydrologic differences, climatic differences, conflicts between surface water users that can be different in different areas of the NRDs, and you have arguably the basis for establishing a rational policy that fits the objectives of the regulation, if it is to occur, and does not confer special economic status on anyone simply because they got there first. That is the amendment in a nutshell. It may sound easy and simple, may sound...I hope it even sounds somewhat logical to you. But the issue is fraught with more political traps and more emotion and more unreasoned analysis than you could ever guess. And I'm not going to be critical of the way that the bill came to you on the floor containing the reference to time, which I think is inappropriate and not useful in the context of what the objective of the bill is. But it is one of those things that is a compromise between people who insist that they want something one way and they are able to...they are able to obtain that, whether or not there are good reasons for it or not. So I'd no illusions about whether or not that reference to time as a basis for determining whether someone can have special status with regard to a well will remain in the bill. I do believe quite firmly that it is not an appropriate policy choice, and so I chose to file the amendment and to have what may be a brief discussion of that issue this evening. But I do hope that you understand that the change that is made in the...proposed by the bill is not an insignificant one. It is one that was very hotly and cogently, I think,