

quantities each season. Therefore, ground water is much more dependable to be used in extremely dry periods than surface water is. And its recharge therefore too is of a much more slow geological time than is the annual ebb and flow of precipitation in the area of surface water. Therefore, ground water users from an aquifer, having a reservoir there, and you could compare it to Lake McConaughy on the surface, I suppose, if you were just using out of it instead of letting it run through the dam, as a resource that's replenished over many years of time. And in areas...in eras of large precipitation times, as we've had over the last several years in the north part of our state, the water tables rise to record levels, no matter how much we seem to use. Over dry periods of time those levels decline as they are...as they run out through springs and as they're pumped. So sharing that resource in correlative...in a correlative way with ground water is very, very appropriate. If the ground water begins to decline, it does so very much more slowly than a surface water right would...or surface water stream would. And I think that ground water users, when you really think about it, would be very reluctant to say, well, because you drilled a well after the first of January of 1997, or whatever date you'd pick, you have fewer rights to use this water than those who did it before. The share and share alike would be gone. In all practical...in all practical situations that have occurred so far in surface water shortage periods, irrigation districts that divert large quantities of water and have many farmers that use portions of their appropriation, if there are several canal companies or irrigation districts that have diversion rights on a river that is suffering from a depleted flow, they try to divert only what they have to to keep enough water for their farmers to have enough water to keep their crop from drying up, and share that water between themselves. An irrigation district that diverts a quantity of water...

PRESIDENT ROBAK: One minute.

SENATOR ELMER: ...shares that equally on a per acre basis with all of their subscribers or their shares...or their shareholders in that appropriation which is represented by their farmers. So in all practical purpose...for all practical purposes, surface water users share their resource on a share and share alike basis just like ground water users do now, the only difference being are ground water users have the luxury of a large reservoir that is regulated over decades and centuries rather