

the case, but it's certainly my mentality and a lot of people feel that way. But if you could review it, it's become apparent that they have a spacing requirement for wells in the Upper Republican NRD besides a requirement on how much quantity can be pumped out there. And, you know, should other areas of the state experience those type of declines, they will be called upon through the process to do similar types of programs. Could you explain a little bit where they're at now as for new wells and their spacing program and where you think they're headed.

SENATOR ELMER: Certainly, Senator Schrock. Of course, since predevelopment times in the Upper Republican, water tables have declined as much...water table levels have declined as much as 150 feet. And prior to the establishment of the water management area for the preservation to the extent possible of the remaining water, there was the possibility that economical irrigation would be impossible within ten to twenty years in the Imperial area. Since the NRDs have instigated management plans and been court tested to show that they do have constitutional authority to do so, they have gradually educated their water users to best management practices and raise just as good of economical yields of irrigated crops with 11 to 12 inches, acre inches per year as they did with 24 to 28 inches per year previously. Even with all of the best management practices, the restrictions on well spacings, there has been a continued decline, though much slower. The Upper Republican NRD in the last 30 days has passed a resolution and submitted to the Department of Resources (sic)...for the authority to put a moratorium on further development and that is no more new wells will be able to be drilled in the Upper Republican NRD. This is not going to stop the depletion of the aquifer. Now the aquifer we are talking about is shared by hundreds of farmers. It is as if you were on the surface of Lake McConaughy drilling through the ice and removing water from Lake McConaughy. Now each individual that has a hole in the ice is taking water for his use in his area above. But at the same time...

PRESIDENT ROBAK: One minute.

SENATOR ELMER: ..at the same time that he is using water it is not just from under his land, it is from all around under his neighbors land, as that cone of depression is filled in and the water seeks equilibrium to form the flat pool that you would visualize on the surface. That is why people share. That is