

want the status quo to change, why should it be that they have the burden of proof? And this particular situation perhaps illustrates better than most why they should not, that is the situation in Cass County, because most of those people are little people. Doing hydrological studies takes a lot of money. So why should the little person, with his domestic well, be forced to spend a lot or to organize and spend a lot to prove that somebody shouldn't have a privilege when, in fact, if somebody is going to exercise the privilege shouldn't they show that they're not going to harm anybody. Now take for example the Industrial Ground Water Act, and this is how the committee would have had this done, by the way, they would have put golf courses under the Industrial Ground Water Act and say you could apply for a permit. And when you're applying for a permit you have the burden of proof and here's what you have to show. You have to show the director, you have to give him a statement of the amount of ground water that you're proposing to use, so everybody knows, in the first place, how much water you intend to take, and that you don't take any more. The second thing you have to show is a statement of the proposed use, that is whether it's, you know, agricultural, or domestic. You have to show, give an idea of the importance of the water and whether the ground water will be transferred for use at a location other than the well site. And then you have to show a hydrologic evaluation of the impact of the proposed use on the surrounding area, and then the date when the applicant expects to first use the ground water, and then finally such other relevant material as the director may deem necessary or desirable. And if you go through those steps, then you can transfer the water. And that gives everybody an opportunity to know what's going on and to come in and to talk about it. But...well, that's all I'll say at this point. The Wehrbein amendment makes what I would consider a very bad amendment a little bit better, I guess. Thank you.

SPEAKER BAACK: Thank you, Senator Beutler. Senator Elmer, did you wish to address the Wehrbein amendment?

SENATOR ELMER: Yes, Mr. Speaker, thank you. Senator Wehrbein is coming along with something here that makes it so that there's some recourse. First of all, we have to understand that the wells that we're talking about have to have a permit whether they transfer water or not. And the permitting process for the well is there. So we are only talking about moving water from an area where the well is to a little different area. Out there