

if you look on line 17 of page 12, it sets out a second method of assessments. It says in lieu of the annual fee, the one I just described to you, any person who has obtained recognition of incidental underground water storage, okay, may levy a one-time fee, one-time fee of 50 cents per acre against the person who is withdrawing the water. Okay, when it uses the term "one-time fee" that means they are going to charge them once and, as I understand the legislation, not in the year 2000, not in the year 2100, never again will they be levied an assessment for the benefits that they derive from that underground water that they are obtaining by virtue of the existence of the surface water districts. And my problem is that I believe, I truly believe, that this provision is going to encourage people to enter into agreements which are simply not fair. Now I think you have to remember, first of all or have in mind a little bit, what some of the figures are in terms of the use of this water. If you are talking about surface water districts and how much they charge, generally speaking, for the use of that surface water, it is always some place in the neighborhood of about \$17 per acre foot of water. For example, with the McConaughy project the charge for a foot and a half per acre of water, per year, is \$17.50. Now under the one provision of the bill you could charge a maximum of 50 cents per acre per year. So they could use a foot and a half per acre of water per year for just 50 cents as compared to \$17.50. Now that is not really much to begin with. But if you look at the second provision, which allows a one-time fee, that is a charge of 50 cents forever. Let's say you were talking about a period of 50 years. If you were talking about a period of 50 years that would mean, using the figures that I gave you for a surface water user, they would pay \$875 per acre over a 50 year period. For someone who was given the deal of 50 cents, a one-time 50 cents fee that would be a fee of 50 cents over a 50 year period, as compared to \$875 per acre. Now the reason that that second provision was put in there, the one I am objecting to as I understand it, was that this was something the districts could do and they wouldn't have to go through all the hoops, all the legal hoops of proving certain things that they would otherwise have to do if they were charging an annual fee. I suggest to you, number one, that that is not clear in the bill, and that, two, because of the due process and equal protection clauses of the Constitution, even if the bill did not...even if the bill said they did not go through the hoops they would probably have to anyway, because you have