

determines how near he drills one well to another?

SENATOR BEUTLER: I would suppose that it would depend upon where he can get water, Senator Schmit, to a certain extent and what land he owns to a certain extent. It would depend upon a number of factors I would think.

SENATOR SCHMIT: The availability of water is one, that is correct. Could you give me another?

SENATOR BEUTLER: The land that he owns.

SENATOR SCHMIT: The land that he owns, of course. What about the necessity perhaps of drilling a well in some areas? You know, we assume perhaps that the ideal situation is to drill one well on every quarter section, put up a pivot system and irrigate in that manner. Are you familiar with the fact that in some parts of the state, Senator Beutler, we have very low yield wells where well may be hooked together or even, for example, they may just irrigate just very small acreages and that the 600 foot limitation for example may be an impediment to wise development, in fact, it is more economical to drill some of these shallow wells than it is to pipe water or to pump water. Are you aware of that?

SENATOR BEUTLER: I am aware of that and I am confident in the ability of the local officials to determine what is reasonable in a particular local situation.

SENATOR SCHMIT: Okay, thank you. I think that we have already demonstrated with a 600 foot spacing requirement that we have placed an impediment in some areas upon the wise development of water, because in an area not too far from where I live, where we have these low yield wells, it may be necessary to place wells nearer than that to each other. I have a well on a quarter section of land and I had to put the well on the very extreme corner of the land. If my neighbors are in the same kind of a situation they may be forced to drill closer than 600 feet to my well, if they want to find water. I really don't believe that that is fair to deny them and I don't think that the Constitution would allow me to deny them access to some of that water. I think that to get back to the Lamb amendment that certainly if we are to adopt the kind of language that we have in this bill at this time, that it would be an impediment to the development of the land in the most economical means possible. I would just like to call your attention to the fact that the only sector of the economy that has consistently and continually improved its productivity, has improved its production and decreased its cost is agriculture. We have been able to do that in agriculture because