

this analogy before. Those of us who are at the present time irrigators have the numerical superiority to bring in effect a control area. I have all my wells in. My land is developed and I'm irrigating and I see across the road my neighbors may decide to put in a well. What better method do I have to preserve the value of my investment and to deny my neighbor the right to improve his investment than to create a control area and limit his right to develop his area? I think you want to look long and hard at this thing from the standpoint of the ability of the majority to deny to the minority, some of their property rights. Now I have said many times I am in favor of allocation, various methods necessary to preserve our resources but I'm in favor of equity and I have said on this floor and I am going to say it once more, I'm not in the position to stand here and ask that those of us who have created the problem by use of the water should resolve the problem by denying underground water to those who have never used it. That will be a first in the history of this state. Several members here have talked about the local people that want to create a control area. It is kind of interesting. If the local people want to create a control area that is supposed to be good. If the local people choose not to create a control area, then those same legislators want to transfer to the state the ability to create one contrary to the wishes of the local people. It is kind of interesting isn't it? In other words, as long as you want to tighten the screws, tighten down the clamps, take away any individual property rights, we don't give a darn how you do it, that's good. But if the people decide locally they don't want to do it, then that is bad. I think that we need to recognize most of all, the thing I said earlier. You will create a control area under this procedure and you will not provide sufficient funding to do anything substantive with it which will result in having to come back to this Legislature and ask for funds time after time after time. This Legislature will not provide those funds, has not provided those funds in the past, we have not seen the willingness to do so and as a result the control area will mean nothing. I want to ask once more, how can members of this body arbitrarily say that no incorporated area shall be included in a control area. I don't think you can do that. There may be sometimes when it will be and sometimes when it will not be but there is no doubt in anyone's mind on this floor who has any concept of what is going on as to why the incorporated area has been excluded.

SPEAKER MARVEL: You have thirty seconds.