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Testimony on SB 156
To
The Senate Committee on Natural Resources
By Mark Rude, Executive Director

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Chairman Powell and members of the committee, thank you for this opportunity to testify in support of SB 156. The purpose of SB 156 is to clarify that the existing Stateline groundwater gage sites established by GMD3 with help of the KGS and USGS can be included in the gage sites funded each year by the Arkansas River Gage Fund. The added cooperative cost share expense to the fund this year for one Stateline groundwater gage in the poor quality river alluvium is \$5,332 and one Stateline groundwater gage in the fresh paleo-river channel aquifer for this year is also \$5,332, totaling \$10,664.

When budget cuts forced DWR and the Department of Agriculture to discontinue cooperative funding agreements with the USGS for important gages sites in the Upper Arkansas River basin, a local effort in southwest Kansas encouraged the legislature to establish a permanent funding source for needed gages from state oil and gas lease receipts under Arkansas River state property from the Stateline through Ford County. The funding is available to maintain key gages at Dodge City (now funded by the US Army Corps of Engineers) and other gage sites up stream to the Stateline that are important data sites to measure and manage all Kansas water supply from the Arkansas River basin originating in Colorado and crossing the Stateline.

We already know that groundwater management near the Stateline in Colorado is a key part of compact compliance from the success of Kansas in litigating the "well issue" in the most recent KS vs. CO #105 Supreme Court case. The potential effect that recent groundwater development in Colorado south of Holly may have on the quality and quantity of historical fresh water supplies to existing Kansas water users and the City of Syracuse created the necessity for the Stateline groundwater gages.

Also, the establishment of the Stateline groundwater gages and the near real time access of the data on the web provides the needed data access to all concerned to reduce miss-information that can be the enemy of both development and protection interests of “waters of the Arkansas River” under the compact.

The Arkansas River Compact states in “Article I: The major purposes of this Compact are to:

A. Settle existing disputes and remove causes of future controversy between the states of Colorado and Kansas, and between citizens of one and citizens of the other state, concerning the waters of the Arkansas river and their control, conservation and utilization for irrigation and other beneficial purposes.

B. Equitably divide and apportion between the states of Colorado and Kansas the waters of the Arkansas river and their utilization as well as the benefits arising from the construction, operation and maintenance by the United States of John Martin Reservoir Project for water conservation purposes.”

The Compact further defines in Article III:

“B. The term "waters of the Arkansas river" means the waters originating in **the natural drainage basin (emphasis added)** of the Arkansas river, including its tributaries, upstream from the state line, and excluding waters brought into the Arkansas river basin from other river basins.”

The funding of these Stateline groundwater gages from the Arkansas River Gage Fund is appropriate and consistent with the established purposes of the Fund. Both are needed measure changes and differences in water quality and quantity. The information from the sites are viewable on-line at:

http://waterdata.usgs.gov/nwis/uv?site_no=380117102023801 and
http://waterdata.usgs.gov/nwis/uv?site_no=375936102023901

With the addition of the Coolidge river gage station at http://waterdata.usgs.gov/ks/nwis/uv?site_no=07137500 , data on the changes and differences in water quality at the Stateline can be collected and monitored.

Thank you again for this opportunity to testify and I will stand for questions at the appropriate time.