

To: Senate Committee on Natural Resources, Senator Powell, Chair

From: Kent Askren, Kansas Farm Bureau

Date: March 12, 2015

Re: HB 2059- An act concerning water; related to the diversion of water

Chairman Powell and members of the committee, thank you for this opportunity to testify in support of House Bill 2059. I am Kent Askren, Public Policy Director for Kansas Farm Bureau.

We support augmentation as an alternative tool for the Chief Engineer to help meet the needs of senior water right holders found to have been impaired by junior water right use. Kansas water law follows the prior appropriation rights doctrine of 1st in time is 1st in right.

Augmentation can help meet the legal obligation assigned to the Chief Engineer to protect senior water rights while at the same time minimizing the negative affect that water rights administration has on personal, local and state financial returns.

When first introduced in legislation, we had concerns that augmentation might be forced upon unwilling participants and therefore suggested the targeting of its use to the Rattlesnake Creek subbasin where years of study and hundreds of thousands in dollars have been invested in modeling. Language amended in the Senate version added if “**such replacement is available and offered voluntarily**” thus alleviating our concerns and the need for targeting of augmentation.

The option of augmentation to minimize severe financial losses caused by water shortages is good for everyone in the Rattlesnake Creek basin and potentially elsewhere. I hope the committee will amend and favorably pass out HB 2059 by inserting the “**voluntary**” language from the Senate.

Thank you for the opportunity to testify today and I’d be glad to answer any questions at the appropriate time.