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Jackie McClaskey, Secretary

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**Testimony on SB275 to
The Senate Natural Resources Committee
Kansas Department of Agriculture
March 18, 2015**

Chairman Powell and members of the committee, my name is Lane Letourneau with the Kansas Department of Agriculture. The agency is a proponent of the SB 275. The Water Vision Team met with over 13,500 Kansans during 2014 and we are currently meeting with Vision Goal Setting Teams. We remain hearing many good ideas about managing water in Kansas. Conservation and flexibility are two of many issues that Kansans are raising during our tours and hundreds of meetings held by the Water Vision Team.

Water Conservation Areas (WCA), as proposed in this bill, would provide both of those items to water users. As proposed, the WCA would allow a group of water right holders to consent to a conservation goal. They provide a detailed proposal to the agency, including the area covered, conservation goal and their own corrective control measures to meet the conservation goal. An order would be written to authorize the conservation goals. They will then have the benefit of greater flexibility on managing their water, provided the overall goal of the WCA is met.

Currently, the law provides other tools that allow comprehensive corrective control measures in addition to strict water rights administration. In the past, you have allowed the establishment of Intensive Groundwater Use Control Areas (IGUCAs) and Local Enhanced Management Areas (LEMAs). Both of these are great tools that can create a softer landing than strict water rights administration.

We are now requesting WCA as part of the Water Appropriation Act as yet another tool, without as much red tape, to reduce barriers for those who want to conserve. The bill has been developed based on stakeholder outreach. We developed the current bill with the groundwater management districts, the Kansas Farm Bureau and the Kansas Livestock Assn.

One important item to understand is that IGUCAs, LEMAs and WCAs could potentially overlap. The language as drafted in this bill reflects the tool with the best conservation goals and corrective control measures should be used to authorize the water use in the affected area. The bill, as drafted closes a potential loophole that would impede a conservation goal.

If a proposed WCA is located within the boundaries of a groundwater management district, the proposal will be sent to the GMD for a recommendation and the WCA will be subject to the applicable rules, regulations, and management plan of the GMD.

We have already been asked if it is necessary to change the law because of the 100% agreed to conservation plan. Anyone can be part of a handshake agreement to reduce water use. The WCA, LEMAs, and IGUCAs provide a level of authority allowing flexibility. With any of these, the producer must stay within the terms conditions and limitations of their water right. Please consider WCAs. It is important to provide flexibility to anyone who wants to conserve.

Thank you for your time and consideration. I will be glad to answer questions at the appropriate time.