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Jackie McClaskey, Secretary

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**Testimony on SB 329 Multi Year Flex Accounts**  
**Senate Natural Resources**  
**Lane P. Letourneau, P.G.**  
**Water Appropriation Program Manager**  
**Kansas Department of Agriculture**  
**January 20, 2016**

Chairman Powell and members of the committee, I am Lane Letourneau, Water Appropriation Program Manager at the Kansas Department of Agriculture, Division of Water Resources, and I am here today to express KDA's support of Senate Bill 329 to further enhance the multi-year flex account (MYFA) program for Kansas water right holders.

SB 329 is a simple clean up to KSA 82a-708c. This amendment will allow someone enrolled in a MYFA to modify the place of use of the MYFA term permit to coincide with the base water right. The base water right is the right that provides the MYFA its attributes, including the point of diversion, place of use, diversion rate and quantity available to calculate the MYFA quantity. The MYFA is authorized by a term permit. The base water is suspended while the MYFA is active.

MYFAs, by design, provide water right holders with more flexibility to manage their water resources. There are cases where the water right holder needs to slightly modify the place of use. He or she may need to move some acres around due to transitioning from a flood irrigation system to a more efficient drip or center pivot system. Currently, we can change the base water right, but we have to dismiss the MYFA and the owner must re-apply to gain his flexibility back.

SB 329 will allow a water right holder to file a change application to change the place of use to the base water right and allow KDA to change the MYFA to coincide with the base water right. There is an application fee for the change in place of use on the base water right. We request that we do not have an additional fee to change the MYFA.

It is important to note that while there are not a lot of these types of changes, the changes provided in SB 329 will help individual water right holders who have needed this type of change and could encourage further enrollment in the MYFA program.

I will stand for questions at the appropriate time.

Thank you.