

Approved: 2-18-98
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson David Corbin at 8:00 a.m. on February 13, 1998 in Room 254-E of the Capitol.

All members were present except: Senator Huelskamp

Committee staff present: Raney Gilliland, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes
Lila McClafin, Committee Secretary

Conferees appearing before the committee:
Attorney General Carla Stovall
David Pope, Chief Engineer, Director, Water Resources Division, Department of Agriculture
Representative Joann Freeborn

Others attending: See attached list

A motion was made by Senator Tyson with a second by Senator Biggs to adopt the minutes of February 10 and 11. Motion carried.

HCR 5030 - requiring the Attorney General to bring suit against the State of Nebraska to enforce the provisions of the Republican River Compact.

Chairperson David Corbin showed a video with Larry Steckline Show and Governor Ben Nelson of Nebraska. The video was a tape from the Larry Steckline Show, KSNTV, Wichita that was broadcasted on Tuesday, February 10.

Attorney General Stovall said since 1985 the State of Kansas has consistently expressed concern to the State of Nebraska about their failure to comply with the water allocations under the Republican River Compact. and their failure to monitor the drilling of new wells and the pumping of existing wells. Nebraska has consistently refused to admit the pumping of groundwater has an impact on the flow of the Republican River. The preliminary estimates of depletion of the Republican River Compact seemed to be two to four times the violations of Colorado in the Arkansas River Compact. The long term implication of a shortage of water flowing into Kansas threatening the water supplies of cities that depend on it.

David Pope supported the testimony presented by the Attorney General. He said he wanted to reenforce the fact that Kansas has tried to settle the issue. Mr. Pope distributed a hand out of the Republican River Basin, a map of the Republican River Basin below Harlan County Reservoir, a chart of Harlan County Reservoir inflows, and wells in the Republican River Basin (Attachment 1)

Representative Joann Freeborn expressed her support for **HCR 5030**. She questioned why the Natural Resource Districts have the authority to issue permits for ground water wells, and why a state would give authority to a local unit of government that allows them not to abide by the Republican River Compact.

The hearing on **HCR 5030** was closed.

The Attorney General and David Pope responded to questions regarding the failure to comply with the compact, the estimated number of years litigation would take and the estimate dollars needed for litigation.

Senator Morris moved to recommend that **HCR 5030** be adopted. Senator Biggs seconded the motion. The Motion Carried.

The meeting adjourned at 9:02 a.m.

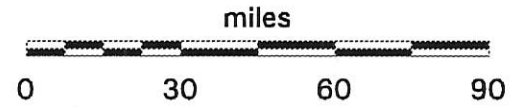
The next meeting is scheduled for February 17, 1998.

SENATE ENERGY & NATURAL RESOURCES
COMMITTEE GUEST LIST

DATE: 2-13-98

NAME	REPRESENTING
David L. Pope	WDA, Div of Water Resources
Nancy Lindberg	AG
Mike Beam	KS LUSTK ASSN.
Woody Moss	KS Agg. Prod. Assn.

Republican River Basin



Index Map



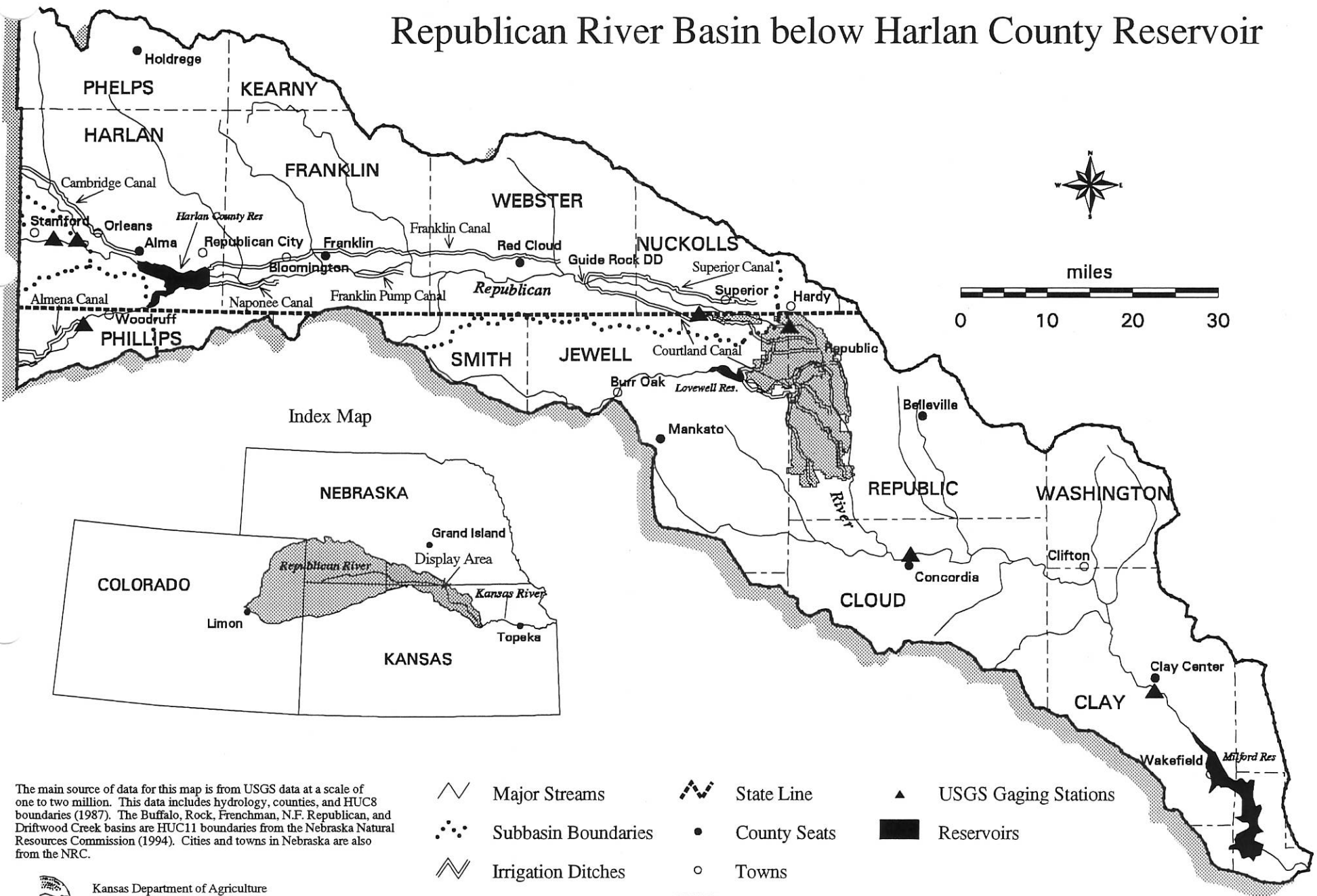
- Major Streams
- Basin Boundaries
- County Lines
- State Lines
- Reservoirs and Lakes
- County Seat

The main source of data for this map is from USGS data at a scale of one to two million. This data includes hydrology, counties, and HUC8 boundaries (1987). The Buffalo, Rock, Frenchman, N.F. Republican, and Driftwood Creek basins are HUC11 boundaries from the Nebraska Natural Resources Commission (1994). Cities and towns in Nebraska are also from the NRC.













Kansas Department of Agriculture
Division of Water Resources
SWRMP, August 1996

Republican River Basin below Harlan County Reservoir

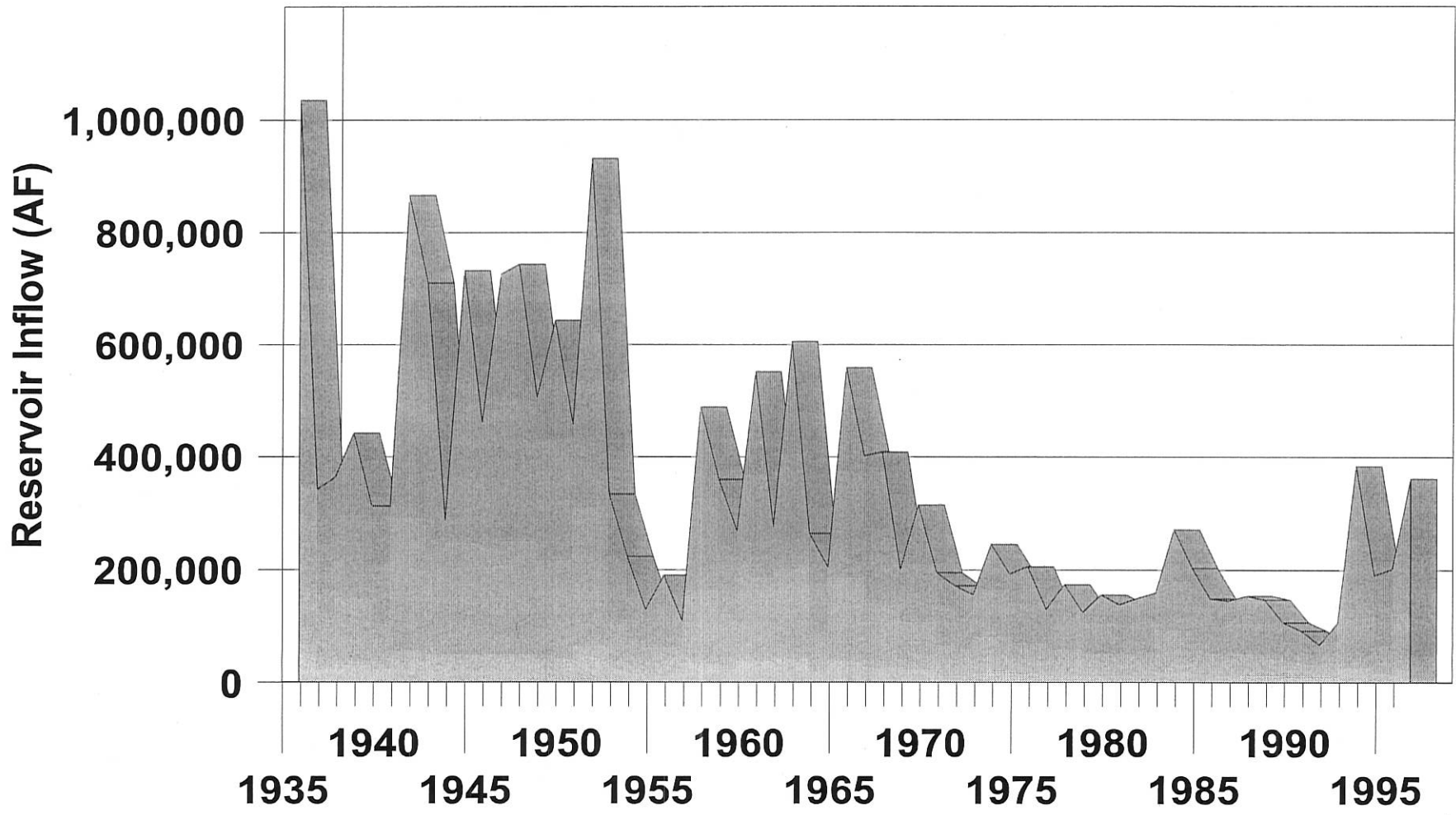


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-  Major Streams
-  Subbasin Boundaries
-  Irrigation Ditches
-  County Lines
-  State Line
-  County Seats
-  Towns
-  Kansas Bostwick Irrigation District
-  USGS Gaging Stations
-  Reservoirs

Harlan County Reservoir Inflows



Total based on Bureau of Reclamation Data

Wells in the Republican River Basin

4-1

