

Western Kansas Groundwater Management District No. 1
Katie Durham, District Manager
TESTIMONY OPPOSING HB 2459
February 1st, 2024

906 W. 5th
P.O Box 604
Scott City, KS 67871
(620) 872-5563
Gmd1@wbsnet.org

Regarding HB 2459:

The Western Kansas Groundwater Management District No. 1 (GMD1) strongly opposes HB 2459. This bill proposes language within K.S.A. 82a-701 that in regions where safe yield is exceeded, a change in point of diversion will not be approved.

Much of GMD1 is considered to be over appropriated and has many portions that may already exceed safe yield calculations. Due to these circumstances, GMD1 is closed to new water right appropriations and has implemented Rules and Regulations within GMD1 that already limit the redrilling of wells to 300 ft from the original authorized point of diversion within the Boundaries of GMD1 per K.A.R. 5-21-3 in addition to the rules outlined in K.A.R 5-4 and K.A.R. 5-5. However, the Board is able to consider appropriate waivers under circumstances that meet specific requirements, and protect municipalities, domestic water users and the greater community. Therefore, while GMD1 already has regulation in place in an attempt to be as conservative as possible, some flexibility is needed to protect against unforeseen circumstances and to provide options to producers and municipalities whenever feasible.

GMD1 currently has the Wichita County Water Conservation Area, the Wichita County LEMA and the Four County LEMA to address decline in these specific areas. While safe yield may already be exceeded in some areas, these programs work to address declines and offer tools and resources in efforts to work towards more stabilizing levels using locally driven policy. These efforts work to protect the critical economic viability of Western Kansas and the many communities, domestic water users, stock water right holders and agricultural producers it supports. The implementation of proposed HB 2459 would introduce significant hardship on these communities as many wells would be forced to cease pumping regardless of current efforts of conservation and existing District Rules and Regulations, and would result in significant economic impacts for the greater region and State. Additionally, many of the municipalities within GMD1 would be considerably vulnerable to water scarcity issues as many would not be able to move or redrill a municipal well due to water quality concerns or well casing issues. Therefore, for the reasons stated, GMD1 is opposing HB 2459.