

Kansas Farm Bureau **POLICY STATEMENT**

Senate Agriculture Committee

Re:HB 2451 an act concerning water

February 7, 2012

Submitted by:

Steve M. Swaffar

Director of Natural Resources

Chairman Tadikken and members of the committee, thank you for the opportunity to provide testimony today in support of House Bill 2451. I am Steve Swaffar, Natural Resources Director for the Kansas Farm Bureau.

KFB is appreciative of the efforts of the Ogallala Aquifer Advisory Committee (OAAC), the Division of Water Resources and the Kansas Water Authority to address a lingering question concerning the use of water in areas of the State closed to new appropriation. As one of the series of recommendations from the OAAC, HB 2451 is key to deriving greater benefit from Kansas water.

HB 2451 puts to rest the question of unnecessary use of water rights in areas of the State officially closed to new appropriations of water. For several years producers in western Kansas have expressed concerns about utilizing water only to preserve the water right and avoid abandonment proceedings, "use it or lose it". With passage of HB 2451 they can finally put those concerns aside.

KFB believes the provisions of the abandonment statute in Kansas water law were built upon the premise of water being available for appropriation. Abandonment of water rights is still an applicable concept in areas of the State open to new appropriations. However, in the Ogallala aquifer where no new rights are available and conservation of water needs to be encouraged, there is no need for abandonment proceedings and any impediment to conservation should be removed. HB 2451 accomplishes this.

We encourage the Committee to pass out HB 2451 favorably. Thank you and I would be happy to answer questions at the appropriate time.