



Kansas Farm Bureau
POLICY STATEMENT

Senate Natural Resources Committee

**Re: Substitute for HB 2051 an act concerning limited transfers, dams
and multi-year flex accounts**

March 14, 2013

Submitted by:

Kent Askren

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Chairman Powell and members of the committee, thank you for this opportunity to provide testimony on Substitute for House Bill 2051. I am Kent Askren, Assistant Director of Natural Resources for the Kansas Farm Bureau. This bill amends and improves several statutes pertaining to our water and stream obstruction laws which we support.

In New Section 1 of the bill, the concept of limited water transfer permits is unveiled. Limited transfer permits will allow our members the opportunity to lease a portion of their water right on a short term basis. Water right development in our state is maturing, making the right to use water an increasingly valuable privilege.

Just as importantly, limited transfer permits protect fully developed water supplies from becoming more heavily drawn upon since it is not really "new" water being appropriated but rather a short term lease of a water right that is already on the books.

Sections 2 through 6 of the bill amend our obstructions in streams law requiring fewer dam and stream obstruction projects to have prior written consent or a permit from the chief engineer. Due to the large number of relatively small dams and stream crossings associated with the normal operation of farms and ranches, our members will appreciate this reduction in regulatory oversight and expense.

Our final comments on the bill are in regards Section 7 and multi-year flex accounts (MYFA). As some of you will recall, the MYFA program was greatly improved last year

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by passage of SB 272. KFB supported that bill and offered suggestions to the Chief Engineer about how to improve interest in multi-year water flexibility.

We support the proposals in Section 7 which would further improve the MYFA program by motivating water users to conserve and roll over up to 20% of any unused water in a five year MYFA allocation, making it available as part of a successive MYFA.

Water use flexibility serves as a tool to help innovative producers create greater economic value out of every drop they pump while maintaining average or less aquifer demand. It also helps those struggling through drought when the only other options are to either burn up a crop or overpump their water right. By alleviating overpumping occurrences, water use flexibility saves state resources that would otherwise be spent on enforcement activities.

KFB appreciates the opportunity to provide testimony on Substitute for HB 2051.

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