Neutral Testimony on SB 227
To the Senate Natural Resource Committee
Sean Miller, Northwest Kansas GMD#4
Wednesday, February 18, 2015

Chairman Powell, members of the committee. Thank you for the opportunity to provide comments on SB 227 on behalf of Northwest Kansas Groundwater Management District #4 (GMD#4). For the committee's information, the GMD#4 boundaries encompass all or part of ten counties in the northwest corner of Kansas, an area of a little over 3.1 million acres. GMD#4 is also the home to the state's first, and only, Local Enhanced Management Area, or LEMA, commonly referred to as the "Sheridan-6" LEMA.

In the short time we have had to review and digest the contents of SB 227 we want to note that we are generally supportive of the concept contained in the bill to provide some measure of protection to those water rights holders that have taken steps to implement voluntary conservation measures. As we all know, water is vital to the agricultural economy of Western Kansas, and we applaud those who seek to extend the usable life of our limited water supplies. Allowing the Chief Engineer, and the sponsoring GMD, to take into consideration voluntary water reductions already taken by water users may eliminate some current roadblocks that stand in the way of future LEMA discussions.

We do want to note one general concern with the bill, included on page 3, lines 20-23, which would place in statute a specific ten year period of water use data upon which corrective control measures could be based. The existing LEMA statute gives local entities and the Chief Engineer a great deal of flexibility in crafting a developing a local enhanced management plan that best serves the needs of the proposed LEMA boundaries. Our concern is that placing a specific ten year period of water use data into the LEMA statute could disadvantage future local proceedings. We ask that the committee continue to allow the sponsoring GMD and the Chief Engineer the flexibility to address this, and other issues, on a case by case basis to achieve the absolute best plan for the water right holders within any future LEMA boundaries.

Once again, we support the ability of the Chief Engineer to give due consideration to water users who have taken voluntary conservation measures. Thank you for the opportunity to provide this written testimony to the committee and I would be happy to answer any questions the committee may have.