



To: Chairman Minnix, and members of the House Water Committee
From: The Water Protection Association of Central Kansas
Re: Opposition to HB 2459

The Water Protection Association of Central Kansas (Water PACK) is an organization of agricultural water users, and associated business, with a vested interest in the future of irrigated agriculture in the state of Kansas. It is on behalf of Water PACK's 470 members that I write you today expressing our opposition to HB 2459.

1. It is not the place of the Kansas Legislature to manage the water of the state at the ground level. This regulation is the responsibility of the Chief Engineer, and the Groundwater Management Districts (GMDs).
2. As Water PACK has previously testified you cannot paint the entire state with one brush in terms of water policy, and regulation. Knowledge of local hydrology is critical to these processes as significant differences can exist within a single township.
3. Each GMD has their own regulations in place to deal with well spacing, safe yield, and re-drilling. In GMD 5 the district has been closed for new appropriations for many years. GMD 5 also follows the regulations set forth in K.A.R. 5-25-2 for changes in point of diversion.
4. At present a change in point of diversion of 300 feet or less can be approved by a local Division of Water Resources office in less than 24 hours. When a catastrophic failure of a well casing occurs there is usually little to no warning. This makes a quick efficient permitting process critical to minimize potential damage to crops, or livestock, due to extended lack of access to water.

It is the understanding of Water PACK that HB 2459 is intended to address the actions of a few bad actors.

1. Individuals that are finding areas still open to new appropriation because they meet safe yield, and then once the perfection process is completed moving the point of diversion into an area that is over appropriated.
2. Individuals in areas where groundwater supplies are depleted using the change in point of diversion to move wells into deeper formations thus "chasing water".

Water PACK does not support individuals using existing regulations to game the system. This gives the majority of law abiding water users a black eye, subjecting them to greater scrutiny, and needless regulations that ultimately impair their ability to operate effectively.

Water PACK and its membership are opposed to HB 2459, but would support local measures to prevent these issues from arising in the future.

Thank you for your time and consideration in this important matter.

Respectfully,

Patrick Janssen
President, Water PACK BOD