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**Testimony before the House Water Committee  
Opposition on HB 2695  
By  
Orrin Feril  
On Behalf of Big Bend Groundwater Management District No. 5  
February 20, 2024**

Chairman Minnix and members of the committee, thank you for the opportunity to provide opposition testimony to HB 2695. I am Orrin Feril, providing this testimony on behalf of Big Bend Groundwater Management District No. 5 (Big Bend).

Big Bend is unsure of the intent of the provisions in HB 2695. To our knowledge, eligible voters are not seeking direct petition ability to the Chief Engineer to extend or reduce the territory in Central KS. Historically, the Big Bend board has embraced concerns from the area stakeholders and discussed them in an open manner. There have been situations where individual water users did not agree with decisions made by the board of directors. However, we have found that when the discussions are open and based on factual information, the concerns are addressed.

By statute, the respective boards of directors for the groundwater management district have a duty to put in place programs for the proper management of the regional groundwater resource. Many times, the objectives laid out in these programs are difficult decisions based on hours of evaluation and consideration. The provisions in HB 2695 would allow individuals that disagree with these decisions to petition the Chief Engineer to remove themselves from a groundwater management district. It is impossible to predict the outcome of these petitions, but if approved it would diminish any further ability the groundwater management district board might have to make unpopular decisions. Even if those decisions are in the public interest and for the good of the water resource.

The issues that would likely arise from HB 2695 would be wide-ranging and undermine the capability of the GMDs to fulfill the job for which they were first created. The apparent simplicity of this being a solution in one area of Kansas will likely have massive unintended consequences in other regions that will have a very disparate effect on those who do not directly benefit. This is simply a case of fixing one problem but making the situation worse. While potentially extreme, one possible unintended consequence from HB 2695 would be a petition from eligible voters to remove themselves from within the groundwater management district. This would potentially create a hole in the middle of a district, thus creating a very difficult management scenario for the district board of directors.

Big Bend would strongly encourage the committee to not take further action on this bill. Any existing concerns that this bill intends to remedy would be better addressed through meaningful

discussion with the respective groundwater management districts. It is the intent of Big Bend to continue to pursue a sound water policy within Central KS. Thank you for the opportunity to provide testimony on HB 2695. It is always beneficial to have conversations such as the discussions generated by these hearings. Big Bend Groundwater Management District No. 5 is ready and willing to continue to be a productive partner in those conversations. We look forward to working with your committee to promote a sound water policy in Kansas.