



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

Testimony as an Opposing Party on HB2691
Provided To
The House Water and Environment Committee
From the Southwest Kansas Groundwater Management District No. 3 (GMD3)
February 13, 2018

Chairman Sloan and members of the committee, I am Mark Rude, Executive Director of GMD3 to provide opposition testimony on HB 2691 as written. The GMD3 Board leadership strives to see that all land owners and water users of the district have proper notice and opportunity to be heard on matters that may affect private property rights to water supply. HB 2691 heads in the wrong direction by removing notification requirements.

GMD3 acts to develop and conserve water supply to grow the social, economic and natural resources well-being for current and future generations. GMD3 is the local entity authorized by the legislature to manage, conserve and develop the groundwater resources for the Southwest 12 counties of Kansas. GMD3 is governed by the largest local water board in the state. I have attached our fact sheet to this testimony for your reference.

GMD3 groundwater supplies are declining significantly and the number of water rights granted by the state far exceeds what can be sustained for domestic and other beneficial uses. Recent efforts to “cut red tape” can be very helpful to improve the conservation and business environment, but increases the importance of notifying neighboring property owners so they may be informed about what is happening, they may learn from some experts ahead of the determination and may be heard on their concerns.

Nowhere is proper notification more important than in a depleting aquifer. With new permits, change applications and Water Conservation agreements being considered daily what was once tolerable may not be tolerable anymore. The time to review such concerns is when administrative action is on the table, not after the decision is made. No person with prior water rights, upon expressing a need to resolve impairment concerns, should be told by the state official “I am not required to give you the opportunity you need to comment/consider prior to making a determination.” This is especially concerning given that any complaint after the application process requires that neighbors hire their own experts by rule and regulation.

In a declining aquifer, we need more notification and due process, not less.

Thank you for allowing GMD3 to participate in today’s hearing. I will stand for questions at the appropriate time.