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**MEMORANDUM**

**To:** The House Standing Committee on Agriculture

**From:** The Office of Revisor of Statutes

**Date:** March 10, 2020

**Re:** Senate Concurrent Resolution No. 1614 — Rattlesnake Creek Subbasin

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Senate Concurrent Resolution No. 1614 would resolve to support Kansas farmers and ranchers in the Rattlesnake Creek subbasin in their ongoing effort to protect their water rights and livelihood through a collaborative solution to the region's water impairment issue that safeguards Kansas agriculture and the economic success of Kansas farmers, ranchers and agribusiness.

The resolution states that farmers, ranchers and agribusiness are the heart of Kansas and the Kansas economy and those farmers and ranchers rely on water to achieve agricultural and economic success.

Additionally, the resolution provides background information on the Rattlesnake Creek subbasin and the Quivira water right impairment issue. The Rattlesnake Creek subbasin covers approximately 1,300 square miles across 10 counties and is home to many farmers and ranchers, as well as the United States Fish and Wildlife Service's Quivira National Wildlife Refuge.

The U.S. Fish and Wildlife Service holds a senior water right for the Quivira National Wildlife Refuge. In 2013, it filed an impairment complaint with the Division of Water Resources, which confirmed the impairment in 2016. Farmers and ranchers in the subbasin, along with the Division of Water Resources and the Quivira National Wildlife Refuge have been working to find a solution to the impairment but have not yet come to a workable agreement. There was a proposed local enhanced management area (LEMA), but the proposal did not meet the legal requirements to establish a LEMA and was therefore rejected by the Division of Water Resources. The U.S. Fish and Wildlife Service did not make a request for water in fiscal year

2020 in order to continue to work to find local, voluntary, collaborative and non-regulatory solutions to the water needs of both the Quivira National Wildlife Refuge and the farmers and ranchers in the Rattlesnake Creek subbasin. The resolution states there are multiple potential solutions or combination of solutions that could work to alleviate the impairment issue without excessive government control and to protect the interests and livelihoods of Kansas farmers, ranchers and agribusiness, as they are vital to the success of the state.

SCR 1614 would resolve to support Kansas farmers, ranchers and agribusiness in the Rattlesnake Creek subbasin in their ongoing effort to protect their water rights and livelihood through a collaborative solution to the region's water impairment issue that safeguards Kansas agriculture and the economic success of Kansas farmers, ranchers and agribusiness. Additionally, the resolution would resolve to commend the U.S. Fish and Wildlife service for seeking a collaborative, nonregulatory approach to resolving the region's water impairment issue.

Copies of SCR 1614 would be sent to Senator Wagle, Senator Taylor, the Kansas Department of Agriculture, the United States Department of the Interior and members of the Kansas congressional delegation.

Upon passage by the legislature, SCR 1614 will be published in the session laws in accordance with the provisions of K.S.A. 45-310.