

To: House Committee on Water, Representative Ron Highland, Chairman

From: Kent Askren, Kansas Farm Bureau

Date: February 9, 2021

Re: Written testimony in support of HB 2172-concerning water; multi-year flex accounts

Chairman Highland and members of the Committee, on behalf of Kansas Farm Bureau, I want to thank you for the opportunity to provide written testimony in support of HB 2172. KFB is the state's largest general farm organization representing more than 30,000 farm and ranch families through our 105 county Farm Bureau associations.

KFB policy supports the concepts of water right use flexibility. We have previously testified before this committee on the merits of water rights flexibility that will not impair other water rights nor cause long-term negative impacts on the source of supply.

HB 2172 proposes to amend existing multi-year flex account law to make it more contemporary. The original period of record (primarily 2000-2009) for establishing the average use upon which the flex account would be based is not useful for water rights developed after those dates. Consequently, an alternative period to establish base average usage is needed, which this bill if approved would accomplish.

There are also some aspects of the bill which cleans up existing language used when drought term permits were utilized in the 2011-2012 timeframe which is now outdated and serves no purpose.

When we discussed the draft bill with KDA, there were a couple of amenable amendments that I have been told the Department discussed with the Chairman and plans to present as amendments in sections (b)(4)(B) and (c)(1). If the Chairman and Committee choose to entertain these amendments, KFB would be appreciative and in support.

Multi-year flex accounts are a popular and necessary water use tool for our members who must make management decisions far in advance of their water use needs.

Thank you for your consideration of these comments and we ask that you favorably pass out HB 2172.