A CONCURRENT RESOLUTION supporting 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 will safeguard
Kansas agriculture and the economic success of Kansas farmers,
ranchers and agribusiness.
WHEREAS, Farmers, ranchers and agribusiness are the heart of
Kansas and the Kansas economy; and
WHEREAS, Kansas farmers and ranchers rely on water to achieve
agricultural and economic success; and
WHEREAS, The Rattlesnake Creek subbasin is located in Stafford,
Pawnee, Edwards, Kiowa, Ford, Clark, Barton, Rice, Pratt and Reno
counties and covers approximately 1,300 square miles. The Rattlesnake
Creek subbasin is home to many farmers and ranchers, as well as the
United States Fish and Wildlife Service's Quivira National Wildlife
Refuge; and
WHEREAS, The U.S. Fish and Wildlife Service holds a senior water
right for the Quivira National Wildlife Refuge and filed an impairment
complaint with the Kansas Department of Agriculture Division of Water
Resources in 2013. The Division of Water Resources confirmed the
impairment in 2016; and
WHEREAS, The Division of Water Resources and stakeholders in the
subbasin, including farmers and ranchers, have been actively trying to
find a solution to the impairment but have not been able to come to a
workable agreement; and
WHEREAS, The Division of Water Resources rejected a proposed
local enhanced management area for failure to meet the legal
requirements and proposed action that included an administrative order to
reduce pumping of junior water rights; and
WHEREAS, 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 address the
water needs of the Rattlesnake Creek subbasin; and
WHEREAS, There are commonsense solutions available that would
help protect the water rights of farmers and ranchers in the Rattlesnake
Creek subbasin and ease any impairment of the Quivira National Wildlife
Refuge. Such solutions include utilizing water conservation areas, augmentation, voluntary conservation efforts and maximizing use of the water that the Quivira National Wildlife Refuge receives; and

WHEREAS, Consideration of these solutions could avoid excessive government control of agricultural irrigation and protect the interests and livelihoods of our Kansas farmers, ranchers and agribusinesses because they are vital to the success of our state: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That we 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 Quivira National Wildlife Refuge impairment issue that will safeguard Kansas agriculture and the economic success of Kansas farmers, ranchers and agribusiness; and

Be it further resolved: That we commend the U.S. Fish and Wildlife Service for seeking a collaborative, nonregulatory approach to resolving the impairment; and

Be it further resolved: That the Secretary of State shall send enrolled copies of this resolution to Senator Susan Wagle, Senator Mary Jo Taylor, the Kansas Department of Agriculture, the United States Department of the Interior and members of the Kansas congressional delegation.