

MINUTES OF THE HOUSE WATER COMMITTEE

The meeting was called to order by Chairperson Boyd Orr at 9:00 am on Tuesday, January 26, 2021, in room 152-S of the Capitol.

All members were present except:

Representative Ron Highland – Excused

Committee staff present:

Chris Waggoner, Office of Revisor of Statutes
Damien Gilbert, Committee Assistant
Meredith Fry, Legislative Research Department
Victoria Potts, Legislative Research Department
Zach Fridell, Office of Revisor of Statutes

Conferees appearing before the Committee:

Professor Burke Griggs, Washburn University School of Law

Others in attendance:

No list available

Request for bill introductions

Chairperson Orr called for bill introductions. Hearing none, he moved on to the next order of business.

Approval of minutes

Chairperson Orr asked for approval of the minutes. *Rep. Rhiley moved, Rep. Smith seconded, to approve the minutes of January 13th, 19th, 20th, and 21st, 2021. Motion carried.*

Presentation on: Kansas Water Law - Professor Burke Griggs (Washburn University School of Law)

Professor Burke Griggs introduced himself and his career. He then gave a presentation on the history and basis of water law in the state of Kansas ([Attachment 1](#)). It is based around the Kansas Water Appropriations Act, which Griggs called a fundamentally sound water code, and one of the better western water law codes. Nonetheless, the state faces a statewide problem of permanent depletion of its water resources, across water resource categories. Griggs called these private property problems, because permanent depletion makes property rights less secure.

Professor Griggs then fielded questions from the committee, including about the lack of a statutory definition of "impairment," uranium pollution from Colorado, clarification of adverse ownership, tribal water rights, wetland protections, and a comparison of LEMA rules across the state.

There being no further questions, Chairperson Orr adjourned the meeting at 10:22am.