

KANSAS OFFICE *of*
REVISOR *of* STATUTES

LEGISLATURE *of* THE STATE *of* KANSAS
Legislative Attorneys transforming ideas into legislation.

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Agriculture and Natural Resources
From: Office of Revisor of Statutes
Date: March 13, 2024
Subject: HB 2634—Additional Corrective Controls in IGUCA and LEMA Orders

House Bill 2634 as amended by House Committee would provide an additional corrective control provision for the chief engineer of the division of water resources to consider when issuing orders of designation for intensive groundwater use control areas (IGUCAS) and local enhanced management areas (LEMAs).

Currently, the chief engineer has the authority to include various corrective control provisions into the management plan when issuing an order of designation for an IGUCA or a LEMA, including:

- Closing the area for further appropriations;
- Determining the permissible total withdrawal of groundwater or specific permissible withdrawals from any water user or well;
- Provisions for a rotation system for groundwater use; and
- Any other additional provisions necessary to protect the public interest.

HB 2634 would amend the statutes that provide for the designation of an IGUCA and a LEMA, respectively, to provide an additional corrective control provision that would allow “flexibility in the use of water rights, including, but not limited to, multi-year allocations and use in excess of a water right’s annual authorized quantity in any given year so long as the overall use of water is reduced during the term” of the management plan for the IGUCA or LEMA. Additionally, the bill would specify that the chief engineer would be authorized to delegate the enforcement of any corrective control provisions ordered for an IGUCA to any groundwater management district.

HB 2634 would take effect on July 1, 2024, upon publication in the Kansas statute book.