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To: Senate Committee on Agriculture and Natural Resources, Senator Peck, Chairman

From: Kent Askren, Public Policy Director for Kansas Farm Bureau

Date: March 13, 2024

Re: Written testimony providing qualified support of HB 2634

Chairman Peck and members of the Committee, on behalf of Kansas Farm Bureau (KFB) I want to thank you for the opportunity to provide written testimony in qualified support of HB 2634. 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 has policy supporting the concept of flexibility in utilizing water rights to promote greater profitability, but those flexibilities must not compromise protecting the stability of the waters source of supply or result in the harming of existing water rights.

We encourage the committee to be fully satisfied that the additional corrective controls granting greater flexibility in exceeding the base water right annual allocation will in fact assist in meeting state objectives for the Ogallala aquifer of halting the decline.

Additionally, there must be clear safeguards in place demonstrating that this additional corrective control will not accelerate aquifer decline or the chasing of water leading to impairments. Theoretical, aquifer model analysis alone may not be enough. Physical evidence of the impacts of this additional corrective control should be collected to safeguard against unintended consequences.

Historically, multi-year flex accounts, have been a useful tool to accommodate flexible water use while holding long-term usage to average or lesser amounts. This can work well in areas that typically receive recharge that exceeds usage over a given period. But greater caution may be warranted in the Ogallala which slowly recharges and is in steady decline.

We support the wise implementation of HB 2634 as amended by the House Water Committee with a little caution.

Thank you for the opportunity to provide written testimony with qualified support for HB 2634.