

**Testimony on SB 148
to
The House Agriculture and Natural Resources Committee**

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March 2, 2012

Chairman Powell and members of the committee, thank you for this opportunity for the Kansas Department of Agriculture to testify in support of Senate Bill 148.

This bill originated in the Senate as part of SB 272 on Multi-year Flex Accounts, but was pulled from that bill to allow more time to work out some of the details in the language of the bill with stakeholders.

DWR's experience in processing the drought emergency term permits made it clear that landowners need a clearly defined and concise water right for their flex account permit. Water right owners may not want to place all of a complex, multi-well water right into a flex account permit. Thus, we expect that the advantages of these accounts will produce more requests to divide water rights. By dividing a water right into multiple rights, water right holders may enroll one or more points of diversion authorized under one divided right into a multi-year flex account, while leaving the other divided right (or rights) outside the flex account.

This bill provides for such division of a water right, be it for purposes of enrollment in multi-year flex accounts, to voluntarily divide a water right for others purposes, or to comply with a court order. This bill makes our current practice of dividing water rights explicit in statute, and provides a fee of \$300 for the division, no matter how many wells are involved.

I will stand for questions at the appropriate time.