

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Senator David Corbin at 8:04 a.m. on January 19, 2000 in Room 254-E of the Capitol.

All members were present except: Senators Pugh and Tyson are were excused.

Committee staff present:

Raney Gilliland, Legislative Research Department

Mary Ann Torrence, Revisor of Statutes Office

Lila McClafin, Committee Secretary

Conferees appearing before the committee:

Jerry Blain, Chairperson, The Water Banking Task Force

Richard Wenstrom, Water Pak, Kinsley, KS.

Kent Weatherby, Kansas River Water Assurance District

Sharon Falk, Manager, GWMD #5, Stafford, KS

Others attending:

See attached list.

**SB 388** - Enacting the Kansas Water Banking Act.

Chairperson Corbin opened the hearing on the bill and called on Jerry Blain to review the findings of the Water Banking Task Force.

Jerry Blain said the Water Rights Banking was identified in 1995 in the State Water Plan as a potential tool to reduce water consumption. The Water Banking Task Force began meeting in 1996. The Task Force had representatives from all of the major water user groups in the state. Their mission was to review the concept of water banking, and to develop a water banking plan that would work in Kansas. The Task Force Report was accepted by the Kansas Water Authority, who recommended that Water Banking legislation be submitted to the legislature. At the bottom of page 2 and the top of page 3 of his testimony he list five sections of the bill were some of the wording needed clarifying. Also included with his testimony is a copy of the Water Banking Task Force Report (Attachment 1). Mr. Blain responded to questions regarding deposits and withdrawal of water from the water banks.

Richard Wenstrom, farmer from Kinsley, KS., supported the bill. He thought that water banking would be an incentive for farmers who irrigate to conserve water and deposit the unused portion in their individual safety deposit boxes (Attachment 2). He said a water management plan for the Rattlesnake Creek Subbasin had been approved by David Pope and water banking is a vital part of the plan. The management plan could be made available to the committee if they wished. Water banking is designed to provide an incentive for each irrigator to conserve water. Replying to a question, Mr. Wenstrom said the main idea of water banking is to have less water consumed and the charters for the water banks should take this into consideration.

Kent Weatherby, Kansas River Water Assurance District, supported the bill. He served as a member of the task force. He said as a member of that task force he believes if this legislation is enacted it would provide a valuable tool in the management of the surface and ground water resources of the state. Also, if enacted the Kansas River Water Assurance District plans to apply for a charter to operate a bank (Attachment 3).

Sharon Falk, GMD#5, Stafford, KS. supported the bill as water users in their basin want to use the process, because they believe it would conserve water, provided flexibility and allow for movement of water within the district. She passed a map around for committee members to see were the Rattlesnake Creek Subbasin was located. No written testimony was provided. Chairperson Corbin ask her to provide written testimony for the record and she agreed to do so at a later date. Also, a copy of the Big Bend GWMD#5 newsletter was distributed to committee members, it is on file on Legislative Research.

The hearing was continued until the next meeting which will be January 20<sup>th</sup>. The meeting adjourned at 8:55 a.m.