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## House Agriculture and Natural Resources Committee

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Chairperson Schwartz and Committee Members:

Thank you for the opportunity to provide testimony on the Amended SB 52. I am Kent Lamb and a farmer in the Rattlesnake Creek Basin in Stafford County. Today, I am speaking on behalf of the Big Bend Groundwater District #5 as a proponent for the Amended SB 52.

Stream flow augmentation was one of a number of the management strategies of the Rattlesnake Basin Management Plan that was developed by the four partners i.e. U.S Fish and Wildlife Service, Kansas Department of Agriculture Division of Water Resources, Water PACK, and Big Bend GMD #5. The purpose of augmentation was to address stream flow shortages due to fluctuating groundwater levels in the basin. In 2005, the Kansas Legislature passed HB 2482 which directed the Kansas Water Office to study stream flow augmentation for the Rattlesnake Creek and report their findings to the House of Representatives Agriculture and Natural Resources Committee on or before February 1, 2006. The study was completed and presented for the record.

In February of 2013, the U.S. Fish and Wildlife Service filed an impairment of their surface water right for Quivira National Wildlife Refuge. While stream flow augmentation could be considered for possible action, the Chief Engineer lacked the authority to call for such action. Thus, the Department of Agriculture asked for the introduction of the bill that is before you today. The Amended SB 52 will allow the Chief Engineer to order augmentation if he were to determine it to be appropriate.

The time clock has been running for over two years on the determination by the Chief Engineer as to the impairment claim of QNWR. Should he rule that an impairment has occurred, the options made available in the Amended SB 52 will provide a workable solution to secure a water supply for QNWR during low stream flows. No other program will achieve that goal.

Since the considered bill was passed by the Senate on a 40-0 vote, we urge you to accept the bill as it has been advanced to you and give a favorable action from this committee. Stream flow augmentation is a unique concept that can only be used in very unusual situations. The Rattlesnake Basin is likely the only place that it will work given the unlimited the supply of underground and useable salt water near the immediately impaired area. QNWR is a salt water refuge.

Thank you for the opportunity to submit testimony for the Amended SB 52. I stand for questions at your pleasure.