

Senate Concurrent Resolution No. 1614

By Senators Wagle, Kerschen and Taylor

2-4

1 A CONCURRENT RESOLUTION supporting Kansas farmers and
2 ranchers in the Rattlesnake Creek subbasin in their ongoing effort to
3 protect their water rights and livelihood through a collaborative
4 solution to the region's water impairment issue that will safeguard
5 Kansas agriculture and the economic success of Kansas farmers,
6 ranchers and agribusiness.

7 WHEREAS, Farmers, ranchers and agribusiness are the heart of
8 Kansas and the Kansas economy; and

9 WHEREAS, Kansas farmers and ranchers rely on water to achieve
10 agricultural and economic success; and

11 WHEREAS, The Rattlesnake Creek subbasin is located in Stafford,
12 Pawnee, Edwards, Kiowa, Ford, Clark, Barton, Rice, Pratt and Reno
13 counties and covers approximately 1,300 square miles. The Rattlesnake
14 Creek subbasin is home to many farmers and ranchers, as well as the
15 United States Fish and Wildlife Service's Quivira National Wildlife
16 Refuge; and

17 WHEREAS, The U.S. Fish and Wildlife Service holds a senior water
18 right for the Quivira National Wildlife Refuge and filed an impairment
19 complaint with the Kansas Department of Agriculture Division of Water
20 Resources in 2013. The Division of Water Resources confirmed the
21 impairment in 2016; and

22 WHEREAS, The Division of Water Resources and stakeholders in the
23 subbasin, including farmers and ranchers, have been actively trying to
24 find a solution to the impairment but have not been able to come to a
25 workable agreement; and

26 WHEREAS, The Division of Water Resources rejected a proposed
27 local enhanced management area for failure to meet the legal
28 requirements and proposed action that included an administrative order to
29 reduce pumping of junior water rights; and

30 WHEREAS, The U.S. Fish and Wildlife Service did not make a
31 request for water in fiscal year 2020 in order to continue to work to find
32 local, voluntary, collaborative and non-regulatory solutions to address the
33 water needs of the Rattlesnake Creek subbasin; and

34 WHEREAS, There are commonsense solutions available that would
35 help protect the water rights of farmers and ranchers in the Rattlesnake
36 Creek subbasin and ease any impairment of the Quivira National Wildlife

1 Refuge. Such solutions include utilizing water conservation areas,
2 augmentation, voluntary conservation efforts and maximizing use of the
3 water that the Quivira National Wildlife Refuge receives; and

4 WHEREAS, Consideration of these solutions could avoid excessive
5 government control of agricultural irrigation and protect the interests and
6 livelihoods of our Kansas farmers, ranchers and agribusinesses because
7 they are vital to the success of our state: Now, therefore,

8 *Be it resolved by the Senate of the State of Kansas, the House of*
9 *Representatives concurring therein:* That we support Kansas farmers,
10 ranchers and agribusiness in the Rattlesnake Creek subbasin in their
11 ongoing effort to protect their water rights and livelihood through a
12 collaborative solution to the Quivira National Wildlife Refuge
13 impairment issue that will safeguard Kansas agriculture and the
14 economic success of Kansas farmers, ranchers and agribusiness; and

15 *Be it further resolved:* That we commend the U.S. Fish and Wildlife
16 Service for seeking a collaborative, nonregulatory approach to
17 resolving the impairment; and

18 *Be it further resolved:* That the Secretary of State shall send enrolled
19 copies of this resolution to Senator Susan Wagle, Senator Mary Jo
20 Taylor, the Kansas Department of Agriculture, the United States
21 Department of the Interior and members of the Kansas congressional
22 delegation.