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February 16, 2022

House Committee on Water Chairman Ron Highland

Chairman Highland and House Committee on Water,

My name is Kirk Heger; I am the president of the Southwest Kansas Irrigation Association. Our association represents irrigators and businesses associated with the irrigation industry in SW Kansas.

When I started to draft this testimony, I asked several people involved in state and local water management if they knew anything about this bill. Where did it originate? Who wrote it? What motivates the author? No one knew anything about it. I went back and looked at the hearing minutes from last year's session and saw nothing that would support this bill. Except maybe some input from someone from South Dakota. Why does the chair think it is appropriate to write a bill that is 280+ pages long and restructures most of the state agencies developed to manage one of the most important resources in the state without consulting or asking for input from the agencies and the stakeholders?

I attended the briefing to the Committee by Chairman Highland on Tuesday Feb. 15, 2022. I will say from the outset of this testimony I am concerned with the attitude and lack of transparency I witnessed at that briefing.

As you all are aware this issue of managing the waters of Kansas is not a new concept or process. If you will look back through the history of water development and management that has transpired through the Kansas legislature and all the management and planning groups that the Legislature has created over the last 80 years you will see water management has been addressed continually. Some might argue some things were not addressed to their preference, but for the committee to believe they can adequately address the entirety of the past 8 decades in two days of testimony one day of deliberation and decide on the fourth day is absurd.

Please take the necessary time to review all the data, (KGS water in storage maps predevelopment and current, review the work that has been done by previous legislatures and administrations, etc.). Consult the agencies that have been engaged in this conversation for the last 8 decades. Interview the stake holders that risk their investment and family's financial future. It is clear to us this process has been determined by a select nondisclosed few to adversely affect the citizens that provide the genesis for a substantial portion of the state's economy.

This bill will violate the trust of stakeholders in their state government! The State has provided a property right to its' citizens by granting the right to put the water of the state of Kansas to beneficial use. The State requires a completion of diversion works before an appropriation is made. The completion of diversion works requires a very significant investment. This bill does nothing to recognize that investment and allows for no protection of that investment. I heard the Chair say to the effect that the water users in Kansas need the help of the government to address the perceived urgency. Ronald Reagan stated: the nine most terrifying words in the English language are "I'm from the government and I'm here to help."

The Southwest Kansas Irrigation Association is opposed to House Bill 2686.

Sincerely

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