

Water Legislation Update
Western Kansas Groundwater Management District #1
Monday, April 18, 2011

SB 122: Authorizing the director of the Kansas Water Office to grant easements on state property on the Arkansas, Kansas and Missouri Rivers

- Bill Purpose: Grant the Director of the KWO to grant easements within the boundaries of the Ark, Kansas and Missouri Rivers to allow for completion of approved conservation projects that will aid in the stabilization of the river banks to prevent erosion.
- Bill Status: Bill was amended in the Senate Natural Resources committee and passed the Senate 39-0. The bill was heard in House Ag & Natural Resources on March 7 and amended and passed out of committee on March 17. The House approved the bill 123-1 and the Senate concurred in the House amendments 39-0. The bill was signed by the Governor on April 7, 2011.

SB 147: (now S. Sub HB 2133) Amending the water litigation to use moneys recovered from litigation to replenish the water litigation fund by the cost of litigation plus five percent

- Bill Purpose: To place funds back into the interstate water litigation fund. Would refund litigation costs, plus deposit an amount into the fund equal to 5% of the total damage award in a lawsuit with Colorado or Nebraska
- Bill Status: Bill was amended in the Senate Natural Resources committee and recommended favorable for passage. The subject of SB 147 was included within the shell of HB 2133(originally a Claims against the State bill) and is now Senate Sub for HB 2133 which passed the Senate 39-0. The House non-concurred on the bill and the bill currently resides in an Agriculture conference committee.

SB 191: Establishing the water rights conservation program

- Bill Purpose: Bill would establish the water rights conservation program (formerly administered through KAR 5-7-4) in statute.
- Bill Status: Bill was heard in Senate Natural Resources on March 10 and recommended favorably by the committee with a technical amendment on March 11. The bill passed the Senate 38-0. SB 191 (among others) was included in the conference committee report on SB 124 (lower Smoky River Irrigation District) and will be considered by both houses after they return to Topeka on April 27.

SB 214: Redefining “person” in the groundwater management district act

- Bill Purpose: to further define who/what entities have a right to vote in GMD related matters. The bill was requested by GMD#5 and was supported by all five GMDs.

- Bill Status: The bill was passed as amended by the Senate Natural Resources committee and the full Senate. The bill was referred to the House Committee on Ag & Natural Resources and was amended to include HB 2272 (stream obstruction) and to make a technical change to clarify GMD voting procedures. The conference committee report was adopted by the House on April 1 by a vote of 120-0 and will be acted upon by the Senate after they return to Topeka on April 27.

HB 2231: Amending the multi-year flex accounts program to update base period for water use and allow current-year enrollments

- Bill Purpose: Update the base period of water use for flex accounts from 1992-2002 to a new base period of 2002-2009.
- Bill Status: Passed by the House 121-0. Was referred to Senate Ways & Means but was not heard in that committee. HB 2231 (among others) was included in the conference committee report on SB 124 (lower Smoky River Irrigation District) and will be considered by both houses after they return to Topeka on April 27.

HB 2357: Arkansas River gaging fund

- Bill Purpose: Would re-establish funding for 5 Ark River gages and would fund them through the state royalty on oil and gas leases on state property in Hamilton, Kearny, Finney, Gray & Ford Counties.
- Bill Status: Bill was heard in House Ag & Natural Resources on February 21. The committee amended the bill to place a \$75,000 cap on the fund and to also authorize available funding to be used to pay for the livestock marketing report and the bluestem pasture report if available (giving priority to the gage funding). The bill passed the House 118-2 on March 17. The bill was referred to Senate Natural Resources and passed out of committee on March 30. HB 2231 (among others) was included in the conference committee report on SB 124 (lower Smoky River Irrigation District) and will be considered by both houses after they return to Topeka on April 27.