

To: House Committee on Water, Representative Jim Minnix, Chairman

From: Jarvis Garetson

Date: February 1, 2024

Re: Testimony in opposition to HB 2459

Chairman Minnix and Committee members,

I am Jarvis Garetson, a 4th generation farmer from Haskell County, a Kansas Farm Bureau member, I currently service on the Kansas Farm Bureau Water Committee, a member of Southwest Kansas Irrigators Association, and member of Groundwater Management District 3, and I opposed HB 2459.

As a Kansas Water Right owner and operator of a Vested Right, the most Senior of Rights, and of Appropriated Rights that are junior to the Vest Right, I know and understand the value of a water right. I also know that a Kansas Water Right is a Private Property Right.

If this bill passes as proposed that would be a governmental take of Private Property and that is my biggest objection to this bill. Other reasons this bill should not pass are:

*Wells fail, if the casing collapses under this bill I can't redrill.

*If the redrillable area gets bigger because of a land purchase, I can't redrill.

*If the available source of power to operate the pump changes and I want to redrill to an area closer to the power supply, I can't.

*If technology would allow for a more efficient layout/design and redrilling to a different location made sense, I can't.

*Limiting my ability to use my right to access water in the future, which none of us know what that is, is detrimental to my family, my community, my county, and my state.

*It would be the financial death of many businesses, namely the well drilling companies.

*Without the ability to redrill a well if needed will devastate municipalities, industry, and irrigators in Kansas, especially western Kansas.

I appreciate the opportunity to testify in opposition to HB 2459 and I would be happy to address any questions the committee would like to ask at the appropriate time.

Jarvis Garetson

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