

**Testimony in Support of HB 2732 to
The House Water and Environment Committee
By Susan Metzger
Kansas Department of Agriculture
February 13, 2018**

Good morning Chairman Sloan and members of the committee, my name is Susan Metzger and I serve as a deputy secretary at the Kansas Department of Agriculture (KDA). Thank you for the opportunity to testify in support of HB 2732. However, in partnership with the other conferees, we respectfully request the opportunity to more comprehensively evaluate the Kansas Water Banking Act, and this proposed legislation, to ensure there are no unintentional negative impacts to the Central Kansas Water Bank (CKWB). A more thorough review may also identify additional changes that could improve this conservation tool for more water right owners.

HB 2732 would amend portions of existing statutes to give the state authority to manage water banks on behalf of the state's water users. The state would be responsible for the management and administrative services of each bank and we propose our agency's Division of Conservation be given this authority.

In 2001, under the leadership of the Big Bend Groundwater Management District No. 5 (GMD 5), legislation was adopted to allow for the establishment of a water bank. In 2005, the CKWB became the state's first, and to date only, water bank. For the water right owners in GMD 5, this has become a valuable tool for managing and conserving their local water supply.

Action items in the *Long-Term Vision for the Future of Water Supply in Kansas* seek to allow for the leasing of water rights and to explore opportunities to establish banks to promote trading among water right holders. The banking tool provides the opportunity for temporary use of an individual's unused water right, while not modifying his or her base property right. Feedback from many water users interested in employing the banking tool indicated that the required process to establish and run a bank as defined by statute is too cumbersome.

Current law requires existing water banks to be evaluated periodically by a diverse review committee. The CKWB will be reviewed in 2018. We have requested the team review and provide recommendations regarding a state managed water bank in addition to the CKWB.

While we stand in support of HB 2732 to provide authority for a state managed water bank, we see value in spending additional time reviewing the Kansas Water Banking Act as part of the CKWB review. Recommendations from the review committee and the experience from participants in the CKWB may lead to additional recommendations for statute changes that more fully meet the needs of our state's water users.

Thank you for the opportunity to speak with you today. I will stand for questions at the appropriate time.