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**Testimony before the House Water Committee  
Neutral with Concerns on HB 2279  
By  
Tom Taylor  
On Behalf of Big Bend Groundwater Management District No. 5  
February 09, 2023**

Chairman Minnix and members of the committee, thank you for the opportunity to provide neutral testimony to HB 2279. I am Tom Taylor, providing this testimony on behalf of Big Bend Groundwater Management District No. 5 (Big Bend). I want to commend the committee for taking on a complex set of issues proposed with HB 2279.

HB 2279 proposes to change the accounting requirement and increase the reporting requirements for groundwater management districts. The specific proposals would present a dramatic shift from what is currently required and would impose new administrative burdens and costs on the districts.

Big Bend currently has three staff to maintain the operations and management actions for approximately 2.5 million acres in central Kansas. K.S.A. 75-1120a(a) currently requires municipalities to utilize generally accepted accounting principles unless the director of accounts and reports allows the municipality to waive this requirement upon request. Accordingly, the Big Bend accounting is conducted in accordance with cash basis and budget laws of this State. The accounting for Big Bend is maintained by our staff, overseen by the board of directors, audited annually by a certified public accountant, and presented to the public at meetings throughout the calendar year. HB 2279 proposes that the groundwater management districts be required to adopt and maintain generally accepted accounting principles which will create a significant burden on existing staff and substantial financial burden on districts when conducting annual financial audits. Big Bend is unsure why the proposed language in HB 2279 regarding generally accepted accounting principles is necessary when it is already included in K.S.A. 75-1120a(a).

As originally enacted by the Legislature, groundwater management districts were established to provide local water users the right to determine their destiny with respect to the use of the groundwater insofar as it does not conflict with the basic laws and policies of the state of Kansas. The proposed language in Section 2(a) of HB2279 suggests altering the statute to shift Kansas groundwater policy away from local water users. This shift is concerning and should be carefully considered by the committee.

In Big Bend's very first management program approved June 6, 1976, the board of directors recognized the unique nature of the local area and implemented guidelines to protect and conserve the Great Bend Prairie aquifer. The Great Bend Prairie aquifer is a part of the High Plains Aquifer

system and set apart from the Ogallala and Equus Beds aquifers. As testimonies presented in this committee have shown, the current condition of the Great Bend Prairie aquifer is quite different from the condition of the Ogallala aquifer to the west. The board of directors have already implemented several strategies to proactively address water use within the region. These include strict monitoring of water use with flow meters, well spacing requirements, discouragement of waste of water and encouragement of re-used water sources. Since its inception over four decades ago, further refinements and restrictions have been imposed to support the proper management of the local aquifer in coordination with local, state and federal partners. As a result of these management objectives and regulations, the water level declines have been limited. In severely dry years, Big Bend does report declines in the local Great Bend Prairie aquifer. However, in years of average to above average precipitation, the Great Bend Prairie aquifer recharges quickly. The areas of concern within the Great Bend Prairie aquifer change from year to year.

The criterion for determining an area of concern in Section 2(b) are too broad and can be applied to nearly any area within Big Bend in any given year. However, Big Bend does not have significant concern regarding the process for developing, presenting, and implementing action plans to address areas of concern. This is consistent with the process Big Bend has been following for the past forty years. Throughout this time, Big Bend has identified areas of concern for water quantity and water quality. These include but are not limited to Rattlesnake Creek priority areas including a Watershed Plan-Environmental Assessment, Walnut Creek IGUCA, Pawnee River IGUCA, mineral intrusion areas and water quality monitoring well requirements in Stafford and Pratt counties, oilfield disposal well oversight, and cathodic protection borehole requirements. Additionally, at its own expense, developed a high-resolution hydrologic model to provide guidance to the board of directors in management actions. As a result, the water resources in central Kansas have largely been stabilized. The board has maintained a consistent goal of implementing policy that is based on sound hydrology that is derived from local data.

Big Bend continues to conduct outreach to the public through meetings, digital media, direct mailings, and social media. As a result, the water users in this region have a reasonable understanding of current water issues and stay involved in providing feedback to Big Bend throughout the year. Additional public education and outreach beyond current levels would require, at minimum, an additional staff position to implement properly.

If the committee decides to take further action on the bill, Big Bend strongly encourages the committee to take our concerns into consideration and amend the bill as necessary before moving forward.

Thank you for the opportunity to provide testimony on HB 2279. It is always beneficial to have conversations such as the discussions generated by these hearings. Big Bend Groundwater Management District No. 5 is ready and willing to continue to be a productive partner in those conversations.