

Testimony HB 2459

Chairman Minnix, committee, and staff, thank you for the opportunity to testify.

I am Titus Jaeger 1353 Road P Lakin, Kansas. I represent 4 generations of our family who have actively been part of agriculture in Western Kansas for over a 100 years. Agriculture is our LIFE and our LIVELIHOOD. Our water resources have fueled the lifeblood of the Western Kansas economy since their development.

I oppose HB 2459 in its entirety. As we sit here today folks in Western Kansas face a bleak future. The Arkansas River has completely lost streamflow from Garden City to Dodge City in my lifetime. As a result we have lost an entire ecosystem. We need a combination of actions, strategies, and policies that support our people and our communities that are good for agriculture, our ecology, and the economy that offer HOPE. HB 2459 amendment to the Kansas Water Appropriations Act will have a deleterious effect leading to decreased economic activity. This legislation has serious ramifications for Western Kansas! To my knowledge this is unprecedented and has never been done anywhere in the country. Investment in the development of water resources and the perfection of water rights along with the purchase of property carrying water rights was made with a full understanding of the water appropriations act. And now property owners with water rights are expected to except the fact that the rules have changed automatically and immediately devaluing our property. The valuation formula uses water usage. Is this in the public interest? Does it support fiscal policy? Does it encourage investment in our beloved sunflower state? I fully support taking steps to stop the decline of the aquifer and save it for future generations. We must innovate! Innovation is not something we choose, it's something that is forced on us. It's what we do when we're out of options, and it's not comfortable! While innovation is crucial for progress and adaptation, we must carefully balance innovation and preservation to maintain stability and continuity. It's time to stop blaming each other and move toward each other to develop new strategies that will restore our aquifer and reestablish flow of our river! This requires CHANGE. There are 2 forces that motivate people to change, Positive forces and Negative forces. Negative forces are driven by FEAR and risk of loss. Positive forces drive us to make good things happen, to reach for things we want, they come from having a VISION.. a compelling VISION! Sustainable change is driven by Positive forces. We must shift our strategy to use Positive forces to achieve the outcome we all desire! We all desire the same thing! We want to protect our precious resource

for the enjoyment and use by future generations while ensuring stability and continuity to maintain robust economic prosperity. We have to get alignment through collaboration to motivate our shared VISION. Collaboration is key to progress by drawing on community based local input to develop solutions. Top down leadership is outdated and likely counterproductive, it accompanies top down punitive control limiting freedom. Freedom gives us joy and empowers us make confident informed changes. To make big successful changes we need buy-in from EVERYONE. What we are looking for is ENROLLMENT.. and it has to be voluntary!.. just like Dorthy in the Wizard of Oz. When Dorthy was talking to the lion and the tin man she didn't say I command you to go with me to Oz.. she got volunteers.. people to raise their hands.. people to go for the ride! Let's join together collectively for this ride! I appeal to this committee to involve all stakeholders in the development of goals and actions. By uniting around our common goal we can coordinate our efforts to achieve a beneficial outcome for our people, our communities, and all of Kansas!

There are 3 ways to address Western Kansas water and design an abundant future for our state.

1- conservation-minded stewardship

2- a complete rewrite of our state water laws with neighboring states

3- other sources of supply

Not just one of these, but all 3 will be necessary.

Conservation-minded stewardship implementation requires a combination of awareness, education, and community involvement. Collaboration between all stakeholders is essential to promote responsible management and resource protection. I am excited to help deliver outreach and technical assistance to help landowners and producers improve irrigation efficiency and reduce water usage to meet their conservation goals. We currently have many available conservation programs and grants with financial incentives and technical assistance that are ready for delivery to assist our water users. Continued dedication to fund these programs is essential to ensuring implementation and effective execution of conservation-minded stewardship! Thank you for your commitment!

We must rewrite our water laws with neighboring states. It's ludicrous to think we can only use surface water diversion for irrigation! That has to change! We should be able to use surface water for aquifer recharge without compact violation. This could help maintain or increase the aquifer to dilute existing contaminants to levels that allow the water to be used beneficially for other purposes, this can be a beneficial use. This would be an effective way to mitigate the pollution from

radionuclides and the residual water quality decline from aquifer depletion. We have 5 major rivers that leave our southern border. Our compact with Oklahoma entitles to as much water as GMD3 uses annually. Why don't we attempt to keep our water? Colorado does!

Conservation is great!... something we all support!! Conservation can be achieved and our local economy can be sustained with an augmentation plan. It is imperative we have an augmentation plan using alternative sources of supply to achieve conservation. This strategy balances innovation and preservation by maintaining continuity and stability. Other sources of supply and financial resources to develop the infrastructure exist!

I have attached a plan which leverages key stakeholders and combines conservation-minded stewardship to achieve augmentation! The CONSERVATION-MINDED AUGMENTATION TARGETED STEWARDSHIP program is community based by keeping management and control local, prioritizing local input and solutions; and participation remains voluntary while emphasizing prudent usage and stewardship through innovative conservation incentives that achieve augmentation through reduced usage. This program needs to be part of the Title II section under Conservation in the next Farm Bill! SW Kansas could be the pilot project for the next 5 years! Please help advance this concept.

If enacted, HB 2459 would have drastic impacts on the state economy and on Kansas agriculture. This bill would destroy the livelihood of numerous farmers and ranchers in Western Kansas. Let's work together to develop solutions that benefits everyone in Kansas and gives us HOPE!

We can't change the PAST but we can paint a bright hopeful future one that portrays a true history of collaboration and one that forges bonds to solve our Basin's most dire threats. Rather than perpetuate the myth "Whiskey's for drinkin', water's for fightin' over," | urge you to embrace a new, more optimistic narrative—a future where the Arkansas River reestablishes flow and accelerates recharge, one that is good for economic prosperity, wildlife, habitat, recreation, and all water users while protecting property rights and providing safe drinking water.

Thanks!

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## CONSERVATION-MINDED AUGMENTATION TARGETED STEWARDSHIP PROGRAM

The CONSERVATION-MINDED AUGMENTATION TARGETED STEWARDSHIP PROGRAM will keep management and control local and voluntary while emphasizing prudent usage and stewardship through innovative conservation incentives that achieve augmentation through reduced usage.

USAGE	PROGRAM PAYMENT/CHARGE	AUGMENTATION FUND	WATER CONSERVATION RESERVE PAYMENT
0" =	\$ 700.00	\$ 350.00	\$ 350.00
1" =	\$ 600.00	\$ 300.00	\$ 300.00
2" =	\$ 500.00	\$ 250.00	\$ 250.00
3" =	\$ 400.00	\$ 200.00	\$ 200.00
4" =	\$ 300.00	\$ 150.00	\$ 150.00
5" =	\$ 200.00	\$ 100.00	\$ 100.00
6" =	\$ 100.00	\$ 50.00	\$ 50.00
7" =	\$ 80.00	\$ 40.00	\$ 40.00
8" =	\$ 60.00	\$ 30.00	\$ 30.00
9" =	\$ 40.00	\$ 20.00	\$ 20.00
10" =	\$ 20.00	\$ 10.00	\$ 10.00
11" =	\$ 10.00	\$ 5.00	\$ 5.00
12" =	\$ 5.00	\$ 2.50	\$ 2.50
13" =	\$ 0.10	\$ 0.10	
14" =	\$ 0.20	\$ 0.30	
15" =	\$ 0.30	\$ 0.60	
16" =	\$ 0.40	\$ 1.00	
17" =	\$ 0.50	\$ 1.50	
18" =	\$ 0.60	\$ 2.10	
19" =	\$ 0.75	\$ 3.60	
20" =	\$ 1.00	\$ 3.85	
21" =	\$ 2.00	\$ 5.85	
22" =	\$ 3.00	\$ 8.85	
23" =	\$ 4.00	\$ 12.85	
24" =	\$ 5.00	\$ 17.85	
			<b>WATER CONSERVATION RESERVE PAYMENT</b>
			<b>WATER CONSERVATION RESERVE ASSESSMENT</b>
			<b>DOLLARS PAID TO AUGMENTATION FUND BASED ON USAGE</b>
			*1ST AC/FT PAID BY USDA/KDA
			*2ND AC/FT PAID BY USER
			*AUGMENTATION FUND will be held local and governed by local water users
			<b>DOLLARS PAID TO WATER RIGHT USER BASED ON USAGE *1ST AC/FT PAID BY USDA/KDA</b>

**GOAL:** Establish a diversified, usable water supply by 2030, to motivate a vibrant growing economy with conservation-minded stewardship focused on increasing the life of the aquifer, reestablishing streamflow in the Arkansas River, and accelerating recharge; benefiting economic prosperity, wildlife, habitat, recreation, and all water users while protecting property rights and providing safe drinking water.

Potential collaborative partners:

Water Right users, Upper Ark RAC, GMD3, USDA, KDA, KDA-DOC, KDA-DWR, KWO, KWA, KDHE, KDC, KGS, KDWP, Conservation districts, Local watershed group  
 KSU, KU, SW Kansas Irrigators, Farm Bureau, KLA, Ducks Unlimited, Pheasants Forever, Sierra Club, and National Audubon Society