

February 23, 2011

The Honorable Ralph Ostmeyer, Chairperson
Senate Committee on Natural Resources
Statehouse, Room 225-E
Topeka, Kansas 66612

Dear Senator Ostmeyer:

SUBJECT: Fiscal Note for SB 191 by Senate Committee on Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning SB 191 is respectfully submitted to your committee.

SB 191 would establish the Water Rights Conservation Program (WRCP) in the Department of Agriculture. An eligible water right in good standing could be enrolled in the program, subject to the approval of the Chief Engineer of the Division of Water Resources of the Department of Agriculture. The enrollment period would be ten years, and re-enrollment could occur upon approval of the Chief Engineer. The application fee for enrollment would be set at \$300. Revenue from applications would be deposited in the Water Appropriation Certification Fund. Any eligible water right holder enrolled in and continually in compliance with the WRCP would be considered to have due and sufficient cause for nonuse and would not have the water right declared abandoned.

The Department of Agriculture indicates that the proposed fee of \$300 would be adequate to cover the costs of processing WRCP applications. The Department is unable to estimate the number of applications during FY 2012; however any increase in staff time would be funded through application fees. The fiscal effect of the bill is not included in *The FY 2012 Governor's Budget Report*.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Mark Heim, Agriculture