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To: Honorable Chairwoman Schwartz
From: Kirk Heger President, Southwest Kansas Irrigation Association
Date: February 12, 2013

Re: Opposition to HB 2171: Establishing agreed local management areas

Chairwoman Schwartz and members of the House Agriculture and Natural Resources Committee:

Thank you for the opportunity to provide written testimony on behalf of the Southwest Kansas Irrigation Association (SWKIA). SWKIA stands with Groundwater Management District (GMD) 3 in its opposition to HB 2171.

First, you all know that in recent years there have been significant changes in regards to policy and law dealing with water issues. In formulating these changes, policy makers and stakeholders came together for input and discussion before seeking a remedy from the legislature. HB 2171 had very little input requested or received from stakeholders.

Second, a GMD's autonomy and sovereignty are seriously violated by some language in the bill. County commissions can exercise control over formation, selection, and funding of the ALMAs without regards to the GMD. In regard to funding, county commissions can "tax" at-will for the funding of the ALMA. Double assessments could occur - as GMD members already provide funding for LEMA's.

Third, the language in the bill would require overlap of GMD LEMA's and county ALMA's. This would lead to problems as it is not clear who would have the clear authority to be responsible for implementation and administration in overlapped areas.

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Lastly, the concept of a county ALMA is not a bad idea as there should be a tool to address local management outside the GMDs. However, this bill is overly broad in its approach and would need to be adjusted before the legislature considers it. SWKIA would be willing to offer assistance in studying this concept.

Thank you for your attention on this matter. Please feel free to contact me if you have any questions.

Respectfully submitted,



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