

**Equus Beds Groundwater Management District No. 2**  
**Testimony Concerning House Bill 2691**  
**To the**  
**House Committee on Water and Environment**  
**by**  
**Tim Boese, Manager**  
**February 13, 2018**

On behalf of the Board of Directors of the Equus Beds Groundwater Management District No. 2, I wish to thank Chairman Sloan and members of the Committee for the opportunity to provide testimony supporting the House Bill 2691 provision to move the deadline to file a Multi-Year Flex Account (MYFA) application to December 31 of the year in which the MYFA five year term will begin.

The Equus Beds Groundwater Management District was formed in 1975 to manage the the Equus Beds Aquifer, which is the sole-source of fresh and usable groundwater for industrial, municipal, and irrigation uses throughout South Central Kansas. Over 2,000 permitted water wells and points of diversion withdraw an average of approximately 58 billion gallons of groundwater from the aquifer annually. As part of the District's customer service, the District regularly assists District members with completing various water permit applications, including MYFA term permits. The current deadline to file a MYFA application is October 1 of the year that the MYFA five year term will begin. The current deadline of October 1 is confusing, as no other water-related deadlines share this date. Additionally, most MYFA applications are filed on irrigation water rights and the fall of each year is generally a very busy time for agriculture producers. Finally, irrigation can still be occurring past the October 1 deadline, making it difficult for irrigation water right owners to decide if they need to file a MYFA application, as they may not be able to determine if the base water right annual quantity will be over-pumped; the same is true for other types of users, such as municipal, industrial, stockwater, and recreational, who are most likely still pumping water after October 1 of each year. Moving the deadline to file a MYFA application to December 31 of the first year of the MYFA term eliminates these problems.

House Bill 2691 also proposes to modify the existing law regarding notification to nearby well owners for new water permit applications and water permit change applications. The Equus Beds Groundwater Management District Board of Directors has not reviewed the proposed language and therefore the District does not have any direct testimony regarding the proposed language. However, the District generally supports notification to nearby owners that may be affected by the application. The proposed language leaves some confusion as to when the notification will occur. The District recommends the proposed language is modified to make it clear that nearby owners will be notified of the application *prior* to the Chief Engineer of the Division of Water Resources making a final decision on the application. Additionally, the proposed language does not contain any provision for notification to nearby owners for water permit applications not expressly identified in the language. The District recommends that a provision be added to include notification for other applications if determined necessary by the Chief Engineer or a Groundwater Management District.

Thank you Chairman Sloan and Committee members for the opportunity to submit testimony regarding HB 2691.