



**Southwest Kansas**  
**Groundwater Management District No. 3**  
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**Testimony as Neutral Party on SB 194**  
**Provided To**  
**The Senate Ag & Natural Resources Committee**  
**From the Southwest Kansas Groundwater Management District No. 3 (GMD3)**  
**February 14, 2017**

Chairman Kerschen and members of the committee, I am Sean Miller here today on behalf of GMD3 to provide Neutral testimony on SB 194 but I would like to note two items that have been raised in similar discussions before the House Water & Environment committee recently.

GMD3 strives to act on a shared commitment to develop and conserve water supply to grow the social, economic and natural resources well-being in the public interest of all Kansans. We are the local authorized by statute, and developed and directed by local leaders to manage, conserve and further develop the groundwater resources for the Southwest 12 counties of Kansas. The GMD3 Board leadership are neutral on SB 194, but would like to bring two important items to your attention.

- 1) Groundwater management districts, like the many other local entities authorized by the state, are delegated certain rights and responsibilities and as a class of entities are authorized to collect fees and utilize certain tools to accomplish those responsibilities. We believe it would be bad public policy to carve out a single GMD and provide them greater (or lesser) tools than other districts. Specifically, if you choose to increase the cap on GMD assessments, we ask that you do so uniformly for all districts. This will provide all GMDs with the same opportunity to address future issues with local accountability, and avoid the confusions that would otherwise follow.
- 2) The second interest concerns the provision in current law that authorizes a greater annual user charge (up to \$1.50/acre-foot) for water primarily used outside the District. We would like to see this discretionary authority for a higher fee preserved as we believe it can be an effective groundwater management tool.

We have a number of water right owners in southwest Kansas that export water to projects in sister states (Oklahoma and Colorado). While we do not charge an increased rate for out of district use today, we may need to consider the higher fee at some point given the current and potential uses in Colorado and Oklahoma open Ogallala development immediately adjacent to our district boundaries where our Ogallala is closed to new development. Their additional development, policies and our changing uses along our boundaries could have significant impact on the resources and economy that GMD3 is charged with managing and protecting.

Thank you for allowing GMD3 to participate in today's hearing. I will stand for questions at the appropriate time.