

Office of the President

October 19, 2018

Friends,

Kansas Farm Bureau is concerned about the potential negative impacts that could result in the belabored Quivira impairment dispute. Our policy supports various aspects of the situation that we would like to share considering recent developments threatening to derail the current efforts to satisfy the Quivira water right and address aquifer overdraft.

As we understand the current LEMA conversations, they have attempted a solution that combines augmentation and water use reductions, both for the purposes of satisfying the Quivira water right. We know there have been efforts to address the aquifer overdraft dating back to at least 2000, when the Sub-basin Management Strategies were first orchestrated but never fully implemented. Consequently, the impairment claim was filed and substantiated by the chief engineer's investigation.

KFB, along with other stakeholders, worked diligently to secure passage of SB 52 during the 2015 legislative session to ensure the chief engineer had yet another tool in the toolbox to authorize augmentation specifically for the Rattlesnake Creek sub basin. That tool was envisioned to be utilized to directly satisfy the Quivira surface water right. As stated by the chief engineer in his Certificate of Appropriation cover letter, there will be times the natural flows of Rattlesnake Creek will not "continually be available" to satisfy the Quivira water right.

We encourage and support putting the augmentation tool to work independent of the LEMA so that these two mutually exclusive issues can be bifurcated, advance the cause and improve conditions for everyone's benefit in the long run. The stimulus for the conversation surrounding the GMD 5 LEMA was the Quivira impairment claim. We suggest stakeholders unite to develop the plans/resources to implement augmentation and that the chief engineer review and approve those plans expeditiously.

Next, we propose local stakeholders and the GMD formulate a LEMA plan to address the long-term stabilization of the aquifer and agree upon streamflow targets that are needed. This should be done as soon as practical with the understanding that if ultimately consensus between the GMD and chief engineer cannot be reached, the chief engineer may conclude IGUCA proceedings are justified. Again, these topics are supported in KFB policy.

By separating the two mutually exclusive issues, it meets the immediate need of consistently and adequately satisfying the Quivira water right. Once this challenge has been met it will allow the conversation to pivot to addressing the bigger and more complex issues regarding the long-range aquifer management plan as a separate issue in a LEMA or if need be, IGUCA.

We stand ready assist as you move forward with these important conversations.

Very truly yours,

A handwritten signature in blue ink that reads "Rich Felts". The signature is written in a cursive style with a large initial "R".

Richard Felts
President