

**Testimony in Support of House Bill 2560
to the House Committee on Agriculture
by Kenneth Titus, Chief Counsel
Kansas Department of Agriculture
February 1, 2022**

Good afternoon, Chairman Rahjes and members of the committee. I am Kenneth Titus and I serve as Chief Counsel for the Kansas Department of Agriculture (KDA). Thank you for this opportunity to provide testimony in support of House Bill 2560.

House Bill 2560 serves as a straightforward extension of fee sunsets for KDA's Division of Water Resources (DWR), Pesticide and Fertilizer Program (Pesticide), and for the Water Right Transition Assistance Program (WTAP), a water rights retirement program operated by the Division of Conservation.

The various DWR and Pesticide fees contained in the bill will sunset on July 1, 2023. The existing fees have been at the current level since 2009 and were extended in 2014 and 2017 without an increase. KDA asks that the fees be extended for an additional five years at the current level.

WTAP was initially authorized by the Legislature in 2006 and updated in 2012 to include a program sunset of July 1, 2022. The goal of the program is to reduce the consumptive use of water from areas with declining supply. So far, the program has targeted areas of the Ogallala/High Plains Aquifer in the Western Kansas Groundwater Management District No. 1 in west-central Kansas and in the Northwest Kansas Groundwater Management District No. 4 in northwest Kansas, as well as along Prairie Dog Creek and Rattlesnake Creek. The most recently approved project area in Wichita and Greeley counties is working toward retirement of water rights near the Leoti and Tribune city wells in order to stabilize public water supply in the area.

As a result of the 25 enrollments to date, a total of \$3,600,409 of state money has been expended in return for the permanent retirement of 7,089 acre-feet of annual water appropriation rights and 2,549 acre-feet of historic consumptive use in these targeted regions at an average cost to the State of Kansas of approximately \$1,364 per acre-foot. A total of 30 irrigation wells and 5,182 irrigated acres have been voluntarily dismissed in the process and \$981,393 of federal and local dollars have been matched to state WTAP grants. Therefore, KDA asks that the program be authorized until July 1, 2030.

Thank you for the opportunity to testify in support of House Bill 2560. KDA believes that passage of this bill will allow the agency to continue to provide top tier support to the citizens of Kansas in a responsible manner.