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**Testimony before the Senate Committee on Agriculture and Natural Resources  
In Opposition to SB 548  
By  
Craig Zwick  
On Behalf of Big Bend Groundwater Management District No. 5  
March 14, 2022**

Chairman Kerschen and members of the committee, thank you for the opportunity to provide testimony in opposition to SB 548. I am Craig Zwick, providing this testimony on behalf of Big Bend Groundwater Management District No. 5 (Big Bend). The Big Bend board is very concerned with the proposed language in this bill. While the word count of the modifications is small, the implications are significant to the proper management of the local resource.

The proposed language in SB 548 removes the GMDs ability to weigh in on matters relating to water rights in the execution of their duties to manage the local resource. Big Bend takes this matter seriously and takes great care in decisions relating to private property rights. At times these decisions are not popular but based on the best understanding of the local aquifer at the time. As enacted by the Legislature, groundwater management districts were established to provide local water users the right to determine their destiny with respect to the use of the groundwater insofar as it does not conflict with the basic laws and policies of the state of Kansas. This includes the ability to recommend rules and regulations for all types of use in the region. The proposed language in SB 548 would significantly inhibit the GMDs' ability to properly manage the local aquifer for the benefit of all types of use. As Kansas water statutes are organized, all beneficial uses made of water are treated equally in an unbiased manner. The proposed changes to the GMD Act move to isolate one beneficial use made of water (irrigation) from all other types of use.

Early in its history, Big Bend board of directors recognized the unique nature of the local area and implemented guidelines to protect and conserve the Great Bend Prairie aquifer. These included strict monitoring of water use with flow meters, well spacing requirements, discouragement of waste of water and encouragement of re-used water sources. Throughout the following several decades further refinements and restrictions have been imposed to support the proper management of the local aquifer in coordination with local, state and federal partners. As a result of these management objectives and regulations by the locally elected board, the water level declines have been limited and Big Bend is able to deal with water quantity and quality issues today and into the future. The issues within Big Bend are being addressed through cooperative management with local, state, and federal partners. The water resources of Kansas are complex and there is not a "one size fits all" answer to address the various issues. This is the core purpose for groundwater management district formation. If there are issues with water management, they should be

addressed individually with the groundwater management district directly rather than changing how all districts are operated and managed.

For the reasons above, Big Bend encourages the committee to not pass SB 548 out of committee.

Thank you for the opportunity to provide testimony on SB 548. It is always beneficial to have conversations such as the discussions generated by these hearings. Big Bend Groundwater Management District No. 5 is ready and willing to continue to be a productive partner in those conversations.