

METERING PROGRAM UPDATE

The process continues to move right along with remarkable cooperation from virtually all parties.

The most pressing news at this time is that the reminder letters for the next set of wells to be metered (NE/4 wells) will be sent out from this office the week of September 11. Remember, ALL the actual orders went out last year by the Division of Water Resources. The reminder letters from GMD 4 will reference the original orders and alert only the well owners with wells in the NE quarter of any section in the GMD. These meters will need to be on before the well pumps in 2007, or by December 31, 2007, whichever date occurs first.

It'll be covered in our reminder letter, but you can streamline the process significantly if after you install your meter you send the Notice and Proof form to DWR's **Stockton Field Office**. Questions?

PROPOSED REG SET FOR HEARING

The district's proposed regulation on 15-acrefeet exemptions, KAR 5-24-10, has been scheduled for public hearing on November 9, 2006 beginning at 11:00 a.m. in the district office at 1175 S. Range, Colby, Kansas.

The proposed regulation sets the criteria for obtaining any new, small use water right (15 acrefeet or less) in any over-appropriated or closed area of the district. In essence, any new application for a small use water right in any closed are of the district will need to meet well spacing, obtain an offset quantity (adjusted for consumptive use) from an existing water right within 2 miles, and not be combined or overlapped with any non-domestic, existing water right.

While the proposed regulation does away with the current limitation of only 15 Acrefeet of exempted water rights within any 1-mile radial area, it requires an offset of an equal amount of consumptive water use for every such application - thus insuring that no additional water is getting appropriated in these closed areas.

Copies of the regulation are available in the district office or from the Division of Water Resources, Kansas Department of Agriculture on their web site at:

www.ksda.gov/Default.aspx?tabid=354..

THE NATURE OF A KANSAS WATER RIGHT

In 1945 the Legislature adopted the Prior Appropriation Doctrine for both ground and surface water with passage of the Kansas Water Appropriation Act. While the state as a result owns the water, the 1945 act sets forth how Kansans can use the state's resource.

Today, every use of water but domestic requires a state-approved water right before use. The process begins with an application to appropriate water. Successful applicants are given the right to use water (perfect a water right) within a set perfection period. In the perfection period the use of water is expected to follow all the terms, conditions and limitations of the application approval. If water is wasted, or used on an unauthorized place of use, or used for a different use, it cannot become certified. Normally the perfection period is 5 years following application approval and well completion, but this time can be extended for good cause if done in a timely manner, or in the case of municipalities, can initially be as many as 20 years. Following an audit process at the end of the perfection period the maximum annual rate and quantity of water used lawfully within the perfection period becomes the certificate of appropriation - the final water right. The certificate of appropriation must be registered with the local Register of Deeds - as do any future changes to it. Under the 1945 Act a Kansas water right is a property right in perpetuity to the use of the state's water. It can be sold, leased, willed, segregated or condemned. Next edition another aspect of Kansas water rights will be covered.

WEB PAGE STATS

The district's web page during the month of **July, 2006** recorded 1685 sessions and 2882 pageviews. It averaged 54 sessions/day and 93 pageviews/day. The average session time was 1 minute and 54 seconds. The top 4 entry pages were: Quotes page (18%); the Home Page (15%); Formulas page (7%); and the Law page (4%). About 22% of our visits were non-referred, meaning direct (bookmarked) visits. Of the remaining 78%, most were referred by Google, SearchMSN, Ask.com and Google, CA. Non-search engine referrals have mostly come from links on the following pages: isbu.ac.uk, KS Dpt of Agriculture, KS Dpt of Health & Environment and KS Geological Survey. If you were one of these stats, thanks for visiting and let us know if you didn't find what you were looking for or if you have suggestions for a better web site.

RURAL WATER ASSOCIATION EFFORTS

Since 1992 the Kansas Rural Water Association (KWRA) has been working with public water suppliers to find system leaks, improve system operations and a whole host of other services. These efforts have been supported largely by a Kansas State Water Plan Fund annual grant, and since 2005 have also included some funding by the Kansas Department of Health & Environment.

This past FY KWRA surveyed 40 public water supplies and found a total of 261 gallons per minute in leaks. This may not sound like a lot, but over a year's time these cumulative leaks would have kept 137,181,600 gallons of pumped water out of the distribution systems of these water suppliers. The lost revenue of this water to these 40 suppliers was calculated to be \$253,846.00.

Over the 15 years of providing these leak-detection services the program has found 3,598 gallons per minute of leaking systems totaling 1,892,178,320 gallons of leaking water at a total sale value of \$3,408,189.00. That's quite a bit of water!

All the cited numbers are from: "Summary Report, Fiscal Year 06, Technical Assistance to Water Users: Public Water Supply Systems" released by the Kansas Rural Water Association in August, 2006.

Kansas Water Info on the Web

I often get asked for groundwater and water rights information sources on the web. I have links to the most useful sources on our web site, but here they are in print.

www.kgs.ku.edu/Magellan/WaterLevels/index.html - Water level information from the KGS web site.

magellan.kgs.ku.edu/WaterWell/index.html - Well construction & completion info from the KGS page.

hercules.kgs.ku.edu/geohydro/wimas/index.cfm - Water Right info from the KGS page

www.ksda.gov/Default.aspx?tabid=173 - DWR page - statutes, regulations, programs, etc.

www.kwo.org/ - Kansas Water Office - state water plan, BAC info, drought info, Kansas Water Authority, etc.

www.gmdausa.org/ - Groundwater Management Districts Assoc.

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NW KANSAS GROUNDWATER MODEL UPDATE

Data collection continues for the working model of NW Kansas that is actually a tweaking of the Kansas portion of the Republican River Compact Model developed out of the Kansas/Nebraska lawsuit settlement agreement. The model for NW Kansas will be done to a 1-mile grid and is being designed to show both the trend in the change of aquifer storage and the impacts of these storage changes on stream baseflows. At this time, more aquifer data is being sought, as well as rainfall data, the past several years of water use data and water level measurements, and all the available bedrock data which has recently been updated by KGS.

To our East, another phase of this modeling will look at the Solomon River system on a much finer grid - perhaps a little as 1/8 mile. The final data needs for this effort are also being attended to. This phase of the model will support the Solomon River Subbasin Management Effort being coordinated by DWR.

The total effort is a cooperative effort between the Bureau of Reclamation, the Division of Water Resources, the Kansas Water Office and GMD 4. Kansas State University and the Kansas Geological Survey will also be important contributors to the effort.

GMD 4 has agreed to be involved in the hopes we can use this finer model to look at special, smaller district areas and what impacts various management options may have on area declines. Since the majority of the model is already in place, the new work should yield some results in less than a year. Already the data are quite interesting - i.e. hydrographs on every observation well. More later.

The Water Table

Sponsored by the NW Kansas Groundwater Management District No. 4, 1175 S. Range, Colby, KS 67701-0905. Office hours: 8:00 a.m. to 5:00 p.m. Monday through Friday (except the noon hour) - closed during State holidays.

DIRECTORS: Roger Zwegardt - St Francis, CN Cty; Monty Biggs - Atwood, RA/DC Cty; Jeff Deeds - Goodland, SH/WA Cty; Dave Rietcheck - Treasurer, Goodland, SH/WA Cty; Jon Friesen - Colby, TH Cty; Lon Frahm - Colby, TH Cty; Mitch Baalman - Vice President, Menlo, SD Cty; Bill Nondorf - Hoxie, SD Cty; Doug David - Hill City, GH Cty; Scott Maurath - President, Oakley, LG Cty; Dave Mann - Secretary, Quinter, GO Cty.

STAFF: Wayne Bossert - Manager; Ray Luhman - Assistant Manager; Dan Simmering - Field Technician; Rita Wade - Secretary/Receptionist; Ron Vignery - Attorney.

ADDRESS CORRECTIONS ARE APPRECIATED

Basin Advisory Committees Re-Set

The 12 Basin Advisory Committees (BACs) across the state are just now being re-organized according to the KWA's new internal policy memorandum 4. Each BAC was formerly 11 members with 5 of these seats representing: Domestic; Irrigation; Fish, Wildlife & Recreation; Industry; and Municipalities. Now being created are 9-11 member BACs with 6 seats representing: Municipal; Industry; Agriculture; Fish & Wildlife; Recreation; and Conservation / Environment, with the remaining 3-5 seats being left up to the discretion of the BAC.

The Upper Republican BAC opted for an 11-member group with the remaining 5 seats representing: Public at Large; GMD 4; Government; Dryland Farming; and Irrigation Farming.

The Solomon BAC also opted for an 11-member group, but their extra 5 seats are to represent: 2 Public at Large positions; Dryland Farming; Municipal Public Water; and Industry/Commerce.

The Smoky Hill/Saline BAC opted for an 11-member group with their 5 extra seats representing: Public at Large; Irrigation; Other Public Water supply; Western BAC Public at Large; and Eastern BAC Public at Large.

If you are interested in a BAC spot, send an application along to the Kansas Water Office. You can serve only on the BAC wherein you reside. Applications and BAC maps are available on-line at www.kwo.org, from the GMD 4 Office, or from any sitting BAC member. Depending on the position you may be interested in, there may be application filing deadlines, so don't delay.

The BACs review many state water plan issues and offer advice and comment back to the water office and the Kansas Water Authority.

PRESENTATIONS GIVEN

In the past 2 months GMD 4 staff have given presentations to:

Kansas Water Congress (August 11); Kansas Dialogue (August 12); Leadership Kansas (August 25);

The district always strives to support regional educational efforts and provide relevant groundwater information whenever possible. Should your group want or need groundwater information, contact the office and discuss your needs with staff.

Pumping the Tailwater

Editorial Comment by Wayne Bossert, GMD 4 Manager

SUMMARY OF CONSUMPTIVE USE REDUCTION PROGRAMS NOW (OR SOON) AVAILABLE

Many asked for tools to help reduce consumptive water use, and here are the various responses:

Water Rights Transition Assistance Program (W-TAP): Approved by the 2006 Legislature, W-Tap is only for permanent water right retirements in specified closed areas. It is a pilot program with funding limited to \$1.5 million state/federal dollars. Rules have not been completed yet so specific program details are not yet available.

Re-design of the EQIP program: (FY 2007) NRCS Offers \$100/ac/yr for 3 years to set aside irrigation for 4 years. This is a temporary set-aside program for specified Quick Response Areas (QRAs). Provides about \$2.1 million earmarked in equal splits for 5 western Kansas regions. To be eligible in FY 2007, we expect the water right must have been used 2 out of the past 5 years, must have irrigated at least 66% of the authorized acres, and must have put on at least 6" of water per acre. NRCS is expected to announce the FY 2007 program in mid September.

Water Banking: Approved by the 2001 Legislature, only 2 banks were authorized in a 7-year pilot program - 1 groundwater and 1 surface water bank. Through the banking process, which allows for moving water rights around like never before, at least 10% of the deposited water must be conserved upon withdrawal and use. The lone bank chartered to date is a groundwater bank in GMD 5, which is expected to begin actual banking operations perhaps yet in 2006.

Private Foundations: Both GMDs 4 and 5 have recently created a fund to deal with reducing consumptive water use. GMD 5 has applied their fund to purchasing water rights and is now finalizing contracts for 480 acrefeet of groundwater use. GMD 4 continues to use its fund as seed money in seeking private grants. While not yet successful, GMD 4 will be offering incentives for any proposal that reduces consumptive use.

Water Rights Conservation Program (WRCP): Available from DWR, WRCP is a 5-10 year set-aside of full water rights in closed areas only. There are no payments offered, but each program year counts as sufficient cause for non-pumping, keeping the water right active.

While our vision was for a longer-term set of well-coordinated programs providing incentives through an open bid process for any approach that would reduce consumptive water use in the most critical areas of the Ogallala, we ended up with each program wanting to reduce CU in a specific and different way, through a different award process, with varying time frames. However, for the most part they are all targeted reasonably well. On the other hand, at least some choices have been provided for reducing water use by incentive. If you are interested in retiring or setting aside your water right and are in the critical areas of Western Kansas, consider one or more of the programs above. When all the programs get finalized, I'll work on an overlay map of all the various eligible areas. Until then, talk to any of the principals mentioned above.