

A bimonthly publication of the **Northwest Kansas Groundwater Management District No. 4**
1175 S. Range, Colby, KS 67701 * Tel: (785) 462-3915 * Fax: (785) 462-2693 * Web: www.gmd4.org

EQIP PROGRAM SIGNUP ON-GOING

If you are interested in the enhanced incentive for setting aside water rights under the Ground and Surface Water Program of EQIP, the signup deadline is December 15, 2006 for next year's program.

The designated areas in GMD 4 where the enhanced incentive is available are the following 8 Townships (Map below):

Thomas County: 9-32; 9-33; 9-34; and 10-33

Sherman County: N/2 of 9-39; 9-40; 9-41; 9-42; and N/2 of 10-42

In these 2 areas (Quick Response Areas) \$100.00 per eligible acre is being paid per year for 3 years to set the entire water right aside for 4 years. To be eligible, the acres must have been irrigated at least 2 years out of the past 5 years, must average of at least 66% of the authorized acres under the state water right, and must have had at least 6 inches of irrigation water applied per year.

You can get bonus ranking points for your application if you agree to extend the non-irrigated conversion to 10 years by enrolling the water right into the state's Water Rights Conservation Program (WRCP) or participate in another cooperative water rights reduction effort such as W-Tap, or a local GMD program if one is available.

Contact your local NRCS office for all the details.

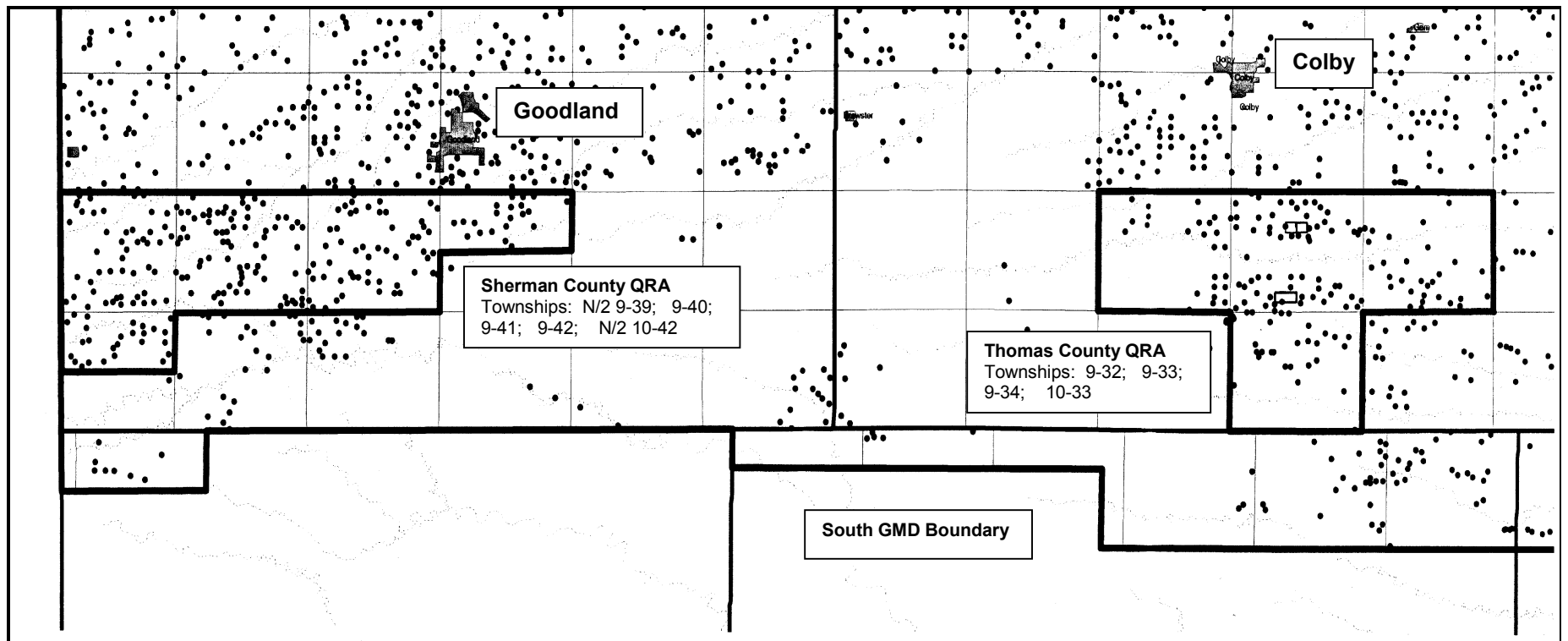
PROPOSED REG SET FOR HEARING

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 area 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.

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.

Anyone wishing to provide testimony should plan on appearing at the hearing, which will be conducted by the Division of Water Resources. While not required, a written copy of any planned testimony would be helpful and is requested. Questions can be directed to the GMD 4 office, or to DWR in Topeka.



SMATTERINGS

Appears **Rep. Jerry Moran** is concerned over EPA regulating dust to achieve air quality standards. According to his newsletter, he's invited EPA Administrator Stephen Johnson to Kansas to see how these proposed regulations will affect ag operations - from farming to feedlots. Mining and agriculture had been exempt in an early version, but are now included in the latest regulations.

The **Upper Republican, Solomon and Smoky Hill-Saline Basin Advisory Committees** met jointly in Wakeeney on October 13 to, among other items, start the reorganization process. The reorganization of these advisory groups will take another 6 months or so to complete. The BAC's are active participants in the State Water Planning process. If interested, contact the Kansas Water Office or GMD4.

On November 9, 2006 the **GMD 4 board** will get updates on the economic and hydrologic modeling efforts under way. The effort is to craft an interactive model that will assess economic and hydrologic responses to potential groundwater use restrictions which may be considered for implementation. The model should work both ways and also tell what levels of water use reductions will result in decline rate changes.

WEB PAGE STATS - www.gmd4.org

Time Period: **August-September, 2006**

Sessions / Pageviews: Totals: 2936 / 5414; Average per day: 48 / 89

Average Session Time: 2 minute and 37 seconds

Top 4 Entry Pages: Quotes (25.4%); Home (17.9%); Formulas (7.3%); and Law (3.2%)

Non-referred Hits (bookmarked visits): 68%

Top Sources of Non-search Engine Referrals: lsbu.ac.uk/water/links2.html, KS Dpt of Health & Environment and academic.evergreen.edu/g/grossmaz/ABRASHNM

If you're in 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 making our web site more informative/useful.

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CHANGE SERVICE REQUESTED

Assisted by RSYF Printed on recycled paper with soybean ink

THE NATURE OF A KANSAS WATER RIGHT

Can I change a water right? will be this edition's topic.

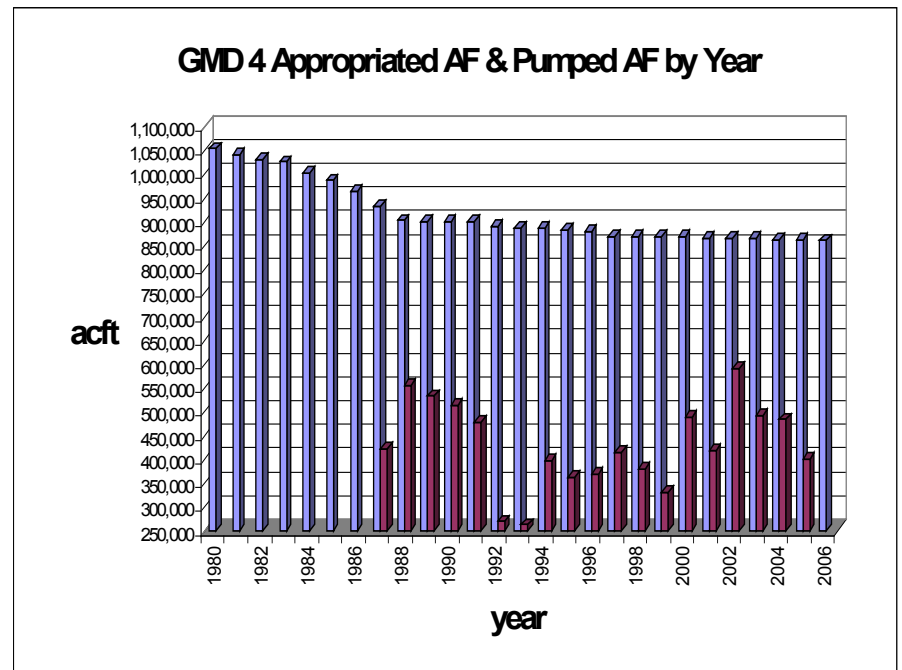
According to the Kansas Water Appropriation Act (KWAA), any water right owner may change: (a) the place of use; (b) the point of diversion; or (3) the use made of water without losing priority of right. This can be done by: (1) applying to DWR in writing; (2) showing that the change is reasonable and will not impair existing rights; (3) showing that the change relates to the same local source of supply; and (4) obtaining DWR's approval of the change.

However, the process of demonstrating these requirements is more involved than one might expect and is controlled by various state regulations depending on which of the 3 parts of the right you want to change. These specific change processes are far too involved to go into here, but fairly detailed explanations for most are provided in the FAQ's on the district's Overview web page.

DWR must also approve or reject the change(s) applied for in accordance with the provisions and procedures prescribed for processing the original applications to appropriate water. This wording appears to bring in additional considerations such as public interest, the applicant's good faith, beneficial use, waste, etc.

If DWR denies a change, the exiting water right remains unchanged, and, any person aggrieved by a change decision may petition for review per due process.

Finally, the authorized rate, quantity, place of use, points of diversion or types of use can be **reduced** without a change application with the filing of a voluntary reduction form. These water right attributes can never be increased under the same right.



DISTRICT UNDERTAKES ELECTRONIC FILES

The district has begun scanning all its historical files primarily as a disaster recovery plan. However, it is becoming increasingly evident that these electronic files can also serve as handy research materials and actually more accessible day-to-day files if organized correctly. First to be scanned are all the district-generated, mission-critical files such as financial records, bills & payments, minutes, testimony, correspondence, etc. Once completed, all remaining files will be considered. The filing system being used has the capability of internet connection, but so far the board has not decided to do so. To date, just over 9,000 documents have been scanned. More later.

Web Page Updated

The GMD 4 web page has been updated now including more Frequently Asked Questions (FAQs), which will be expanded as needed. It also now has monthly minutes in both .html and .pdf formats, along with the ability to change your newsletter mailing address, subscribe or un-subscribe right from the newsletter page. We have also added a search engine for just our page. And finally, we've updated the water level decline data and the well listings. Thanks for visiting. Our aim is a useful, informative and timely site.

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

Pumping the Tailwater

Editorial Comment by Wayne Bossert, GMD 4 Manager

INTERESTING QUOTES FROM THE PAST

1979 Denver Post Series - The High Plains - Depleting the Ogallala, Gay Cook: "Water in the Ogallala Aquifer..is being mined by farmers at such an alarming rate that parts of the high plains will be in the grips of a water-supply crisis within 20 years."

"The skyrocketing cost of energy to pump water suggests the economic advantages of irrigating could be negated before the water..runs out. As this occurs the capital investments that rural-electric cooperatives have made to serve irrigators could be jeopardized."

"A..study of the K.C. Electric Association..has projected that irrigators who paid \$16.84 in electricity costs to pump one acre-foot of water in 1977 will pay \$39.07 by 1987 and \$63.91 by 1992. Farmers who paid \$11.52 in natural-gas costs..in 1977 will pay \$44.91 by 1987 and \$66.10 by 1992. Farmers who paid \$21.64 for diesel..in 1977 will pay \$46.61 by 1987 and \$66.88 by 1992."

August 6, 1980 - Wall Street Journal: "The Ogallala Aquifer is expected to supply enough water in the year 2000 to irrigate only 56% of the acreage irrigated in 1970." A. L. Black, member of the High Plains Study Council

November, 1981 - Ogallala Aquifer - A Time for Action: "It's possible for the total volume of water pumped per year to increase as irrigation becomes more efficient. Improved irrigation efficiencies can reduce the cost of irrigation, so more..land remains in production."

"A strategy of economic development..seeks to [produce] more regional processing of agricultural commodities into finished products, such as alcohol fuel and sunflower oil; more manufacturing and tourism; and expansion of commercial and public services in the region. ...economic development can generate more dollars in the..economy for each acre-foot of Ogallala water consumed than irrigated agriculture can."

May 11-16, 1981 - Kansas City Times Special Feature - Next American Crisis, Chris Szechenyl: "In at least five states pumping the aquifer, irrigation has peaked. Within 20 years, irrigated acreage will decline by half in the High Plains. By century's end, Kansas alone faces the loss of 2 million irrigated acres..And by 2020, virtually all irrigation water in Kansas will be gone."

May 30, 1982 - Wichita Eagle-Beacon Special - Water, Trying to Cope in a Land of Extremes, John Tippie, Kansas State Conservationist: "Existing conservation measures in the 46 westernmost counties of Kansas are primarily responsible for holding 1.9 million acre-feet of additional moisture annually on 6.5 million acres of dryland wheat and grain sorghum."

"In the summary from the Kansas Water Office, a note of caution was also added about the difficulties of long-term economic projections..Any projections are bound to be in error, even the best ones."