

ANNUAL MEETING SCHEDULED

The district's 34th annual meeting has been scheduled for February 18, 2009 in the Student Union of Colby Community College, Colby, KS, beginning at 1:30 P.M. CST. The Colby Community College address is: 1255 S. Range, Colby, KS 67701 (the intersection of S. Range and College Dr.).

The agenda includes:

- 33rd Annual Meeting Minutes;
- 2008 financial audit;
- 2010 proposed operating budget;
- Open Discussion Session; and
- Election of 4 board positions:
 - Rawlins/Decatur County
 - Sherman/Wallace County
 - Thomas County
 - Sheridan County

If you live in Sherman, Wallace, Rawlins, Decatur, Thomas or Sheridan Counties and are interested in running for a board position, contact the district office and request a nominating petition, or visit the web page where a nominating petition can be downloaded. Pre-filing a nominating form insures that you will be placed on the pre-printed ballots. There are also provisions to be nominated from the floor of the annual meeting. The sitting board members for these 4 positions are: Monty Biggs (RA/DC); Jeff Deeds (SH/WA); Lon Frahm (TH); and Bill Nondorf (SD).

The annual meeting remains the most direct way to have an impact on the district activities – either through the election of the board, input on the next year's operating budget or by expressing your ideas in the "open discussion" session.

GENERAL REMINDERS:

- ♦ 2008 Annual Water Use Reports due by March 1, 2009
- ♦ Verified claims of lesser water use due by April 1, 2009
- ♦ Attend your annual meeting on February 18, 2009
- ♦ Read your newsletter front to back - every edition

ENHANCED MANAGEMENT UPDATE

The process of conducting the public meetings within the 6 high priority areas (HPAs) got off to a slow start due to the late harvest this Fall. While these initial meetings were held on schedule, it was evident that the attendance was severely hampered and that they should be re-scheduled for continuation after harvest.

All 6 meetings have been scheduled to continue as follows:

CN-1: January 27, 2009; Bird City; Legion Hall, 1:30 P.M.

SH-2: January 29, 2009; Goodland; Sherman Co. 4-H bldg (fairgrounds); 1:30 P.M.

TH-5: February 2, 2009; Colby; Thomas Co. 4-H bldg (fairgrounds); 1:30 P.M.

SD-6: February 4, 2009; Hoxie; Elks Lodge; 1:30 P.M.

TH-4: February 6, 2009; Colby; GMD4 Offices (1175 S. Range); 1:30 P.M.

SH-1: February 9, 2009; Goodland; Sherman Co. 4-H bldg (fairgrounds); 1:30 P.M.

In early November these six meetings began discussing the enhanced management process, covered the hydrologic and water use data of the subject HPA, and embarked on discussions concerning where the local landowners and water users think the area should be in the next 20 years with respect to the groundwater reserves. The discussion points of all 6 meetings are on the district's webpage at the following address: <http://www.gmd4.org/EnhancedMgt/protocol.htm>. If you weren't able to attend the applicable meeting then, and plan on attending one or more of the above meetings, a review of these discussion points may be helpful.

Following all the local discussions, the expectation is that each area recommend to the GMD 4 board a groundwater resource goal for some future time frame, and if possible, an approach or suite of approaches that the residents of that HPA think will achieve the goal. The GMD 4 board should then develop an enhanced management plan for each area based on the discussions and local recommendations provided.

INTRO TO MODELING – MORE TO COME

The model that is going to be used in NW Kansas is a derivative of the Republican River Compact Settlement model crafted cooperatively by Colorado, Kansas and Nebraska, and on June 30, 2003 approved by all 3 states. This model is used to quantify groundwater consumptive use by each state as part of the compact's accounting procedures.

Cooperatively among the Bureau of Reclamation, the Kansas Water Office, the Division of Water Resources and GMD 4, the RRCA hydrologic model was re-scoped, tweaked and the data updated for use in GMD 4 - all under the guidance of the groundwater modeling consulting firm of S.S. Papadopoulos & Associates (SSP&A).

Kansas State University has also developed an economic model that takes the hydrologic results and predicts future economic consequences of any groundwater level decline regime. The coupling of these two models should give us an inkling of the hydrologic and economic impacts of any groundwater management plan considered. The goal is to achieve any specified hydrologic goal with the least economic impact.

Both models were slated to be turned over to the GMD to support the planning discussions expected to occur in the HPA process just getting underway. With discretion being the better part of valor, GMD 4 and the modelers in the Sub-basin section of DWR have agreed to enter these unchartered waters together. This will be great OJT for GMD 4.

With all this said, I'll begin covering the models in more detail in the coming months – trying to stay reasonably "lay" on a very technical topic. For those who may want a head-start, DWR covers the RRCA model in their website at:

http://www.ksda.gov/interstate_water_issues/?cid=415

WEBSTATS FOR www.gmd4.org

For October and November 2008: Our webpage experienced 4,970 visits resulting in 5,965 page views. The top 3 pages were: Water Quotes (74.4%); Home Page (10.7%) and Formulas (6.5%). For the 12 month period December 1, 2007 thru November 30, 2008 we've averaged 66 visits and 81 pageviews every day.

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Northwest Kansas Groundwater
Management District No. 4
PO Box 905
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WTAP Program

The GMD 4 designated High Priority Areas (HPAs) eligible for the WTAP program accounted for 38 of the 41 applications submitted from all 3 of the eligible areas in Kansas – 1) portions of the Rattlesnake basin; 2) portions of the Prairie Dog Creek; and 3) the GMD 4 HPAs. In all, 5,526 acrefeet of historic consumptive water use was offered by the 41 applications. The total amount of the bid requests was \$9.799 million. These 41 applications are vying for a total of \$3.448 million of funding currently available.

The WTAP program is a 5-year pilot that is now in its 3rd year. The Legislature has been putting in approximately \$1.1 million per year (they have capped themselves to no more than \$1.5 million per year of state funding). The program's purpose is to reduce consumptive water use in priority areas by providing a monetary incentive to permanently retire private water rights in order to achieve locally specified reduction goals.

The interest shown in NW Kansas is impressive and indicates that the program should be continued, if not expanded. The Legislature will decide again in the 2009 session if it will be funded for next year or not. WTAP is not without controversy, so if you think it's a valid way to reduce groundwater use in overappropriated areas, let your Legislators know how you feel.

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 - Secretary, Hoxie, SD Cty; Doug David - Hill City, GH Cty; Scott Maurath - President, Oakley, LG Cty; Shane Mann - 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

THE NATURE OF A KANSAS WATER RIGHT

Let's review –

The State of Kansas owns all the water and uses the Kansas Water Appropriation Act to provide its citizens with property rights to the use of the Stat's water – based on a prior appropriation system.

Except for Vested Water Rights (rights granted to users of water before June 28, 1945 when the state implemented the prior appropriation law) every water right's priority is based on a date and time when the application was first logged into the DWR offices. The earlier your priority date and time, the more senior your water right is.

Prior to 1978 it was legal to use the State's water without a water right, but, such use had no water rights associated with it. After 1978 it became illegal to use water without a recognized water right from the State (DWR). As such, some very old wells and water uses actually have priority dates after 1978 – when they became required to file.

Domestic water use is exempt from the water right filing requirements, but these uses do hold a valid Kansas water right based on the quantity of water used and upon the date of its first use. Your records of domestic use will help establish the extent of these rights if they ever need to be quantified.

Domestic use is defined by regulation but is not limited to annual quantity. A small irrigation use needs a water right while a larger domestic use does not.

While no water right filing process is required for domestic wells, they are required to be drilled by a state licensed water well contractor. Moreover, some cities and other jurisdictions may have additional spacing or location requirements that need to be adhered to.

Every non-domestic water right is limited to a maximum quantity of water, to a maximum rate of diversion, to a specified source of supply, to a specified use type and to be used on a specific place of use. You should make sure all these terms and conditions are being continuously met. Let us know if you have questions or comments.

DWR TO TRY E-FILING OF ANNUAL WATER USE

The Kansas division of water resources (DWR) is going to take another stab at providing electronic water use reporting for water right holders. A beta site is expected to be available in January, 2009 for the 2008 water use reports, but unfortunately, the water use report cards will also have to be sent in for anyone using this e-system this year. The GMD office will be available to assist anyone wanting to help "test" this new system. If all goes well, the 2009 water use reports (due by March 1, 2010) can be e-filed without the paper system. We'll keep you posted.

If the truth be known, e-filing annual water use reports is clearly not as easy as it may seem. Any system devised must be able to handle the full range of water right complexities – from the very simple, single water rights requiring only an annual report - to the overlapped and multiple use water rights and water rights requiring more than a single, annual report. It'll be great when finalized and available.

DWR ALSO WORKING ON IMPAIRMENT REGS

The current impairment regulations are also being considered for clarifying the state's process and procedure when a complaint is filed. At this time the thinking is to have a separate process for impairments that are direct (well-to-well) from those that are precipitated from longer-term, general water table declines over larger areas. This makes sense because these two impairment triggers are so vastly different – as are the possible solutions. Also being considered is a specific process involving the local GMD if the complaint comes from with a district. The ideas being floated thus far are more complex to be sure, but are likely to result in a more fair and workable impairment process.

Pumping the Tailwater

By Wayne Bossert, GMD 4 Manager

THIS AND THAT

Couple of things for this edition. First, we've just recently unveiled our brand new and reconstituted web site. All the same information is included - it just looks considerably different. A template structure is used, so every page has the same basic design format, but contains specific information relative to the link. I really hope the new site is better organized and more useful than our former site. In case you were wondering, the URL remains unchanged: <http://www.gmd4.org>. Let me know what you think.

I think it noteworthy that the division of water resources (DWR) within the Kansas Department of Agriculture (KDA) has been incredibly supportive of this GMD's modeling efforts to date. Chief Engineer David Barfield has agreed to technically support our modeling needs for the HPAs within his Basin Team structure. This is a significant decision that will help out GMD 4 in a large way - by initially providing the modeler we need until our local capabilities sufficiently evolve. In a side note, the Kansas Water Office (KWO) also was receptive to such support, but since the model is a child of the Republican River Compact model which DWR uses extensively, it seemed the better option in this case. It is really pleasant to have our state water agencies so keenly interested in this kind of "team building". We hope it continues and turns out to be a win-win effort.

The last batch of meter orders come due this year - these being all wells on the SE quarter of any GMD 4 section. The notices went out several weeks ago to all appropriate well owners. If you need help completing the meter notice form, let us know. This will conclude the mandatory metering of all wells in GMD 4 which was ordered by the state 4 years ago. A meter must be on the well before it pumps in 2009. Questions?

Another Legislative session is upon us, so... The House Leadership has changed, as have some of the House Committee chairmanships. It's always an unknown in these kinds of situations. Last session the House Ag & Natural Resources Committee was not kind to the GMDs regarding the Intensive Use Control Area (IGUCA) laws inside the Kansas Groundwater Management District Act. This is a committee whose chairmanship has changed. Time will only tell if the new committee leadership is locally supportive or not. I'll let you know.