

## ANNUAL MEETING HELD

The district's 34<sup>th</sup> annual meeting was held February 18, 2009 in the Student Union of Colby Community College, Colby, KS. A total of 24 persons were in attendance for the 1:30 P.M. CST meeting at the Colby Community College. The business conducted was:

- 1) 33rd Annual Meeting Minutes were approved as presented.
- 2) 2008 financial audit showed \$399,625.83 was carried forward from 2007 (mostly Foundation funds which are being accrued); \$437,406.48 was brought in by county assessments; and \$12,610.09 was interest income; - totaling \$849,642.40 of total income for 2008. 2008 expenditures were \$359,629.06, leaving a cash balance in all bank accounts on December 31, 2008 of \$490,013.34. There also exists \$64.59 in the post office return postage account and \$318.08 remaining on the district's postage meter – giving the district a total cash worth on December 31, 2008 of \$490,396.01.
- 3) 2010 proposed operating budget of \$449,450.00 was approved for public hearing later in the year.
- 4) Open Discussion Session provided no questions or comments.
- 5) Election of 4 board positions: Monty Biggs was re-elected to the Rawlins/Decatur County position 2; Jeff Deeds was re-elected to the Sherman/Wallace County position 3; Lon Frahm was re-elected to the Thomas County position 5; and Brent Rogers was elected to the Sheridan County position 7 replacing Bill Nondorf who chose not to run again,

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:

- ♦ Verified claims of lesser water use due by April 1, 2009
- ♦ Read your newsletter front to back - every edition
- ♦ Plan on operating within your water right(s) in 2009

## ENHANCED MANAGEMENT NEWS – AWEP PROPOSAL SENT

We have all completed our second round of public meetings in all six of the designated high priority areas and have made a bit of progress in most of them. The discussion points for each individual meeting are posted on the GMD 4 website at: ([www.gmd4.org/EnhancedMgt/protocol.htm](http://www.gmd4.org/EnhancedMgt/protocol.htm)). Several of the HPAs remain focused and seem interested in continuing discussions while several seem a bit less motivated.

The latest update is the formation of the Northwest Kansas Local Partnership between GMD 4, the Sherman County Conservation District and the Sherman County Farm Bureau in order to submit an Agricultural Water Enhancement Program (AWEP) proposal to NRCS for the purposes of implementing a WTAP-like program in the most active and engaged of the HPAs – Sherman County HPA SH-1. An AWEP proposal will be submitted by the April 1, 2009 deadline requesting \$3,900,000.00 to permanently retire 2,000 AF of historic consumptive water use from within SH-1 HPA.

This is the area that had the most WTAP applications and the most remaining applications that were not funded. The poised and ready interest level in this area seemed to make the strongest AWEP application. It should be noted that AWEP is a 2008 Farm Bill program with an annual authorization. As such there is the opportunity to file other proposals (WTAP-like or otherwise) in the following years. The most active and involved HPAs will be the logical choice if subsequent proposals are submitted. NRCS is expected to announce the approved proposals within 3 months.

We are slowly getting the scenario suggestions from the public meetings to fire up the linked hydrologic and economic models. The potential use of these tools should keep the areas interested enough to suggest a few scenarios, but we'll have to wait and see. At this time the only requested meeting for round 3 of the HPA meetings is from the SD-6 HPA slated for June. None others are being contemplated at this time by staff.

Quite frankly, the annual meeting and the AWEP proposal have consumed a lot of time over the past 30-40 days. If other HPA area participants are willing to continue the discussions, get with staff to discuss a date and a few discussion points.

## MORE MODELING INFORMATION

As stated last edition, the hydrologic model that is going to be used in NW Kansas is a derivative of the Republican River Compact Settlement model. It has been updated and recalibrated cooperatively between the Bureau of Reclamation, the Kansas Water Office, the Division of Water Resources and GMD 4 - all under the guidance of the consulting firm of S.S. Papadopoulos & Associates (SSP&A).

The first step in updating the RRC model for NW Kansas was to recalibrate certain input parameters. The primary recalibration parameter was groundwater recharge. This effort included extending the calibration period to 2005, augmenting the precipitation station network to include additional gages that were not previously used, and to provide a better estimate of recharge occurring during some very wet and very dry periods. The second step was to modify the model program code to account for the reductions in saturated thickness as groundwater levels decline.

The recalibration effort focused on 2 main objectives: refining the ability of the model to estimate changes in groundwater levels into the future; and providing better estimates of groundwater recharge associated with wet and dry periods.

An early decision was to determine a new model recalibration period (the RRC model used 1918-2000). The new period needed to be more "data relevant" and also allow for faster model run times. The new model calibration period chosen was 1948-2006. This time frame allowed the use of 11 new precipitation stations to be used and resulted in 33,967 water level measurements being available from 860 wells.

Another important recalibration factor was better recharge values. To improve upon the recharge values used in the RRCA model (values based on a series of segmented curves relating precipitation to recharge) a continuous curve using a "power function" was used. The power function values were estimated or calibrated so that they closely matched the original segmented curves used in the RRCA model, but provided the ability to tweak the recharge values for soil variations when needed.

It's really hard to describe the meat of this model without seeing the graphs and figures associated with the text. The above description comes from a progress report by SSPA which is available from the GMD 4 office upon request. Additional elements of the model will be covered in following newsletter editions.

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## WTAP Program Update

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 still vying for whatever funding the Legislature leaves in the program. Last month \$1.2 million of the \$3.3 million program dollars was swept by the Governor.

The administering agency (State Conservation Commission (SCC)) just let 11 WTAP contracts from within GMD 4 – totaling \$1,372,958.00 – provided the Legislative leaves at least \$2.1 million in the program. These 11 applications will see 2,212 authorized irrigated acres and 3,098 authorized AF of groundwater permanently retired (if all 11 contracts are signed). This group also represents 1,205 AF of historic consumptive water use no longer to be pumped.

The interest shown in NW Kansas indicates that the program should be continued, if not expanded. The Legislature will also decide this session if WTAP will be funded again or not. This program is not without controversy, so if you have an opinion, you may want to let your Legislators know.

### 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

A confusing section of the Kansas Water Appropriation Act is being considered for clarification this session. KSA 82a-707 has always been an enigma, and currently reads:

*Where uses of water for different purposes conflict, such uses shall conform to the following order of preference: Domestic, municipal, irrigation, industrial, recreational and water power uses. However, the date of priority of an appropriation right, and not the purpose of use, determines the right to divert and use water at any time when the supply is not sufficient to satisfy all water rights that attach to it.*

The meaning of this old language (some of which pre-dates the 1945 Appropriation Act) has been questioned for many years and no one has pinned it down definitively. The new language is proposing to read:

*The date of priority of every water right of every kind, and not the purpose of use, determines the right to divert and use water at any time when the supply is not sufficient to satisfy all water rights. Where lawful uses of water have the same date of priority, such uses shall have priority in the following order of preference: Domestic, municipal, irrigation, industrial, recreational and water power uses.*

What the new language does is clearly make priority in time the prominent factor in supply disputes between all appropriation water rights. Only in the cases where water rights share the same priority date will the preference list become meaningful. And what are these cases? Vested rights (pre-June 26, 1945 water rights) all share the same priority date and are all senior to all appropriation rights. As such, it appears that the preference listing will be very important in supply disputes involving vested rights. The only appropriation water rights (post-1945 rights) that might share the same priority date would be those cases where a single water right was (or yet becomes) divided among two or more owners with NO assigned individual priorities – usually a D1, D2 designation or something similar.

In any event, the new language takes a stand and clarifies the here-to-fore confusing wording. The bill is SB 64 if anyone is interested or has a strong point of view either way.

## REAP (RURAL ENERGY FOR AMERICA PROGRAM)

A USDA program called REAP was again authorized by the 2008 Farm Bill. The program awards grants to qualifying projects that produce energy from wind, solar, biomass, geothermal or hydrogen-based sources. It also includes rural projects that reduce energy use and result in a savings to the ag producer – such as purchasing or replacing older, less energy efficient equipment. This is the part that I thought would interest our readers.

These grants can fund up to 25% of the project's eligible costs and are limited to \$250,000 for energy efficiency improvements. If you were interested in the new, variable frequency drive electric motors for instance, this might be an opportunity to switch out for 75% of the cost. For more information contact Brandon Prough in Hays at 785-628-3081. E-mail = [brandon.prough@ks.usda.gov](mailto:brandon.prough@ks.usda.gov)

## REPUBLICAN RIVER COMPACT UPDATE

Just a brief update on the compact settlement status. The issue of how much Nebraska owes Kansas for the 82,870 AF of water not reaching Kansas in 2005 and 2006 is being arbitrated at this time. Kansas has requested an amount of money representing the larger number of either: Nebraska's gain for having used this Kansas water, or, the amount of money representing Kansas' losses due to not having the water. Nebraska has disagreed so an arbitration process has begun. The arbitrator is expected to make his final report in June, 2009, which will be appealable. If appealed, the process will continue. The request to Colorado for monetary damages for their overuse may begin after the Kansas/Nebraska settlement. In both cases, it is only the 2005 and 2006 overuse that is at issue at this time. Much more information on this compact is available from: [www.ksda.gov/interstate\\_water\\_issues/](http://www.ksda.gov/interstate_water_issues/)

## Pumping the Tailwater

By Wayne Bossert, GMD 4 Manager

### CPIA CONFERENCE INFORMATIVE

I had a chance to attend most of the 21<sup>st</sup> annual Central Plains Irrigation Association meeting in Colby recently. There was a lot of really good information put out on irrigation practices. One seminar was on a piece of free software called "Crop Water Allocator" that was presented by Dr. Norm Klocke, KSU. This program was based on finding the best economic return possible under limited irrigation scenarios – whether natural or regulated. As water becomes limited, producers must ask themselves questions: Should fully irrigated crops be grown?; Should other crops be considered?; What acres should be devoted to each crop?; and How much water should be apportioned to each crop and acreage? The program takes your inputs on various crop decisions, expected yields, water application (both rain and irrigation), production costs, expected prices and more. It then runs all the possible crop and acreage combinations and places them in descending order of "bottom line profitability" for your consideration. Running additional "what-ifs" makes it even more interesting. The software is available free from KSU.

### THIS NEWSLETTER AND INTERNET LINKS

Last year I received a comment from a district member regarding all the internet links I include in this newsletter. Basically this person asked that I lighten up a bit – for those who were not as computer advanced as others. I've given this a bit of thought and while I fully understand there are differences in peoples' interest levels in the electronic age, there is simply no way to ignore it if you are in the business of information sharing – like this newsletter is supposed to be. I look at my use of internet links herein as fulfilling a wide range of peoples' information needs. I try to give the basic information in the newsletter article, and for those who want way more information, I provide a link to boot. I do not intend to push or convert anyone to the e-world. For those who have the additional interest but not the e-means or e-desire, call me and ask for the linked material. I can go there for you and send it along. Thanks for the comment.

**THANKS FOR TAKING THE TIME TO STAY INFORMED**