



THE WATERLINE

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39TH ANNUAL MEETING

The Western KS Groundwater Management District's 39th Annual Meeting was held March 20, 2012 at Sharon Springs, KS. Tracy Streeter, Director of the Kansas Water Office, gave updates on new legislation as well as Ogallala Aquifer initiatives. Information included the amendment of the appropriation act which **eliminated the "Use it or Lose it" concept for groundwater rights in areas closed to new water right development**; a process called Local Enhancement Management Areas (LEMAs) allowing local communities of producers to collectively decide their water future; development of additional groundwater Water Banks for a market-based program to (cont. on back under 39th Annual)



IMPORTANT DATES

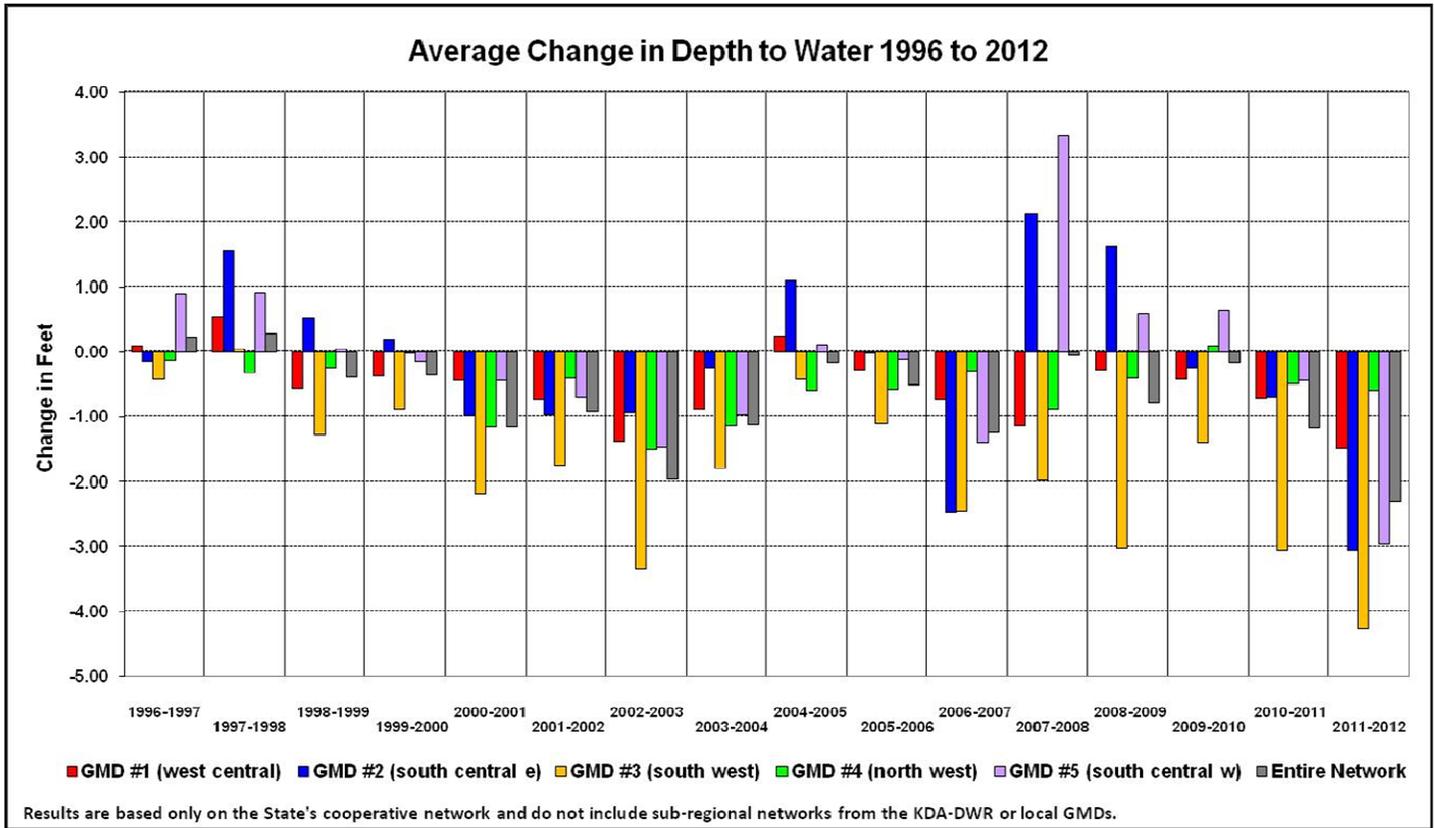
- *July 15, 2012 Multi-Year Flex Accounts application deadline for those who had Drought Emergency Term Permits or overpumped in 2011*
- *July 17, 2012 GMD #1 Budget Hearing 10:00 a.m. CDST*
- *October 1, 2012 Multi-Year Flex Accounts application deadline to have it begin in 2012*
- *October 30—31 Governor's Water Conference in Manhattan, KS*

MULTI-YEAR FLEX ACCOUNTS

The Multi-Year Flex Account Program (MYFA) was revised by the Kansas Legislature through Senate Bill 272 and signed by Governor Brownback on March 5, 2012. Significant changes were made to the previous program which includes the elimination of the 10% conservation factor. A MYFA allows water right holders to obtain a 5 year term permit that temporarily replaces their water right. If approved, the water right holders can exceed their annual authorized amount in any year, but it restricts total pumping over the 5 year period. The 5 year period is limited to a maximum of 5 times the larger of the water right's average water use or the water right's maximum reported acres times the county's net irrigation requirement for corn. The program is voluntary and does not permanently change the water right. At the end of the 5 year period it can be extended by filing a new MYFA application or the operation of the water right returns back to the original water right conditions. Important items to note include: **1.** Only vested and certified groundwater rights in good standing are eligible for MYFAs. **2.** A separate MYFA application shall be required for each point of diversion authorized by the base water right. **3.** The applicant is required to install & maintain an acceptable water flowmeter that meets all current specifications, to allow the meter to be sealed, to install anti-reverse components when directed by the Division of Water Resources and to maintain monthly records of water used. **4.** MYFAs are available statewide for uses other than irrigation. **5.** The entire water right must be placed in the MYFA program. If you wish to include only a portion of the water right, you must first apply for a division of the water right. **NOTE:** Water right holders that received 2011 Emergency Drought Term Permits who wish to convert to a MYFA will **not** have their MYFA reduced by their 2011 overuse and the application fee will be \$200 if applied for by **July 15, 2012** (after this date it will be \$400). For those who overused in 2011 but did NOT apply for a 2011 emergency drought term permit, they may avoid a sanction for the violation by applying for a MYFA. The application must be received by July 15, 2012 along with a filing fee of \$600. The MYFA will be reduced by the amount of the 2011 overuse.

39th Annual Meeting (cont. from front)

relocate water use and provide conservation in water short areas; amendment of the Multi-Year Flex Accounts to give irrigators expanded capabilities to manage the crop water over a five year period; and the recommendation that the pilot Water Transition Assistance Program be established as a permanent program. Mr. Streeter reported that these legislative proposals would allow local producers and communities to collectively decide their future while promoting water conservation, growing the economy, & creating more jobs in Western Kansas. Brownie Wilson, Kansas Geological Survey, gave a presentation on the 2012 Cooperative Water Level Program results. Here is a copy of one of the slides he presented:



Greg Graff of Wichita County and Alan James of Lane County were elected to the Board of Directors for a three year term. During the regular March Board Meeting, the following officers were elected: Greg Graff, President; Danny Welsh, Vice President; and Bob Hoeme, Treasurer.

MANAGER'S MESSAGE:

This legislative session has brought about many changes for those involved with groundwater. One major change occurred on March 5, 2012 when Governor Brownback signed a bill which repealed the 1945 law commonly known as "Use it or Lose it". There seems to be some misconception that every water right is now protected from being declared abandoned or dismissed. However, the only water rights that are protected from abandonment for nonuse are those that are in formally **closed areas to new appropriations of water**. If your water right is located within the boundaries of this District (Western KS Groundwater Management District No. 1), it should be protected — since this District was formally **closed to new appropriations of water** in the portions of the unconsolidated aquifers commonly known as the Ogallala formation and the Niobrara formation on April 15, 2011. When in doubt, please call us and we will double check the status of your water right. Also, please call if you are thinking about making any changes to your operation that might affect your water right. We can help you be aware of State and District regulations as well as help you fill out applications for changes such as relocating a well, changing the place of use, changing the use made of water, etc. (620) 872-5563



Tracy Streeter giving his presentation during the Annual Meeting

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