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EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

GROUNDWATER NEWS

DISTRICT'S ANNUAL MEETING: Just Around the Corner!

HALSTEAD — The 35th Annual Meeting of the Equus Beds Groundwater Management District will be held Tuesday, January 12, 2010, in the Halstead High School auditorium, 520 West 6th Street, in Halstead. Larry Jacob, Board President, will call the meeting to order at 7:00 p.m.

District staff will review the District's programs, projects, and activities for the last year. Included in the review will be a report on the status or progress of:

- Aquifer management and protection activities for 2009;
- Planned activities for 2010; and
- Update on the City of Wichita's Aquifer Storage and Recovery program.

Don Koci, Treasurer, will report on the District's financial status. The Board of Directors will review a proposed fiscal year 2011 budget for adoption. Other business to be conducted at the meeting includes the election of three director positions to the nine member Board of Directors. Board incumbents David Stroberg (Reno County), Don Koci (Reno County), and Bob Seiler (Sedgwick County), are all seeking another three-year term.

Voter registration will be conducted in the Halstead High School commons beginning at 6:15 p.m. and ending at 7:00 p.m. The deadline to submit Board of Directors applications and Statement of Eligibility forms was December 11, 2009, in order to appear on the printed ballot. However, persons interested in running for the Equus Beds Board of Directors can seek nomination during the meeting.

Copies of the meeting agenda, candidate application forms, and the proposed FY 2011 budget are available and may be obtained by contacting the District office. A map of the Annual Meeting location can be found on the Home page of our website at: www.gmd2.org

ELIGIBLE VOTER QUALIFICATIONS

HALSTEAD — Not all persons qualify to vote in the Equus Beds Board of Directors election. The Groundwater Management District Act limits voters to specific landowners and water users. Eligibility is based on a person, trust, estate, municipality, or a private or public corporation which:

- Owns 40 or more contiguous acres of land, or
- Annually withdraws or uses at least one acre-foot (325,851 gallons) of water.

Land comprising of 40 or more contiguous acres must be a single tract, located within the District and outside the corporate limits of a municipality. The size of the tract of land is determined by the calculations of the county appraiser and excludes any public right-of-way located within the tract.

An eligible voter can cast only one vote for any qualified tracts of land and water permits owned by the voter. Persons duly authorized to act in a representative capacity for estates, trusts, municipalities, public or private corporations may also cast one vote for each entity that they represent. The election law prohibits proxy voting.

MODIFICATION OF WRCP PROGRAM ADOPTED

TOPEKA — Chief Engineer David Barfield, Division of Water Resources, has adopted the proposed modifications to the Water Rights Conservation Program (WRCP) regulation K.A.R. 5-7-4, effectively discontinuing the program on January 1, 2010, as no new contracts or renewal requests will be accepted after December 31, 2009. The WRCP contracts or renewals approved prior to that date will be honored until the contract expiration date, but will not be allowed to be renewed or extended at that time.

The Equus Beds Groundwater Management District, as well as the other Kansas groundwater management districts and numerous other parties and entities, opposed the regulation modification and discontinuance of the program. A review of the comments received by the Kansas Department of Agriculture found that none of the comments were in support of the regulation modification and most comments expressed serious opposition.

The Chief Engineer has indicated the possibility of modifying the WRCP program at a future date and once again accepting applications, provided funding can be secured to operate the program. The State's groundwater management districts, as well as other stakeholder groups, are exploring ways to reinstate this important program.

VERIFIED CLAIMS FORMS - NOW AVAILABLE

HALSTEAD — A water user pumping less water and the water meter is in compliance with State in 2009 than his/her permitted amount may file a regulations. Verified claims may also be submitted for:

verified claim with the District to limit their annual groundwater assessment to the actual amount used instead of the full permitted amount. The deadline for the verified claims forms is April 1, 2010. No late forms will be accepted.

By law, the District determines the water assessment charge by the amount of water authorized by the water permit unless a verified claim is filed demonstrating actual usage. Filing the claim is voluntary.

Verified claims may be filed if the water well is equipped with a water meter for all of 2009; the metered amount is in units of either gallons, acre-feet, acre-inches or barrels; the water meter installed on the well is registered with the District;

- Wells which were not drilled and completed under the original water permit approval,
- Water permits enrolled in the U.S. Department of Agriculture Conservation Reserve Program, or
- The Division of Water Resources, Water Right Conservation Program.

The color-coded forms are available at the District office; at the offices of the county clerks of Harvey, McPherson, Reno and Sedgwick counties; and at the Farm Service Agency offices in the four counties. Photocopies will not be accepted.

NEED ASSISTANCE WITH:

- Plugging an abandoned water well?
- Repairing, selecting or installing a water meter?
- Filing a water permit form or use report?
- Checking on available groundwater supply?
- Filing a verified water use claim?

Contact the Equus Beds Groundwater Management District at (316) 835-2224.



EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 Spruce Street
Halstead, KS 67056-1924

Phone: 316-835-2224
Fax: 316-835-2225
Email: equusbeds@gmd2.org
Website: www.gmd2.org

Mailing Address Line 1
Mailing Address Line 2
Mailing Address Line 3
Mailing Address Line 4
Mailing Address Line 5

Please contact us with any address changes!

OR CURRENT RESIDENT

CONSEQUENCES OF OVER-PUMPING INFORMATION FROM THE KANSAS DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES

Kansas water rights have legally established limits concerning the quantity of water authorized, rate of diversion, place of use, use made of water, and other conditions and limitations. Owners should be aware of the legal limits of their water rights because violations can result in substantial penalties.

In general, the Division of Water Resources applies the following progressive penalties when an individual diverts more water than the authorized quantity of a water right or permit to appropriate water:

- **FIRST OFFENSE:** Notice of Non-Compliance
- **SECOND OFFENSE:** \$500 fine and water penalty.*
- **THIRD OFFENSE:** \$500 per day fine and 2x water penalty.**
- **FOURTH OFFENSE:** 1-year suspension of authorization to use water
- **FIFTH OFFENSE:** Revoke water right or permit

*Generally the authorized quantity for the following year is decreased by the *same* amount over-pumped.

**Generally the authorized quantity for the following year is decreased by *twice* the amount over-pumped.

There may be exceptions to the progression listed above - for example, if over-pumping is flagrant, DWR may proceed directly to imposing a stricter penalty without waiting for repeat offenses to occur.

DWR sends an order of the Chief Engineer by certified mail to those individuals receiving civil penalties. The order explains the reasons for the penalties and identifies the authorized quantity of the water right or permit to appropriate water. If the authorized quantity has been reduced for the next year, the reduced quantity is identified in the order.

In 2008, DWR began routinely applying water penalties in addition to monetary fines. As a result, a number of water rights or permits to appropriate water have had their authorized quantities reduced for 2009. DWR wants to allow water users the flexibility to determine how they will comply with their reduced allocations in a manner that creates the least impact on their operations.

For example, an irrigator who has received such a penalty may have to plant a less water-consumptive crop or reduce their acreage planted in order to comply with the reduction in their authorized quantity due to over-pumping in 2008.

It is very important for individuals who have received civil penalties to avoid over-pumping their reduced authorized quantities in 2009 or subsequent years in order to avoid a more severe penalty. All water users - owners and tenants - should be careful to avoid over-pumping so that they do not jeopardize the water rights or permits to appropriate water that they depend upon.

Need to know the current rainfall, ET, soil temperature, groundwater-level and current atmospheric conditions in the Equus Beds? Simply call the nearest data station.

McPherson County

DCP-1089 620 241-2226

DCP-1087 620 543-2902

DCP-1129 620 664-5171

Reno County

DCP-1086 620 662-2622

Harvey County

DCP-*NEW* 316 796-0358

DCP-1118 620 459-4646

DCP-1088 316 667-2222

Sedgwick County

<p>BOARD OFFICERS</p> <p>Larry Jacob President David Stroberg Vice President Fred Seiler Secretary Don Koci Treasurer</p>	<p>DISTRICT STAFF</p> <p>Tim Boese Manager Dorinda Albrecht Admin.Asst. Tracey Rockett Hydrologist David Randolph Technician Tom Adrian Attorney</p>	<p>Mail, fax or e-mail corrections to the District office at: 313 Spruce Street, Halstead, KS 67056-1924 • Phone: 316-835-2224 • Fax: 316-835-2225 • E-mail: equusbeds@gmd2.org • website: www.gmd2.org</p>
<p>BOARD OF DIRECTORS</p> <p>Dennis Gruenbacher Member Vin Kissick Member Mike McGinn Member Bob Seiler Member David Warren Member</p>	<p>.....</p> <p>The Equus Beds Groundwater Management District No. 2 publishes the <i>Equus Beds Groundwater News</i> quarterly. Subscriptions are free of charge.</p> <p>Address corrections are appreciated and help to reduce publication costs.</p>	<p>Office hours are 8:00 am - 5:00 pm, Monday through Friday, except for holidays.</p> <p>The Board of Directors meets the second Tuesday of each month. All meetings are open to the public. The public is welcome and encouraged to attend the meetings.</p>