

Approved: \_\_\_\_\_

2/23/93  
Date

## MINUTES OF THE HOUSE COMMITTEE ON ENERGY AND NATURAL RESOURCES.

The meeting was called to order by Chairperson Carl Holmes at 3:30 p.m. on February 11, 1993 in Room 526-S of the Capitol.

All members were present except: Representative Lloyd, excused  
Representative Webb, excused

Committee staff present: Raney Gilliland, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
April Howell, Committee Secretary

Conferees appearing before the committee: Michael T. Dealy, Manager  
Equus Beds Groundwater Management District #2

Others attending: See attached list

Chairperson Holmes called the meeting to order and delegated three (3) Representatives to form a Subcommittee to address solid waste problems centered around the fact that the federal government spent six (6) years trying to establish rules and regulations and the State has only two (2) years to have them in place. The Subcommittee that will be working with Staff to develop a Resolution will be Representative Gatlin, Representative Freeborn and Representative McClure. When the Resolution is drafted, it will be a Committee Resolution.

Chairperson Holmes advised the Committee of a meeting that had occurred earlier in the week with the Vice-Chair Hendrix, Minority Leader Grotewiel, and Staff dealing with the Water Transfer Act, paying particular attention to the Administrative Procedures Act and the procedures contained in the proposed Bill. This is an attempt to avoid any legal problems with the proposed bill while attempting to develop procedures.

He then advised the Committee of a special meeting after the Session tomorrow morning that will deal with purchasing water in Federal reservoirs. This Committee will be made up, but not limited to, Representatives from the Governor's Office, the Development Finance Authority, the Kansas Water Office, Rochelle Chronister of Appropriations and other interested parties.

Chairperson Holmes introduced Michael T. Dealy, Manager of the Equus Beds Groundwater Management District #2 who briefly outlined the material contained in his booklet, "Groundwater Management in Kansas". Groundwater Management Districts were formed as a result of the Groundwater Management District Act of 1972. The Act made possible the formation of these districts to help control and direct the development and use of our groundwater resources. The 1972 Legislature felt effective groundwater management could best be carried out by local water users and landowners. The booklet also contains maps, overviews, policies, programs and research of each district division in the State of Kansas. (Attachment 1)

Michael T. Dealy further presented testimony on Groundwater Management District Equus Beds in relation to HB 2070. This Bill does not address a water transfer from within a groundwater management district and its compliance with a district's adopted groundwater management program, standards and policies, and rules and regulations promulgated to address groundwater supply problems such as aquifer depletion or contamination. The information submitted to the Committee also listed other concerns as well as recommendations to modify the bill to include and recognize a groundwater management district as a commenting agency. (Attachment 2)

The Chair then opened the floor to questions of the committee members. Some questions were also addressed to Steve Hurst of the Kansas Water Office who also attended, but did not speak, at this meeting.

The meeting adjourned at 4:40 p.m.

The next meeting is scheduled for February 15, 1993.

Date:

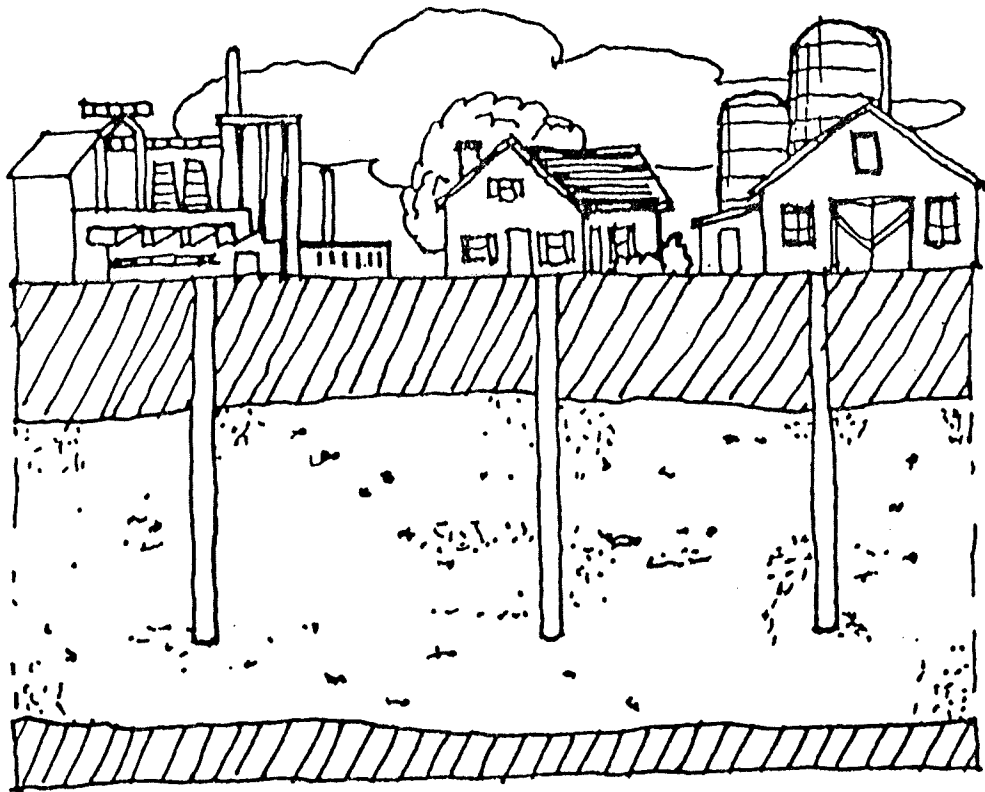
## GUEST REGISTER

HOUSE

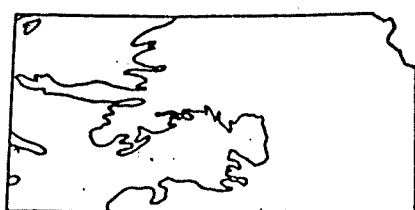
COMMITTEE ON ENERGY AND NATURAL RESOURCES

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# GROUNDWATER MANAGEMENT IN KANSAS



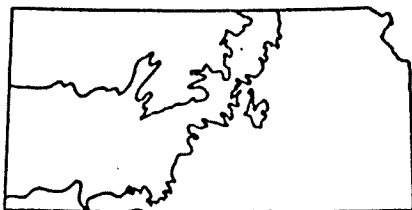
House E & NR  
Attachment 1  
2/11/93



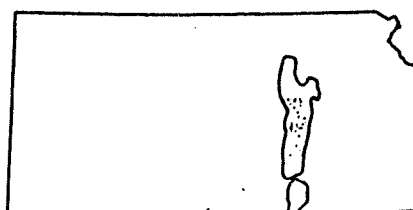
**HIGH PLAINS AQUIFER**  
3,940 Mgal/d



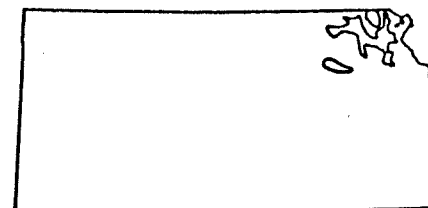
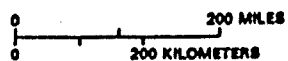
**ALLUVIAL AQUIFER**  
620 Mgal/d



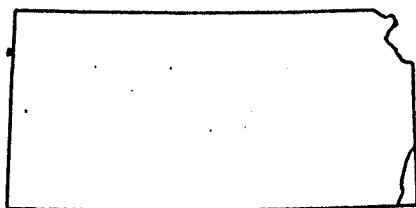
**GREAT PLAINS AQUIFER**  
140 Mgal/d



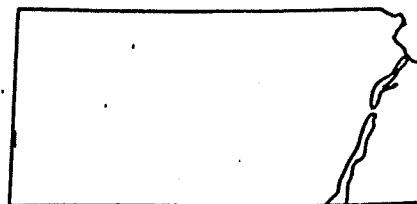
**CHASE AND COUNCIL GROVE AQUIFER**  
18 Mgal/d



**GLACIAL-DRIFT AQUIFER**  
15 Mgal/d



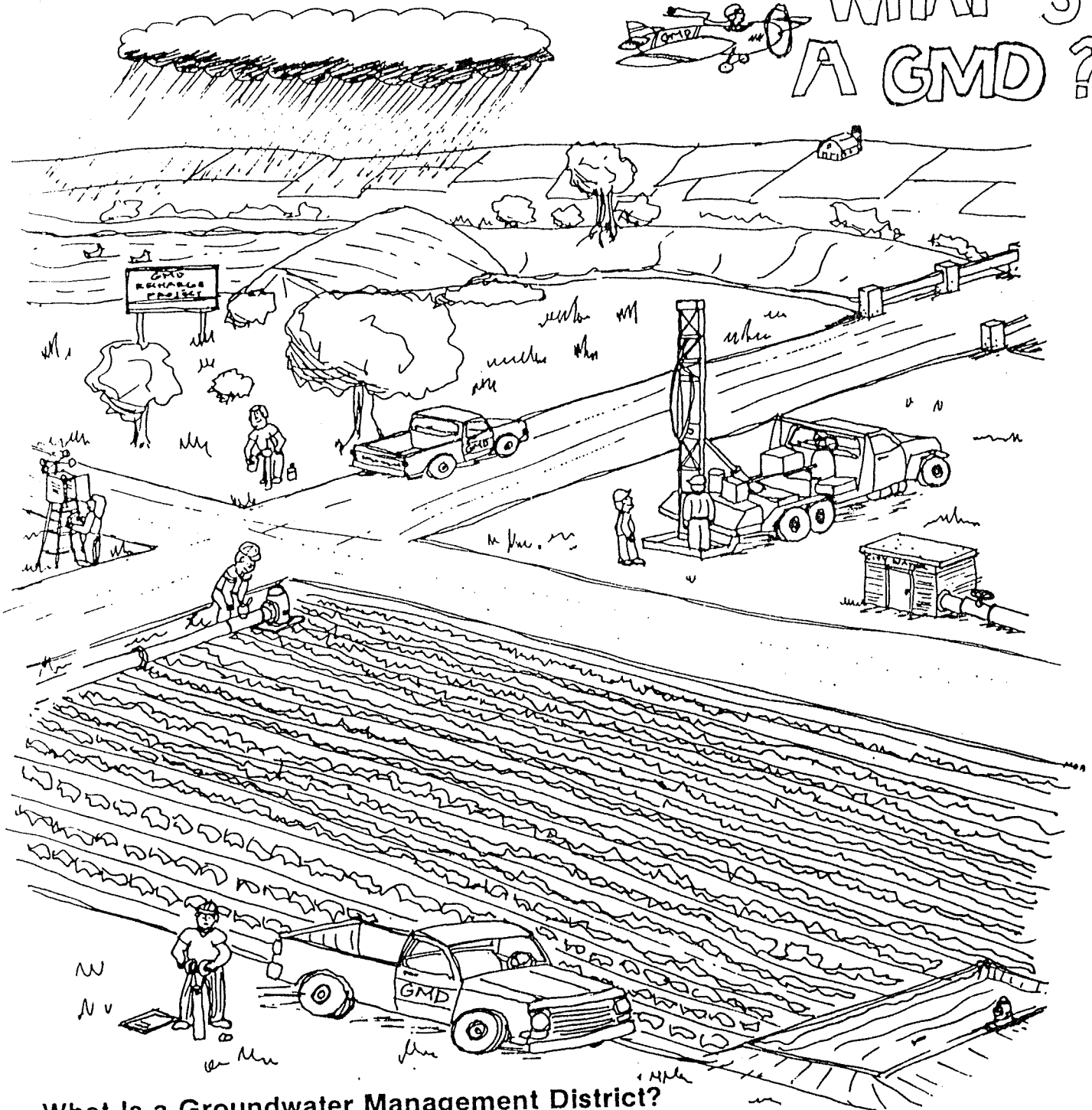
**OZARK AQUIFER**  
7.2 Mgal/d



**DOUGLAS AQUIFER**  
6.8 Mgal/d

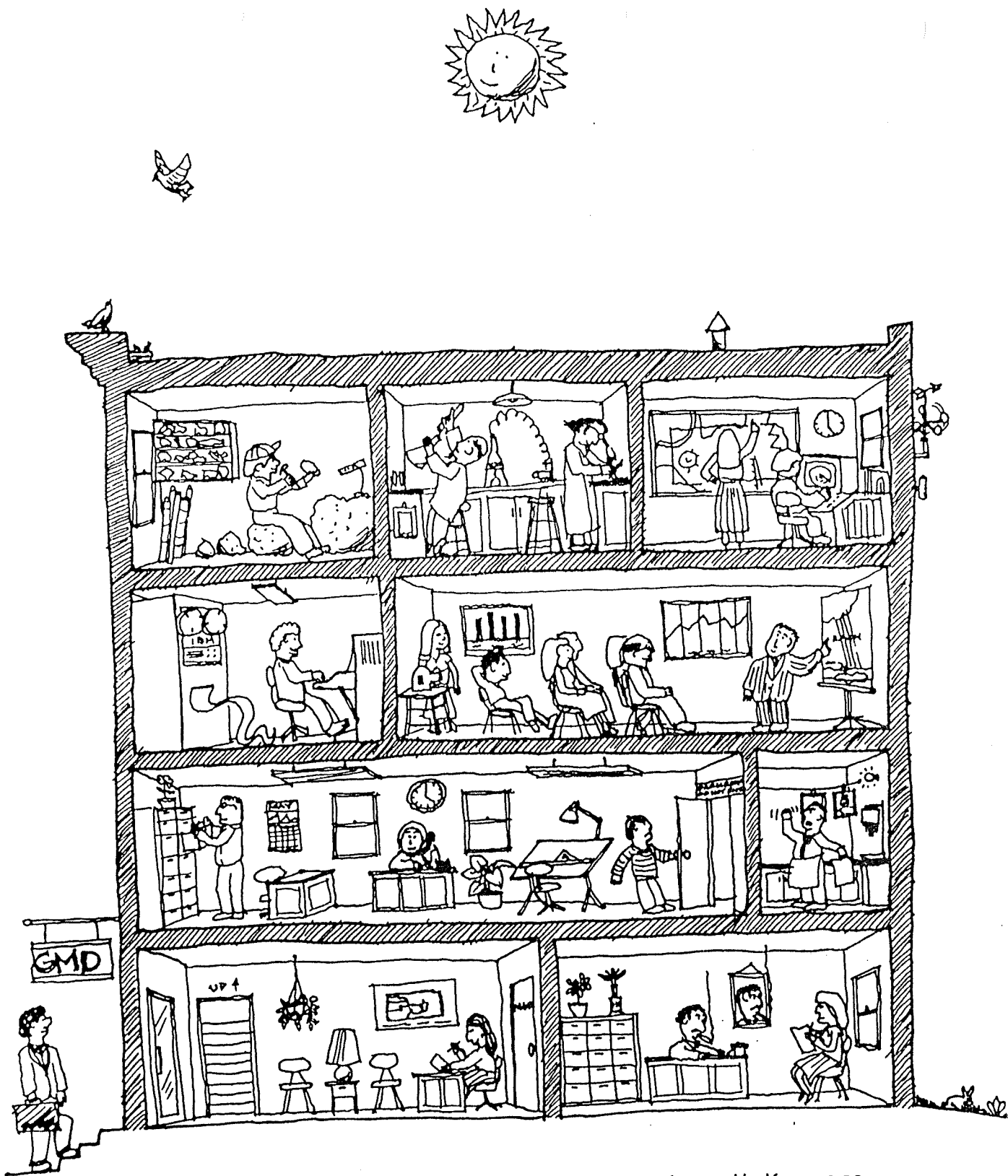
**Figure 1. Location of Aquifer Systems and Daily Withdrawal Amounts**

# WHAT'S A GMD?

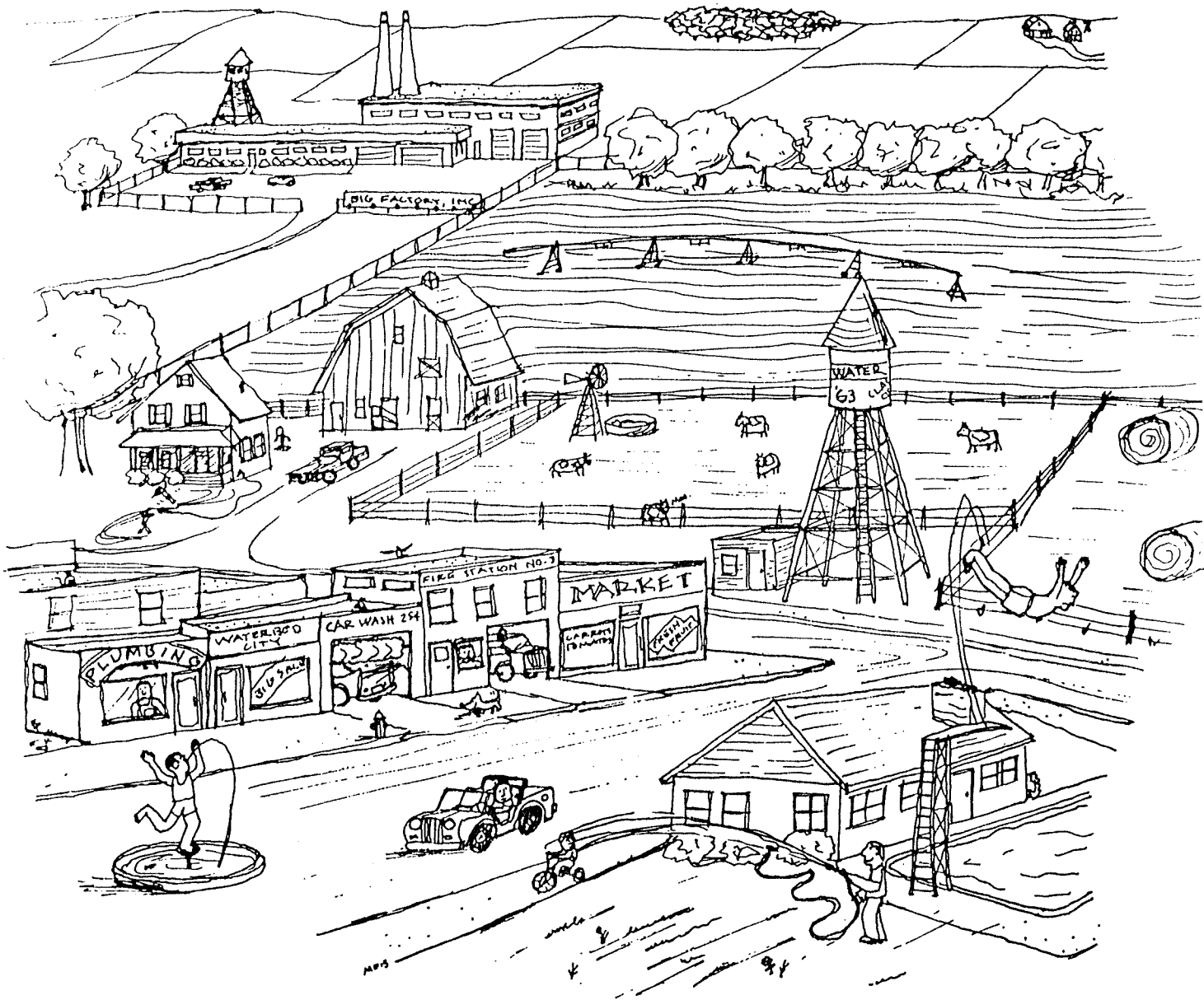


## What Is a Groundwater Management District?

In response to the problem of dwindling groundwater supplies in Western Kansas, the Kansas Legislature adopted the **Groundwater Management District Act of 1972**. The act made possible the formation of groundwater management districts in the state, to help control and direct the development and use of our groundwater resources. The 1972 legislature felt effective groundwater management could best be carried out by local water users and landowners. The Groundwater Management District enabling legislation recognized that **local management**, rather than state or federal regulation, was the best approach. Each groundwater management district is a political subdivision of the State of Kansas organized for management of groundwater resources.

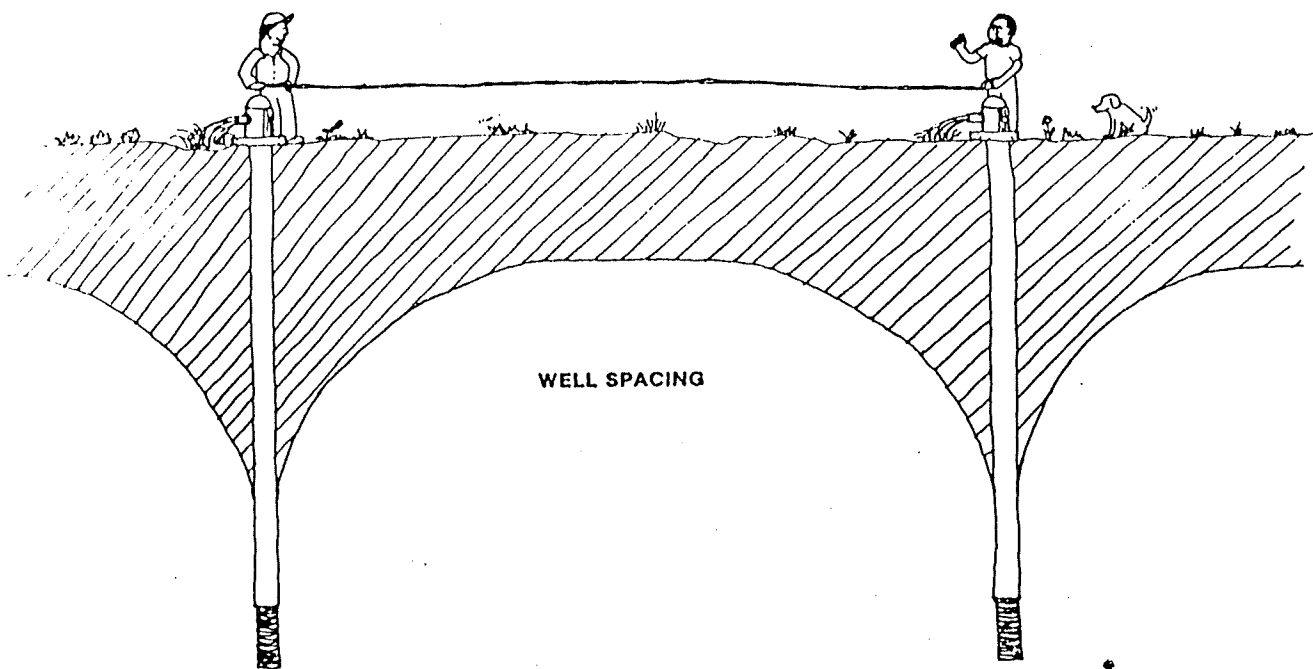


Five groundwater management districts have been formed in Kansas as a result of the 1972 act. Each district was voted into existence by the local people. Each district has a locally elected board of directors and is locally funded by land assessments and/or water user charges. **The districts are an excellent example of local government working to solve local problems.**

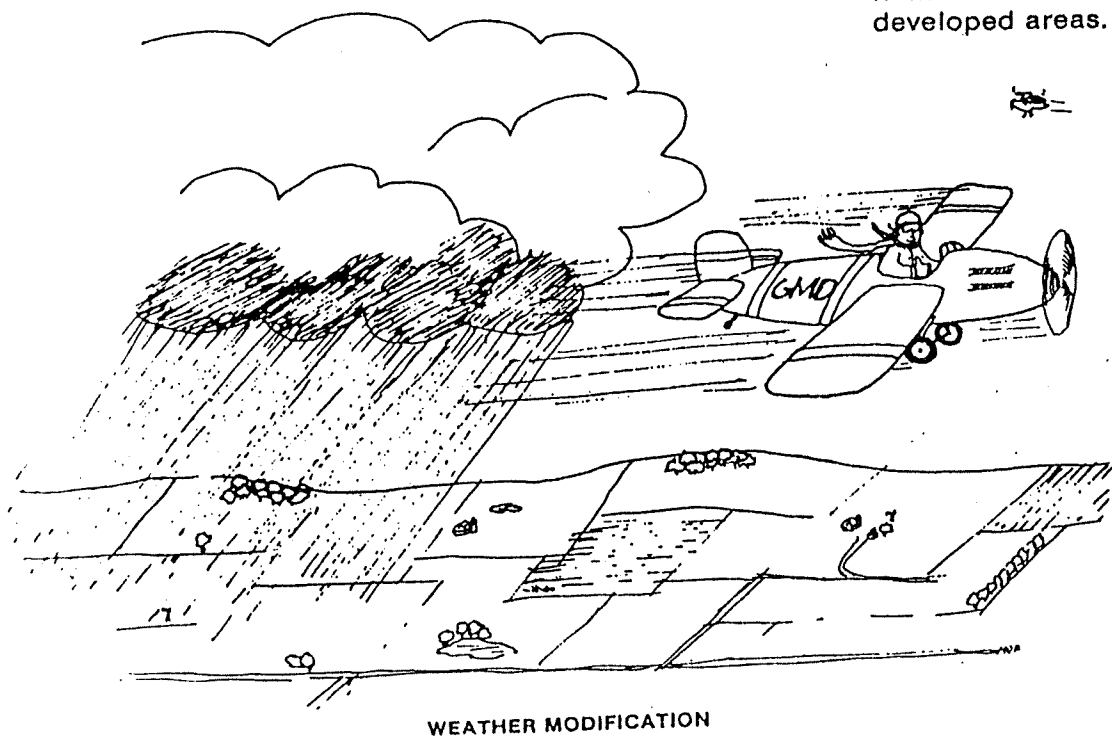


### How Can a District "Manage" Groundwater?

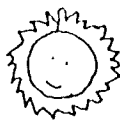
Each district is charged with managing the groundwater resources within the boundaries of the district. This management is achieved, in part, through review of all applications for water rights filed with the Division of Water Resources, State Board of Agriculture in Topeka (a requirement for all nondomestic water wells in Kansas since 1978). Each district reviews all applications filed within its boundaries and makes recommendations to the Division of Water Resources to approve, modify, or deny applications to drill wells or use water.



This review process allows each district to implement management policies adopted by its board of directors, such as **well spacing**. The review also allows each district to implement aggressive policies that provide for the orderly development of groundwater by **limiting the number of wells** in fully developed or over-developed areas.

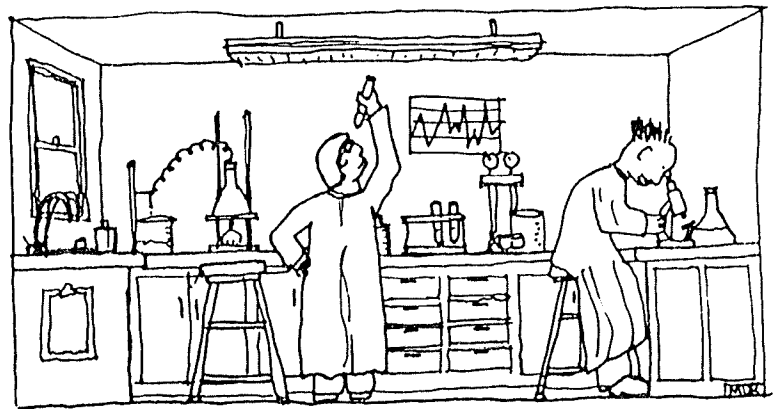




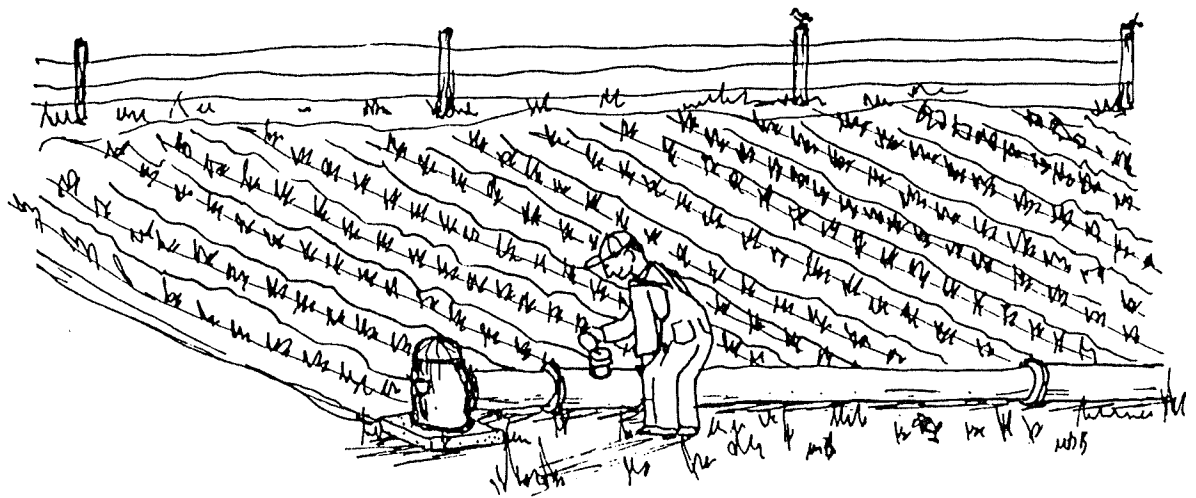


WATER LEVEL MEASUREMENTS

Other management techniques employed by the districts include water level measurements, water quality monitoring, collection of water use data, promotion of water conservation and efficient water practices, general public education, and weather modification (cloud seeding).

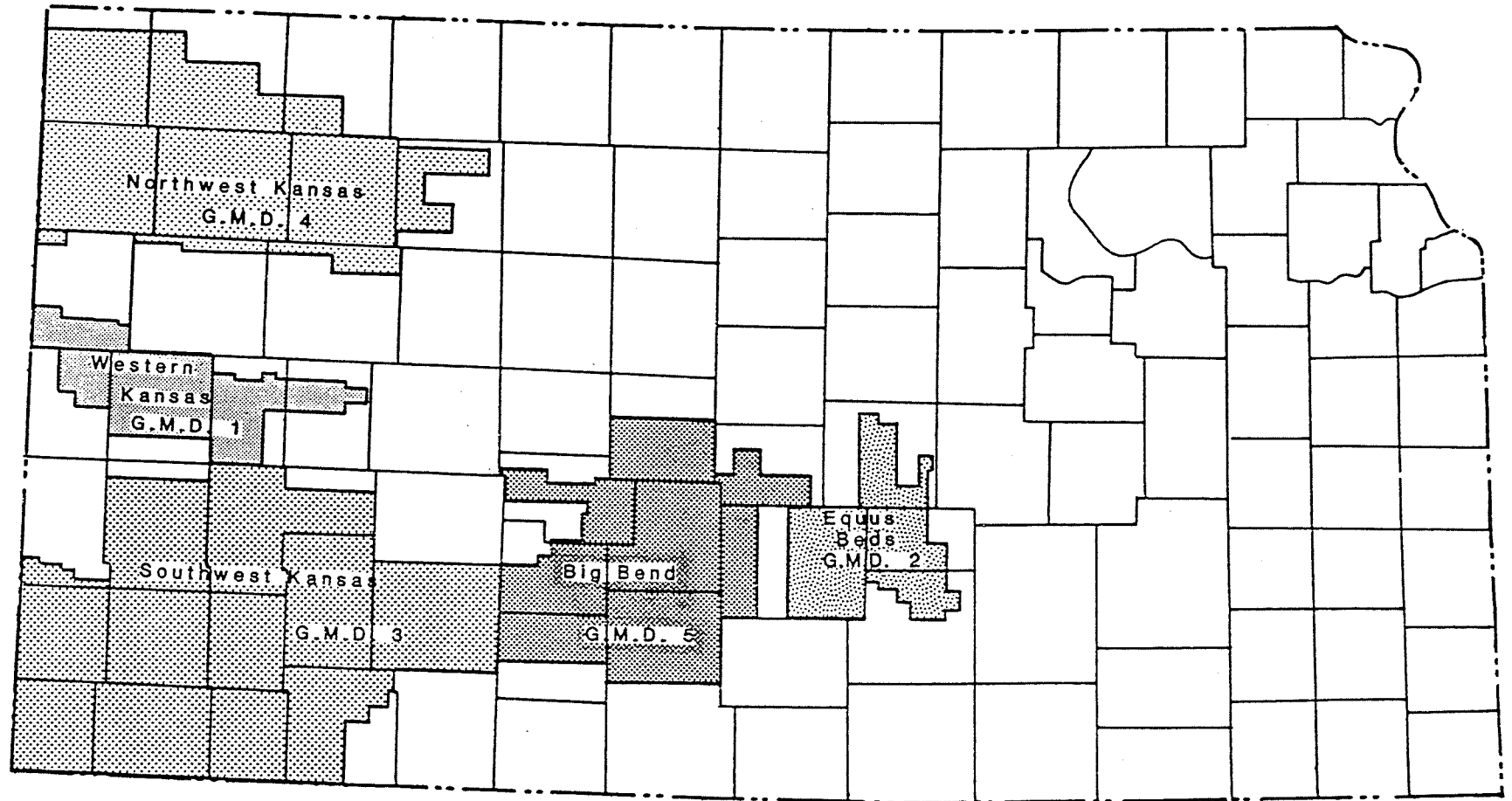


WATER QUALITY MONITORING



COLLECTION OF WATER USE DATA

KANSAS GROUNDWATER MANAGEMENT DISTRICTS - October, 1990



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**KANSAS**  
January, 1992

## **WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 1**

West HWY 96, PO Box 604, Scott City, Kansas 67871

Phone: (316) 872-5563; FAX (316) 872-7315

**CONTACT PERSON:** Keith Lebbin, Executive Director

### **OVERVIEW**

**LOCATION:** Wallace, Greeley, Wichita, Scott and Lane Counties in Kansas.

**FORMATION DATE:** January 1, 1975      **STAFF:** 2 Full; 8 Part

**FORMATION AUTHORITY:** Kansas Statutes Annotated 82a-1020 et.seq.

**TYPE OF DISTRICT:** Single resource, Groundwater

**SIZE:** 1.1 Million acres (1800 square miles)

**WELLS:** Irrigation - 2132; Municipal - 28; Industrial - 14; Recharge - 0; Stockwater - 44

**TOTAL WATER AUTHORIZED:** 787,000 AF

**AQUIFERS MANAGED:** Ogallala and Dakota

**HYDROLOGY:** Average saturated thickness (Ogallala) 44.85 feet. Amount of water in storage 7.9 million AF.

**GOVERNING BODY:** Locally elected 5 member board

**FINANCING:** Local assessments and charges - Max. \$.05/acre of land and or \$.60/acre foot of water rights.

**TYPICAL GROUNDWATER BUDGET (ANNUAL):** \$191,079 - operating; \$247,729 - weather modification

### **POLICIES**

**NEW WELL DEVELOPMENT:** Controls the rate and location of new appropriations.

**WELL SPACING:** Mandates a minimum spacing for new wells.

**ABANDONED WELLS:** Mandates the proper plugging of abandoned wells.

**WASTE OF WATER:** Mandates the proper control of water to insure that a waste of water is not occurring.

**CONSERVATION PLANS:** Assistance to applicants in the preparation of conservation plans as part of the application process.

**CHANGES IN POINT OF DIVERSION:** Sets forth the distances for changes in any point of diversion under an existing water right.

### **PROGRAMS AND RESEARCH**

**OPERATIONAL WEATHER MODIFICATION:** This district has sponsored an annual cloud seeding program since 1975. The purpose is to augment rainfall and reduce hail damage in West-Central and Southwest Kansas.

**DATA COLLECTION:** Water level, water quality, water rights appropriations, land ownership and meteorological data are the principal data collection programs.

**WATER RIGHTS ADMINISTRATION:** This includes providing assistance to water users in the filing and processing of applications.

**FIELD ASSISTANCE TO WATER USERS:** This includes assistance in soil moisture monitoring, well discharge measurements, static water level measurements and the development of conservation plans.

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**PUBLIC EDUCATION:** The district publishes a periodic newsletter, conducts radio and television programs and gives many talks and presentations.

**WATER QUALITY MONITORING:** The district is in the process of selecting wells to be included in the water quality network.

#### **PUBLICATIONS**

**MANAGEMENT PROGRAM:** Description of the GMD and all district policies, programs and rules and regulations.

**NEWSLETTER:** WATER NEWS

**ANNUAL REPORT:** For the weather modification programs for each year of operation.

**SPECIAL REPORT:** WATER-RESOURCES INVESTIGATIONS 79-105

**SPECIAL REPORT:** WATER-RESOURCES INVESTIGATIONS 80-91

**SPECIAL REPORT:** Report to the Ozarks Regional Commission on a cooperative water management demonstration program.

**SPECIAL REPORT:** Report to the Ozarks Regional Commission on the district's operational weather modification program.

#### **GRANTS OBTAINED IN LAST 5 YEARS**

NONE LISTED

#### **POSSIBLE FUTURE PROGRAMS UNDER CONSIDERATION**

**WATER RIGHT RETIREMENT PROGRAM:** This program is being developed to provide a way in which water rights can be protected for a definite period of time in over appropriated areas while not being used on an annual basis.

**METERING PROGRAM:** The district is developing a program to require the installation of hour meters on each authorized well. In addition, a current well test will also be required.

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January, 1992

## **EQUUS BEDS GROUND WATER MANAGEMENT DISTRICT NO. 2**

313 Spruce Street, Halstead, Kansas 67056-1925  
Phone: (316) 835-2224; FAX (316) 835-2210

**CONTACT PERSON:** Michael T. Dealy, Manager

### **OVERVIEW**

**LOCATION:** South Central Kansas, including portions of Harvey, McPherson, Reno and Sedgwick Counties.

**FORMATION DATE:** May 30, 1975      **STAFF:** 3 Full; 0 Part

**FORMATION AUTHORITY:** Kansas Statutes Annotated 82a-1020 et seq.

**TYPE OF DISTRICT:** Natural resource, Groundwater

**SIZE:** 900,000 acres (1,406 square miles)

**WELLS:** Irrigation - 1,201; Municipal - 187; Industrial - 140; Other - 32; Recharge - 0.

**WATER USAGE:** Irrigation - 68,000 af; Municipal - 63,300 af; Industrial - 22,400 af; Other - 3,600 af; **TOTAL - 157,300 af**

**AQUIFERS MANAGED:** Equus Beds Aquifer and associated alluvial aquifers.

**HYDROLOGY:** Unconsolidated deposits of clay, silt, sand or gravel. Saturated thickness - 50 ft. to 300 ft. Depth to water - less than 10 ft. to 110 ft. below land surface. Water table gradient 5-6 ft. per mile. Recharge 6 in. annual average.

**GOVERNING BODY:** Locally elected nine member board of directors elected for three-year terms.

**FINANCING:** Special assessment - Max. \$.05/acre/yr. for tracts of land 40 acres and larger and/or \$.60/acre/yr. for groundwater withdrawals. Also available are no-fund warrants, general improvement bonds and special assessment improvement bonds.

**TYPICAL GROUNDWATER BUDGET (ANNUAL):** \$225,240.00

### **POLICIES**

**SAFE YIELD:** Balances new appropriations with annual recharge.

**WELL SPACING:** Establishes minimum spacing between wells.

**WASTE OF WATER:** Prohibits any person from wasting groundwater.

**MAXIMUM USE:** Establishes the maximum quantity of water for various uses.

**ABANDONED WELLS:** Requires that abandoned water wells must be properly plugged.

**INACTIVE WELLS:** Requires non operational water wells to be properly constructed and marked.

**UNAUTHORIZED DIVERSIONS:** Requires that all water appropriations, except domestic, obtain a water permit.

**METERING:** Requires the installation of water meters on all new wells, replacement wells and backup wells.

### **PROGRAMS AND RESEARCH**

**DATA COLLECTION:** Maintains data bases for groundwater levels, water quality, precipitation, water use and water rights.

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**PUBLIC INFORMATION:** Provides information to the general public and district water users; publishes a quarterly newsletter; issues press releases to the area news media; sponsors information workshops; and publishes technical reports, illustrations and maps.

**WATER RIGHTS ADMINISTRATION:** Assist water users with various state water permit and chemigation applications and provides non legal consultation to water users.

**RESEARCH:** Conducts, encourages or sponsors hydrologic and geologic studies and demonstration projects.

**SPECIAL MANAGEMENT AREAS:** Manages three water management areas established due to either declining groundwater levels or water quality contamination.

**REMEDIATION:** Contracted with a state agency to design, construct and operate a five-year groundwater clean-up project for the purpose of removing oil field brine from the aquifer.

#### **PUBLICATIONS**

**MANAGEMENT PROGRAM:** Description of district and all policies and regulations.

**NEWSLETTER:** GROUNDWATER NEWS - Quarterly newsletter with 5,400 circulation.

**SPECIAL REPORT:** SUMMARY OF 1988 WATER USE AND RELATED WATER LEVEL DATA FOR THE MCPHERSON INTENSIVE GROUNDWATER USE CONTROL AREA, MCPHERSON COUNTY, KANSAS.

**SPECIAL REPORT:** ANNUAL REPORT FOR THE HOLLOW-NIKKEL GROUNDWATER CLEANUP PROJECT - February 16, 1990.

#### **GRANTS OBTAINED IN LAST 5 YEARS**

**ENVIRONMENTAL PROTECTION AGENCY:** Inventory of Class V underground injection control facilities within two miles of all public water supply wells within the district.

**ENVIRONMENTAL PROTECTION AGENCY:** Inventory of Class II injection control facilities within two miles of any public water supply water well within the district.

**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT:** Groundwater clean-up project to remove oil field brine from the lower portion of the Equus Beds Aquifer.

#### **POSSIBLE FUTURE PROGRAMS UNDER CONSIDERATION**

**URBAN STORM RUNOFF:** Study to determine the impact of disposing urban storm runoff in unlined retention pits in areas having shallow water tables (less than 50 feet).

**FATE OF AG CHEMICALS:** Study to determine the fate of agricultural chemicals in the unsaturated zone in areas having shallow water tables (less than 50 feet).

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**KANSAS**  
January, 1992

**SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3**

409 Campus Drive, Suite 106,  
Garden City, Kansas 67846  
(316) 275-7147; FAX

CONTACT PERSON: Steve Frost, Executive Director

**OVERVIEW**

LOCATION: Finney, Ford, Grant, Gray, Hamilton, Haskell, Kearney, Meade, Morton, Seward, Stanton and Stevens Counties, Kansas.

FORMATION DATE: March, 1976      STAFF: 6 Full; 0 Part

FORMATION AUTHORITY: Kansas Statutes Annotated 82a-1020 et.seq.

TYPE OF DISTRICT: Single resource, Groundwater

SIZE: 5,722,000 acres (8940 square miles)

WELLS: Irrigation - 9980; Municipal - 234; Industrial - 250; Recharge - 0; Recreation - 22; Multiple - 37; Stockwatering - 266.

WATER USAGE: Irrigation - 3,677,000 af; Municipal - 41,000 af; Industrial - 48,000 af; Recreation - 2,800 af; Multiple - 5,400 af; Stockwatering - 20,000 af; TOTAL - 3,794,200 af.

AQUIFERS MANAGED: High Plains, Dakota and Alluvial Aquifers.

HYDROLOGY: Saturated thickness (Ogallala) 50'-600'. Water table ranges from 15' to 370' below land surface.

GOVERNING BODY: Locally elected 15 member board

FINANCING: Local assessments and charges - Max. \$.05/acre of land and or \$.60/acre foot of water rights.

TYPICAL GROUNDWATER BUDGET (ANNUAL): \$357,000

**POLICIES**

NEW WELL DEVELOPMENT: Unconsolidated aquifer: New appropriations are allowed where calculated rate of depletion is less than 40% in 25 years and well spacing is met. In consolidated aquifers new appropriations need only meet well spacing.

WELL SPACING: Unconsolidated aquifers: Ranges from 1300' to 2300' depending on quantity of water. In consolidated aquifers spacing is also quantity-dependent and ranges from 2300' to 2 miles.

ABANDONED WELLS: Cooperates with the Kansas Department of Health and Environment for the proper plugging of abandoned wells. Also the district works with local environmental and non-point source programs.

WASTE OF WATER: Mandates the control of irrigation runoff and other wastes of water.

WELL CONSTRUCTION: Promotes proper well construction as defined by existing Kansas regulations.

CONSERVATION PLANS: Requires conservation plans on all new appropriations and for certain changes to existing appropriations.

WATER DIVERSIONS: All groundwater diversions must have a valid water appropriation number.

METERING: Mandates flow meters on all wells by July 1996.

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## PROGRAMS AND RESEARCH

**WATER QUALITY MONITORING:** Monitoring network of 493 wells, sampled every three years.

**DATA COLLECTION:** Water level measurements, water use, water quality, surface/groundwater interrelationships, artificial recharge, legal aspects of water and its use and water conservation.

**WATER RIGHTS ADMINISTRATION:** Assist the public with water rights and make recommendations based on district policies.

**PUBLIC EDUCATION:** Newsletter published quarterly. Presentations to civic groups, water users and other organizations.

**WATER QUALITY PROTECTION:** Education, information and technical assistance to develop local programs to protect water quality.

**CONSERVATION PLANNING:** Review water conservation plans, collect data on water use/crop use in conjunction with state programs.

**WEATHER MODIFICATION:** Encourage participation of counties within the district in the weather modification program.

**METERED WELL PROGRAM:** Metering water use to obtain accurate water use data and aid in water management.

## PUBLICATIONS

**MANAGEMENT PROGRAM:** Description of the GMD and all district policies, programs and rules and regulations.

**NEWSLETTER: THE PIPELINE** - Published quarterly.

## GRANTS OBTAINED IN LAST 5 YEARS

**KANSAS DEPARTMENT OF AGRICULTURE:** \$45,100 - for conservation planning activities.

**SOUTHWEST KANSAS LOCAL ENVIRONMENTAL PROGRAM:** \$166,000 - for water quality protection activities in 9 counties.

**US ENVIRONMENTAL PROTECTION AGENCY:** \$14,000 - for wellhead protection demonstration project.

**KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT:** \$45,000 - for class V inventory of underground injection sites.

**KANSAS CORPORATION COMMISSION:** \$10,000 - for class II injection well inventory.

## POSSIBLE FUTURE PROGRAMS UNDER CONSIDERATION

NONE LISTED

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**KANSAS**

January, 1992

**NORTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 4**

1175 South Range, PO Box 905, Colby, Kansas 67701-0905

Phone: (913) 462-3915; FAX (913) 462-2963

CONTACT PERSON: Wayne Bossert, Manager

**OVERVIEW**

**LOCATION:** All or parts of Cheyenne, Rawlins, Decatur, Sherman, Thomas, Sheridan, Graham, Wallace, Logan and Gove Counties, Kansas.

**FORMATION DATE:** March 1, 1976.      **STAFF:** 4 Full; 0 Part

**FORMATION AUTHORITY:** Kansas Statutes Annotated 82a-1020 et seq.

**TYPE OF DISTRICT:** Single resource - groundwater.

**SIZE:** 3.11 million acres (4852 square miles).

**WELLS:** Irrigation - 3520; Municipal - 35; Industrial - 12; Other -2.

**WATER USE:** Irrigation - 890,000 AF; Municipal - 25,000 AF; Industrial - 1,500 AF; Other - 250 AF. Figures are appropriated amounts.

**AQUIFERS MANAGED:** Ogallala, Dakota and local Alluvial Formations.

**HYDROLOGY:** Average saturated thickness (Ogallala) - 80 feet. Average water table is 100 feet below land surface.

**GOVERNING BODY:** Locally elected 11-member board from the eligible voters.

**FINANCING:** Local assessments and charges. Current assessments are \$.05/acre of land (\$.05 maximum) and \$.097/acrefoot of water right (\$.60 maximum).

**TYPICAL GROUNDWATER BUDGET (ANNUAL):** \$213,000.00

**POLICIES**

**NEW WELL DEVELOPMENT:** Controls the rate of new appropriations. All new water rights now must satisfy a zero depletion criteria before approval.

**ZERO DEPLETION:** Sets the district long-term goal of no groundwater declines and sets forth the procedures of where, when and how the goal will be achieved.

**WELL SPACING:** Mandates minimum distances new wells can be drilled from existing wells.

**ALLUVIAL CORRIDORS:** Designates which water ways have mandatory no-development corridors and the distance of the set-back restrictions.

**ABANDONED WELLS:** Mandates proper handling of abandoned wells within the district and sets technical criteria for remediation.

**IRRIGATION RUNOFF:** Mandates control of irrigation runoff and, if feasible, its re-use.

**WELL CONSTRUCTION:** Mandates proper well construction within the district.

**RESOURCE DEVELOPMENT PLANS:** Requires irrigation efficiency plans on all new and certain changed water right applications and all existing water rights with chronic water control problems.

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- WATER DIVERSIONS:** Requires that all groundwater diversions from within the district be made according to all state and local statutes, rules and regulations. This policy is the foundation of the district's local enforcement.
- ALLOWABLE APPROPRIATIONS/REASONABLE USE:** Set the quantities of water authorized to be appropriated.
- CHANGES IN POINTS OF DIVERSION:** Covers the criteria for changing any point of diversion under an existing water right.
- METERING:** Mandates meters on all new applications and certain change applications. The district is now working on an enhanced policy of mandatory water measurement for every well in the district.
- NON-COMPLIANCE:** Sets forth procedures for correcting violations of district policies and regulations. This policy strongly favors local vs. state enforcement.
- ABANDONED USTs:** Allows the GMD to issue a district order to any tank owner whose abandoned UST contains any product.

## PROGRAMS AND RESEARCH

- WATER QUALITY MONITORING:** Selected wells (approximately 65) monitored annually for a wide range of constituents
- PUBLIC EDUCATION:** Newsletter published 6 times annually. Intermittent radio and television and newspaper coverage and many talks and presentations
- DATA COLLECTION:** Water level, bedrock, water quality, water rights appropriations and landownership are the districts major data collection efforts
- WATER RIGHTS ADMINISTRATION:** Assist public with water rights work and processing applications. This work includes help with all water users including cities, irrigators, industry, etc.
- NITRATE STUDY:** Study of slightly elevated nitrate levels within a small area of the district
- ENVIRONMENTAL PLANNING:** GMD4 is currently under contract to the Northwest Local Environmental Planning Group (NWLEPG) to house its staff and provide day-to-day staff supervision. The NWLEPG is a 14-County organization set up to provide comprehensive environmental planning for the region.
- ATTAINING ZERO DEPLETION:** The board on May 3, 1990 decided it wanted to achieve zero depletion within the next 10-20 years. Staff will be developing this program for the 1991 Revised Management Program. In the interim, all new, permanent water rights are subject to an approval moratorium in effect since February, 1990.
- ABANDONED WELLS:** Field survey designed to locate all abandoned wells and cause their remediation. As of October, 1990, the program has located 2,150 wells, remediated 1,850 and is actively working on final 300 wells.
- CHEMIGATION:** Jointly operate a chemigation enforcement program with state Board of Agriculture, allowing KSBA to use GMDs local enforcement program if desired.

## PUBLICATIONS

- MANAGEMENT PROGRAM:** Description of the district and all policies, programs and regulations. Updated as necessary - current program dated May 1, 1987.
- NEWSLETTER: THE WATER TABLE** - Published 6 times annually with a circulation of approximately 4,600.
- ANNUAL REPORT:** Annual meeting report produced for the membership covering the upcoming annual meeting. It includes the annual meeting agenda; previous year's expenditures and annual meeting minutes; next year's proposed budget and a report of previous year's activities.
- SPECIAL REPORT: A REGIONAL GROUNDWATER QUALITY MONITORING NETWORK FOR NORTHWEST KANSAS,** dated 1980.

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SPECIAL REPORT: WELL EFFICIENCY TESTING PROGRAM REPORT, February 1, 1982.

SPECIAL REPORT: NORTHWEST KANSAS ABANDONED WELL PROGRAM FINAL REPORT, dated 1990.

BROCHURE: AN INTRODUCTION TO NORTHWEST KANSAS GROUNDWATER MANAGEMENT  
DISTRICT NO. 4. Covers district location, purposes, organization, funding, problems, services, regulations  
and public information.

#### GRANTS OBTAINED IN LAST 5 YEARS

KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT: \$10,000 - for abandoned well remediation work.

KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT: \$20,375 - to inventory Class V injection wells  
within GMD4.

KANSAS CORPORATION COMMISSION: \$6,520 - to produce a prototype wellhead protection strategy for a  
NW Kansas community and to inventory Class II injection wells within the district.

#### POSSIBLE FUTURE PROGRAMS UNDER CONSIDERATION

AGRICULTURAL CHEMICALS: Development of BMPs for locally used ag chemicals

SALT WATER DISPOSAL AND HANDLING: Development of a more complete monitoring program for salt  
water

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**KANSAS**  
January, 1992

## **BIG BEND GROUNDWATER MANAGEMENT DISTRICT NO. 5**

125 S. Main, PO Box 7, Stafford, Kansas 67578  
Phone: (316) 234-5352; FAX (316) 234-5352

CONTACT PERSON: Sharon Falk, Manager

### **OVERVIEW**

LOCATION: Stafford, Pratt, Edwards, Pawnee, Barton, Reno, Rice and Kiowa Counties, Kansas.

FORMATION DATE: March, 1976      STAFF: 5 Full; 0 Part

FORMATION AUTHORITY: Kansas Statutes Annotated 82a-1020 et seq.

TYPE OF DISTRICT: Single resource, Groundwater

SIZE: 2.5 million acres (3906 square miles)

WELLS: Irrigation - 4412; Municipal - 149; Industrial - 137; Other - 83; Recharge - 0

WATER USAGE: Irrigation - 760,000 af; Municipal - 20,000 af; Industrial - 19,514 af; Other - 7,500 af; TOTAL - 807,014 af

AQUIFERS MANAGED: Alluvial, Pleistocene and Dakota

HYDROLOGY: Average saturated thickness - 100'; Average water table - 5' to 100' below land surface.

GOVERNING BODY: Locally elected 9-member board

FINANCING: Local assessments and charges - Max. \$.05/acre of land and/or \$.60/acre foot of water right

TYPICAL GROUNDWATER BUDGET (ANNUAL): \$235,000.00

### **POLICIES**

NEW WELL DEVELOPMENT: Controls the rate of new appropriations

WELL SPACING: Mandates minimum distances new wells can be drilled from existing wells

ABANDONED WELLS: Cooperates with the Kansas Department of Health and Environment for the proper handling of abandoned wells within the district

IRRIGATION RUNOFF: Mandates control of irrigation runoff and, if feasible, its re-use

WELL CONSTRUCTION: Promotes proper well construction within the district

RESOURCE DEVELOPMENT PLANS: May require conservation plans in water short areas and for chronic water control problems

WATER DIVERSIONS: Requires that all groundwater diversions from within the district be made according to all state and local statutes, rules and regulations

GROUNDWATER PROTECTION: protection of the unconsolidated aquifer from cathodic boreholes

### **PROGRAMS AND RESEARCH**

WATER QUALITY MONITORING: Extensive monitoring network of over 150 wells. Samples periodically taken for a wide range of constituents.

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**PUBLIC EDUCATION:** Newsletter published 4-6 times annually. Intermittent radio and television and newspaper coverage and many talks and presentations.

**DATA COLLECTION:** Water level, bedrock, water quality, water rights appropriations and others.

**WATER RIGHTS ADMINISTRATION:** Assist public with water rights work and processing applications.

**NITRATE STUDY:** Study of elevated nitrate levels within a small area of the district.

**RECHARGE ASSESMENT:** Extensive study to assess recharge to aquifer.

**METER PROGRAM:** Metering of all permitted wells - designed to obtain better water use data.

#### **PUBLICATIONS**

**MANAGEMENT PROGRAM:** Description of the district and all policies and regulations.

**NEWSLETTER:** GROUNDWATER HI-LITES - Published 4-6 times annually.

#### **GRANTS OBTAINED IN LAST 5 YEARS**

**KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT:** \$35,000 - for abandoned well remediation work.

#### **POSSIBLE FUTURE PROGRAMS UNDER CONSIDERATION**

**WATER BUDGET:** Determine water budget for district through further research from water level, recharge and bedrock data.

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Testimony to the

Energy and Natural Resource Committee

by Michael T. Dealy

February 11, 1993

for the

Board of Directors

## **EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT**

### **LEGISLATIVE ISSUE**

**HOUSE BILL NO. 2070** is a proposed act concerning water; relating to certain transfers; amending K.S.A. 82a-1501 through 82a-1505 and repealing the existing sections.

The bill does not address or speak to a water transfer from within a groundwater management district and its compliance with a district's adopted groundwater management program, standards and policies, and rules and regulations promulgated to address groundwater supply problems within a district.

### **ISSUE INFORMATION**

- In 1972, the Legislature declared that a need existed for the creation of special districts for the proper management of the groundwater resources of the state and for the conservation of groundwater resources and that in the public interest it was necessary and advisable to permit the establishment of groundwater management districts.
- Since 1974, local people have formed five groundwater management districts in the state for the proper management of their groundwater resources and for the conservation of their groundwater supplies.
- Groundwater management districts are a body politic and a local unit of government established for the proper management of the groundwater resources of the state pursuant to Groundwater Management District Act, K.S.A. 82a-1020 through 82a-1040.
- A district must develop an aquifer management program before undertaking active management of its groundwater resources.
- The aquifer management program is a written document describing the local characteristics of the district and the nature and methods of dealing with groundwater supply problems within the district.
- In order to implement the aquifer management program locally, each district has been granted statutory authority to adopt and enforce reasonable standards and policies relating to the conservation and management of groundwater resources within the district.
- Additionally districts have the authority to recommend to the state, rules and regulations necessary to implement and enforce its policies locally.
- In cooperation with state and federal authorities, groundwater management districts have adopted local standards and policies and rules and regulations needed to carry out their respective aquifer management programs and address local groundwater supply problems, such as water well spacing,

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waste of water, abandoned water wells, cathodic protection boreholes, water conservation, groundwater pollution and aquifer development.

- In 1975, water users representing municipal, industrial, and agricultural uses, in a special election, voted to form the Equus Beds Groundwater Management District.
- The District's purpose is to implement local groundwater management policies and programs that will insure an adequate groundwater supply for present and future needs in south-central Kansas, including the metropolitan areas of Hutchinson, McPherson, Newton and Wichita.
- It is governed by an elected nine-member board of directors which represent domestic, industrial, agricultural and municipal water users.
- It manages over 12 million acre-feet (3.9 trillion gallons) of groundwater, that is the primary source of fresh water for over 500,000 people, 130,000 acres of irrigated cropland, major industries and numerous business.

## **CONCERNS**

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- House bill 2070 does not recognize groundwater management districts or adopted groundwater management programs, standards and policies, and rules and regulations that are in place and addressing groundwater supply problems, such as aquifer depletion or contamination.
- House bill 2070 would exclude a groundwater management district as a commenting agency for water transfers occurring in a district.
- House bill 2070 would not require the hearing officer to consider a district's groundwater management program, standards and policies or rules and regulations when determining whether to approve or deny a transfer application in a groundwater management district.
- Failure to recognize local groundwater management programs may allow water transfers to preempt local groundwater management programs and policies and create additional groundwater supply problems within a district.

## **RECOMMENDATIONS**

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Modify the bill to:

- include a groundwater management district as a commenting agency,
- require the hearing officer to consider a district's adopted groundwater management program, standards and policies and rules and regulations when considering the approval or denial of a transfer application, and
- insure that the Water Transfer Act will not exempt the applicant from complying with the Groundwater Management District Act.

**Additional information may be obtained by contacting:**

**Michael T. Dealy, Manager**

**Equus Beds Groundwater Management District No.2**

**313 Spruce Street**

**Halstead, Kansas 67056-1925**

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