

Southwest Kansas Groundwater Management District No. 3

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SW KS GMD3 Newsletter

GMD3 and You Managing Kansas Water

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**Feel free to contact any of the staff above and we will be
happy to assist you.**

Going with the Flow

In the last newsletter we talked about failing flowmeters and the issue of repairing or replacing them. I used the term "signs of failure". What are signs of failure?

Signs of failure include but are not limited to:

- Totalizer not turning when water is flowing
- Totalizer numbers not lined up correctly and/or jumping around
- Cracked or broken lens
- Moisture inside meter face
- Digital read out meters that are not displaying
- Totalizer recording more or less than expected
- Totalizer and needle (instantaneous) readings differ

As with any piece of equipment a flowmeter should be checked regularly and, more

importantly, timed regularly to insure that it is totalizing (registering) correctly. GMD3 staff is available to discuss these issues over the phone or, even better, meet you in the field and check the flowmeter for basic function, integrity and, if necessary, flow test the meter to determine its accuracy. Malfunctioning flowmeters can record more water use than authorized possibly resulting in an overpump situation or less water than what you thought you were applying possibly having a detrimental effect on the growth of the crop. With respect to the last bullet, a McCrometer flowmeter totalizer and needle work independently of each other and their readings can differ, sometimes significantly. An example of this and a situation that we see occasionally -- the needle is showing 400 gpm but the totalizer is recording 700 gpm. At the end of the year the operator is surprised and concerned to find that the totalizer indicates overpumping. As per state law you must report your beginning (the same as the end reading of the previous year) and ending flowmeter totalizer readings even if they indicate an overpump. This situation can easily be avoided by timing your meter and recording the readings periodically throughout the season so that you: a) detect a potential problem; b) know when you are approaching the end reading that is your maximum authorized quantity for the year; and c) have a recent reading to fall back on if you discover the flowmeter has quit working. Next Month: What to do when a flowmeter is failing. At GMD3 we are committed to assisting water users with beneficial use and conservation of this most vital resource. If you have any questions, topics you would like to see covered or would like to discuss flowmeters or other water issues please don't hesitate to contact us.

Can you do, an MOU?

We have discussed in the past that if you change your place of use, we have to determine your "base acres" to make sure you don't exceed them by 10 acres or 10%, whichever is less. This doesn't mean that it is impossible to exceed your base acres by more; it just means that there are more stipulations that you will have to adhere to. KAR 5-5-11(b) covers what you can do if you exceed the base acres. You will have to enter into a Memorandum of Understanding, also known as MOU's, with a GMD if you are in their boundaries. The major emphasis is that there cannot be an increase in net consumption. There are two types of MOU's that our office monitors every year.

* A five-year allocation uses a calculation set out in the regulations that shows how much water you can use over a five-year period. Keep in mind that you still cannot exceed your authorized annual quantity. This program is set up to allow you to water any of the authorized acres, but limits the water usage by the year and over five years. An example would be if you got approval to now water 3 quarters instead of two, it could be done depending on the crops you planted and their water needs.

* Land rotation MOU's are limited by the number of acres that are allowed to be watered during the calendar year (January 1 through December 31). Again, you cannot exceed your authorized annual quantity. Again, using the example above, you may now be authorized to water 3 quarters instead of two. In this case though, you might be limited to only watering two per year and have one quarter that is dry land that year.

With the added options this program provides, also come added

consequences. If you violate any portion of the approval, it can result in a two year suspension of the water right.

Our office is required to monitor the MOU's at least once a year. Our office tries to make 2-3 a year if possible. Once we make an official visit, which is generally conducted in the fall, we have to get a detailed report sent out to the owner and the State within 15 days.

When this regulation was implemented, the Chief Engineer stated that if it was within a GMD, it must be monitored annually by the GMD. The GMD3 Board believed that this was a good program, but was more than what the original water right was authorized and thought that a fee was appropriate. So there is a set fee plus mileage for one trip along with a contract that each participant in an MOU enters into with our office every year. This is currently the only program in which GMD3 charges to be in. Currently we are monitoring about 30 such MOU's.

What are the key parts of a water right?

When we talk about a water right, there are six main parts you need to be aware of. They are as follows:

- 1.) **The water right number or Priority.** When an application is received, it is assigned a number, which will distinguish it from other water rights. It is directly related to the principle of water law, first in time first in right. Hence is why the lower the number the more senior it is.
- 2.) **Use Made of Water (UMW).** The water right will also tell you the use the water is intended for. It can be for irrigation, stock watering, municipal, industrial and recreation. Once a water right is established, it is possible to change the UMW through the change application process.
- 3.) **Authorized quantity.** Once a water right is perfected it has an authorized quantity set with it. This is the amount of water that this water right is allowed to pump lawfully per calendar year.
- 4.) **Authorized rate.** Another part of a water right established during perfection is the rate at which you can legally pump a well. Since the rate is a part of the water right it is illegal to pump your well at a rate that exceeds the authorized rate.
- 5.) **Point of Diversion (PD).** This will describe in detail where the authorized well is located. It will tell the section, township and range and then describe the well in a quarter by quarter by quarter form or footages from the SE corner of the section. PD can be changed through the change application process. More than one water right can be certified on one well at a time.
- 6.) **Place of Use (PU).** A water right will describe the land that the water can be applied to. It is illegal to apply water to a place that is not listed on the water right. PU can be changed through the change application process. More than one water right can be authorized to water the same place of use.

It is very important to fully understand all of your water right. If you are unsure of your water right, please take the time to contact our office and we will go through the water right(s) with you.