

WATER DISTRICT NEWSLETTER

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT (GMD3)
A GOVERNING BODY CONTROLLED BY LOCAL PEOPLE

Volume 4, Issue 11

November, 2004

EXECUTIVE DIRECTOR

HANK HANSEN

hhansen@gmd3.org

ASSISTANT MANAGER

JANET L. KING

jking@gmd3.org

CONSERVATIONIST

JASON NORQUEST

norquest@gmd3.org

CLERK

SHAROLYN LEIS

sleis@gmd3.org

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SHANNON CRAWFORD
Stevens

PHONE (620) 275-7147

FAX (620) 275-1431

MEETINGS:

2ND WED. EACH MONTH

9:00 A.M. - DISTRICT OFFICE

409 CAMPUS DR., SUITE 108

GARDEN CITY, KS 67846

<http://www.gmd3.org>

REVISED MANAGEMENT PROGRAM ADOPTED ON NOV. 10, 2004

Following existing law, the GMD3 Board of Directors proposed a Revised Management Program earlier this year to the Chief Engineer, who after due consideration issued an order on June 4, 2004 that approved it to be taken to public hearing. On June 9, 2004 the GMD3 Board of Directors accepted his order and approved the management program to be sent to a public hearing on September 9, 2004. Following that hearing the GMD3 Board of Directors decided to hold a second public hearing on the Revised Management Program on October 13, 2004. Following the October 13 hearing the Board of Directors decided to postpone any further action on the program until the November 10 Water Summit. Then on November 10, 2004 after due consideration the Board of Directors voted 11 to 2 in favor of adopting the June 9, 2004 version of the Revised Management Program.

NOVEMBER 10, 2004 WATER SUMMIT A DRAMATIC SUCCESS

The meeting can be summarized using one word: OUTSTANDING. Without going into detail, suffice it to say that numerous and very significant points were expressed during the public discussion. At least 45 persons attended the meeting. State dignitaries included Senator Steve Morris, Representative Larry Powell, Representative Ward Lloyd, Representative Bill Light, and Kansas Water Authority Chairman Steve Irsik. Aside from the Legislators and Chairman Irsik, others in attendance included State Water Appropriation Program Manager Tom Huntzinger, Interstate Water Engineer Kevin Salter, Garden City Company CEO Ron Conway, Arkansas River Compact Commissioner Randy Hayzlett, CPA's Charles Claar and David Hetrick, Legal Water Expert Michael Ramsey, Finney County Commissioner Cliff Mayo, Stevens County Commissioner Gary Baker, SW KS Irrigation Association Chairman Kirk Heger, GMD4 Manager Wayne Bossert, KSU Professors Dr. Dan Rogers, Dr. David Kromm, Dr. MaBub Alam and Dr. Norm Klocke. The guest of honor was the Chief Engineer, David Pope.

PURPOSE OF THE NOVEMBER 10, 2004 WATER SUMMIT

The main purpose of the meeting was to discuss current water management issues with the Chief Engineer, David Pope. Why is that important? The Kansas Legislature ratified the KS Water Appropriation Act back in 1945. This act is a set of laws that govern all water usage in the state. The state socialized water long ago, which means the state owns the water. The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture is solely responsible for administering the state's water resources. In 1972 the Kansas Legislature ratified the Groundwater Management District Act, which is a set of laws governing the 5 GMD's in Kansas, of which this District is the largest. According to the GMD Act, this District cannot adopt rules or policies that conflict with State law or State policy. According to the law, we can only promulgate rules and regulations with the approval of the Chief Engineer. State law also requires that the Chief Engineer first approve our management program before we can take it through the public hearing process. The discussion on the agenda points with the Chief Engineer were by far the most significant points of the meeting. Mr. Pope reinforced the notion that the state expects the local GMD to carry out its responsibility to provide water management without relying on state mandates to achieve goals.

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3

409 Campus Drive, Suite 108
Garden City KS 67846

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RETURN SERVICES REQUESTED**ARKANSAS RIVER LITIGATION FUND STEERING COMMITTEE**

On July 14, 2004 the GMD3 Board of Directors asked Hank Hansen and David Brenn to encourage the Associated Ditches of Kansas to form a steering committee whose focus is the distribution of anticipated funds derived in the damages settlement resulting from the 1985 Kansas versus Colorado Arkansas River Lawsuit. On August 2, 2004 the newly formed committee met and drafted a preliminary issue paper. The issue paper recognized the existing 1996 Kansas laws designating how such damage funds are to be administrated and distributed. The laws are KSA 82A-1801, KSA 82A-1802, and KSA 82A-1803. The committee met again on October 27, 2004 and requested the members of the individual irrigation ditch companies to develop and prioritize projects that qualify for the litigation funds. The committee also met with KS Water Authority Chairman Steve Irsik, KS Water Office Director Tracy Streeter and KS Water Office Basin Planner Diane Coe on October 27, 2004. Chairman Irsik and Director Streeter recognized the validity of the committee's mission and assigned Diane Coe to work as a member of committee. The committee's present objective is to develop and prioritize a list of qualified conservation projects that will be ready for presentation to the KS Water Authority as early as March of 2005. Part of the objective is to obtain a favorable recommendation from the KS Water Authority that can be presented to members of the KS Legislature. Members of the committee are KS Water Office Basin Planner Diane Coe, Associated Ditches of Kansas President Harold Knoll, GMD3 Board of Directors Representative Kirk Maddux, Arkansas River Compact Commission's Kansas Commissioner Randy Hayzlett, Great Eastern Ditch Co. President Ronald Conway, Frontier Ditch Co. Board Member Steven A. Hines, Garden City Ditch Co. President Al Knoll, DWR Water Commissioner Mark Rude, Amazon Ditch Co. President Hal Scheuerman, Frontier Ditch Co. President Kenneth Brown, Southside Ditch Co. President Bob Knoll, Arkansas River Compact Commission's Kansas Commissioner David Brenn, and GMD3 Executive Director Hank Hansen.

SELENIUM TESTING RESULTS

During 2004 the District sponsored the sampling and analysis of eleven wells located near the Arkansas River that were tested for Selenium. Late in 2003 the EPA designated portions of the Arkansas River on both sides of the Colorado and Kansas state line as impaired due to the presence of Selenium. Selenium is derived from the flushing of minerals from the soil found in Eastern Colorado. It has been assumed that antiquated irrigation practices in Eastern Colorado are to blame for the Selenium being present in the river and now in the aquifer located along the Arkansas River in western Kansas. The Safe Drinking Water Act passed by Congress in 1974 requires EPA to determine safe levels of chemicals in drinking water, which do or may cause health problems. According to a Consumer Factsheet found on the EPA's web site at: <http://www.epa.gov/safewater/dwh/c-ioc/selenium.html> these non-enforceable levels are called Maximum Contaminant Level Goals (MCLG). The Factsheet also states that MCLG for Selenium has been set at 50 micrograms per liter (parts per billion). Drinking water standards and the regulations for ensuring these standards are met are called the "National Primary Drinking Water Regulations". Even though these regulations do not apply to private wells, these standards do provide guidelines for identifying water quality problems. Of the groundwater samples collected for the District, the test results ranged from 5.09 to 40.9 micrograms per liter. The District is providing notification of the results of these tests to the well owners.

"WATERLINE": A WEEKLY RADIO PROGRAM

On September 30, 2004 the District began participating in a weekly radio program called "Waterline". Lory Williams, Ag Director, KBUF AM Radio 1030, is the program's host. The program airs between 12:30 PM and 1:00 PM on Thursday's following Paul Harvey's News & Commentary.

DISTRICT HAS A NEW CLERK

On October 6, 2004 Sharolyn Leis became our new Clerk. Sharolyn brings a wealth of knowledge & experience and has become a vital member of our staff.