



2011 Drought Options

Division of Water Resources

Water users in drought areas of Kansas have been in contact with our office concerning potential relief from the drought. The drought, with its extraordinarily low winter moisture and on-going nature, has resulted in many irrigators having insufficient remaining allocation to complete irrigation of their crops. To cease pumping when the maximum quantity is reached could result in a greatly reduced yield, a waste of the water that was already pumped and a waste of the energy that it took to pump the water.

Two options for these water users needing additional pumping authorization are summarized below. These options are intended to prevent crop failure while insuring the additional pumping will not worsen aquifer declines. While these alternatives are designed principally for irrigation, non-irrigation uses of water can also apply for use of either of these programs.

5-year Flex Account

As provided by K.S.A. 82a-736 (Multi-year flex accounts) originally authorized in 2001, this permit allows holders of existing water rights the flexibility to exceed their authorized quantity of the water right.

Over the five year period, the water right holder operates under a term permit; the underlying water right is unaffected. At the end of the period, the water right reverts to its original conditions.

Allows water right holders to spread the allocation over a 5 year period.

The five-year allocation is based on five times the average annual quantity actually used from 2000 through 2009, as reported to DWR by the water right holder on the annual water use reports.

The program requires a 10 percent conservation factor to reduce impact on the aquifer and neighboring water right holders.

Available within an Intensive Groundwater Use Control Area (IGUCA) provided approval would not be inconsistent with the provisions of the IGUCA.

This option is available statewide and is an on-going program.

Drought Emergency Term Permit

Available for water right holders in agricultural drought disaster declaration areas requested by the Governor and designated by the USDA.

This program is a one-time only option for overages in 2011. Allows holders of existing permits or water rights the flexibility to borrow a portion of next year's authorized quantity in order to complete the 2011 growing season to save their current crop.

Qualifying counties include Allen, Anderson, Barber, Barton, Bourbon, Butler, Chase, Chautauqua, Cherokee, Clark, Coffey, Comanche, Cowley, Crawford, Edwards, Elk, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny, Kingman, Kiowa, Labette, Lane, Lincoln, Linn, Logan, Lyon, Marion, McPherson, Meade, Montgomery, Morton, Neosho, Ness, Norton, Pawnee, Phillips, Pratt, Reno, Rice, Rush, Russell, Sedgwick, Scott, Seward, Sheridan, Sherman, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, Wichita, Wilson, and Woodson Counties.

The term permit allocation and application fee will be based on the sum of the quantity authorized for 2011 and 2012.

Separate term applications are required for each point of diversion and base water right.

At least one water right owner or a duly authorized agent must sign the application. Signatures are required at two places on the application form which includes the proof of access statement. Participants will agree to deduct their 2011 overage from what they may pump in 2012.

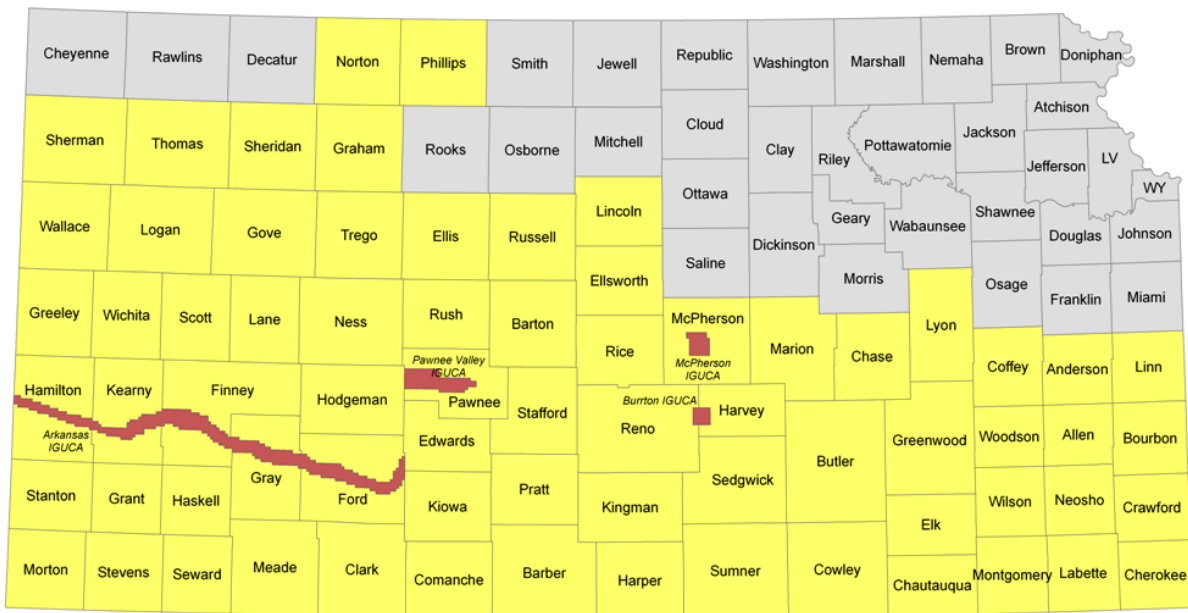
Term applications must be filed before exceeding the authorized annual quantity in 2011 and must be received no later than December 31, 2011.

Applications can be made in the Arkansas River Valley, Burrton, McPherson and Pawnee Valley Intensive Groundwater Use Control areas.

Water rights currently under other enforcement sanctions for 2011 are not eligible for this program.

Required forms, instructions with a fee schedule and more details are available on DWR's web site at: [ksda.gov\dwr](http://ksda.gov/dwr).

**Areas Eligible for 2011
Drought Emergency Term Permit**



Kansas Department of Agriculture
Administrative Services, GIS
September 22, 2011



■ Eligible IGUCAs ■ Eligible Counties ■ Non Eligible Counties

For more information, contact DWR Water Appropriations Program Manager Lane Letourneau at lane.letourneau@kda.ks.gov or 785-296- 3710. Information and assistance in completing forms is also available from DWR field offices located in Garden City, 620- 276-2901, Stafford, 620-234-5311 and Stockton, 785-425-6787.

Due to significant interest in the program, calling for an appointment is suggested.