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**Proposed IGUCA regulations increase due process**

Following the 2008 legislative session, the Kansas Department of Agriculture worked with stakeholders to develop administrative rules and regulations to answer concerns expressed by legislators and constituents.

The proposed regulations provide more levels of due process and propose separate hearings. One is to determine whether an intensive groundwater use control area is warranted and the second to decide what the goals and corrective controls should be. An independent hearing officer will preside over the first hearing.

The proposed regulations also require periodic review hearings for all existing IGUCAs and any new ones created after the regulations go into effect. They also require data exchange and interaction between the chief engineer and a groundwater management district before the state can initiate an IGUCA within a GMD.

The proposed regulations allow for more stakeholder participation and provide more opportunity for input in IGUCA proceedings. They currently are under review by the Kansas Department of Administration and the Attorney General's Office.

A public comment period and hearing will be announced before the end of the year. More information about the proposed regulations is available at [www.ksda.gov/dwr/content/308/cid/1496](http://www.ksda.gov/dwr/content/308/cid/1496).

**Notice:**

This will be the only printed newsletter. Please visit [www.ksda.gov/subbasin/mailling\\_list/](http://www.ksda.gov/subbasin/mailling_list/) to sign up for future electronic versions.

**Five-phase process**

The Subbasin Water Resource Management Program is a special project funded by the State Water Plan and implemented by the Kansas Department of Agriculture's Division of Water Resources. In 1993, we began to address water quantity issues identified in the State Water Plan. Resolutions to groundwater decline, streamflow depletion and related water quality concerns are developed using a hydrologic basin approach.

The program was recently realigned with a new mission, which is to analyze aquifers and stream systems in targeted areas and to work with stakeholders in developing and assessing strategies for protecting water rights and improving hydrologic sustainability. To achieve this mission, the program encourages input from interested parties and residents affected by the program in their new five-phase process. *(continued)*

**Five-Phase Process** *(continued)*

The process includes participation from local representatives; state, federal and local entities; and other interested groups. The program has five phases that all involve stakeholder input:

- project initiation
- analysis and education
- evaluating alternatives
- making recommendations
- implementing management alternatives

For a detailed outline of the five-phase process, visit [www.ksda.gov/subbasin/](http://www.ksda.gov/subbasin/). Any comments or feedback to improve the new process is encouraged.

**Pawnee-Buckner meter order update**

*By Cameron Conant*

The Pawnee-Buckner meter order was issued September 9, 2005, the ultimate goal of which was to have more than 600 points of diversion in Hodgeman and Ness counties properly metered by March 1, 2009.

The order is a four-year project which took some of the financial pressure off land owners impacted by the order and reduced the workload for staff who conduct compliance checks each year. 2008 marks the third year of the project and more than 400 compliance checks have been completed. The final year is to concentrate on the authorized points of diversion and recheck all the files that have been issued a summary compliance order.

Summary compliance orders were sent to owners who did not have a flowmeter installed by the required deadline. A total of 42 were issued and still stand. The order means the owner cannot irrigate from the well until a meter has been installed, our office has been notified of the installation, our office has performed a compliance check and, if the meter has been installed properly, we have vacated the order so use may begin. Any violation of this summary compliance order will result in fines.

Of the 42 summary compliance orders issued, about half are for water rights currently enrolled in some type of conservation program where the water right cannot be used. In this situation, a meter is not necessary until the water right leaves the conservation program. The remaining summary compliance orders have been issued to irrigation water rights. We have been and will continue to monitor these wells to ensure that water is not being illegally pumped. Several of the summary compliance orders have been sent to surface water rights where owners do not intend to install a meter due to insufficient water in the stream.

It is important for owners in the area to keep in mind that a water right can be considered abandoned after five consecutive years of nonuse without due and sufficient cause. After three years of nonuse, the owner will receive a letter stating that the water right could be deemed abandoned if it is not put to beneficial use. This could apply to any water right in the meter order under a summary compliance order. If use from the well is not intended, it is a good time to start looking into approved conservation programs that protect the status of the water right and keep it from being deemed abandoned.

**Meter installation**

*By Cameron Conant*

Water flowmeters provide accurate water use data that allow the chief engineer to manage the states water resources and to meet the Kansas Water Plan recommendation to have water flowmeters installed on all diversions by 2015. These priorities have caused an increase in new meter installations and led to many water meters being installed in areas where they were not required before. As a result, DWR has noticed some common installation problems and meter questions throughout the state. Most of the questions deal with the agency's current certified flowmeter list and the proper upstream and downstream spacing *(continued)*

**Meter installation** *(continued)*

from an obstruction.

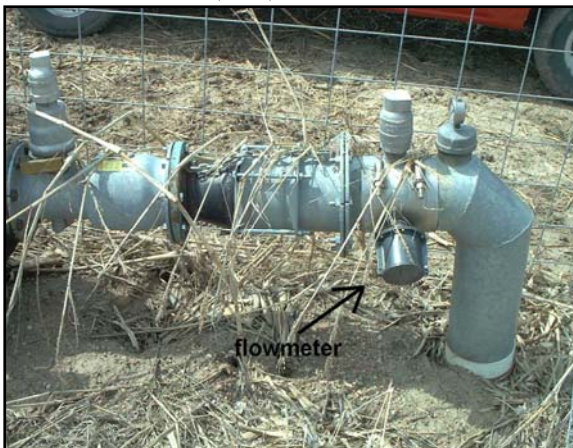
Most spacing and certified flowmeter questions are on our website. Before purchasing and installing a meter, please visit [www.ksda.gov/includes/document\\_center/appropriation/DWR\\_forms/1\\_204\\_7.pdf](http://www.ksda.gov/includes/document_center/appropriation/DWR_forms/1_204_7.pdf). The items listed in the DWR specifications column are required, some are special orders and should be specified when ordering the flowmeter. New information about flowmeter installation in the pivot risers is at the bottom of the certified meter list. Our rules and regulations can be viewed at [www.ksda.gov/appropriation/statutes/](http://www.ksda.gov/appropriation/statutes/). Meter requirements in rules and regulations are located in K.A.R. 5-1-4 through K.A.R. 5-1-12. The table below can be used as a quick reference for determining upstream and downstream spacing:

Spacing	Required Distance to the Flow Sensor from Obstruction					
	6" Meter(diameter)		8" Meter		10" Meter	
	Upstream	Downstream	Upstream	Downstream	Upstream	Downstream
Required Spacing (5 & 2)	30"	12"	40"	16"	50"	20"
Recommended Spacing (10 & 2)	60"	12"	80"	16"	100"	20"

Keep in mind that our **minimum** upstream spacing requirement is five pipe diameters from the sensor to the obstruction. If the meter manufacturer requires more upstream distance, the manufacturer’s minimum requirements should be used. Under ideal conditions we would recommend that the owner/installer try to install the meter with as much upstream spacing as possible from any obstruction.

Non-jetting and jetting are the two basic types of obstructions. Cooling coils, pumps and elbows are considered non-jetting obstructions and can lead to water swirling within the pipe. Pipe expansions or any type of valve (check, gate, flap, etc.) are considered jetting obstructions and can lead to flow jets within the pipe. Straightening vanes will help reduce the effect of swirling, but the best remedy for jetting obstructions is to increase spacing between the obstruction and the meter sensor. When there is increased upstream spacing, the meter should read more accurately and last longer due to a steadier flow passing by the sensor. It should be noted that all new meter installations must be installed in a **manufacturer approved measuring chamber** with **straightening vanes**.

Meters installed prior to an order being issued will be handled on a case-by-case basis based on regulations in place at the time of installation. If you have questions about installing a meter, please call your meter dealer or the Stafford field office at (620) 234-5311.



Unacceptable meter installation



Acceptable meter installation



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## Subbasin Water Resource Management Program updates website

The Subbasin Water Resource Management Program updated their website with new content and updated project areas. You may visit the website at [www.ksda.gov/subbasin/](http://www.ksda.gov/subbasin/). The current project areas include the Upper Arkansas River subbasin, Middle Arkansas River subbasin, Rattlesnake Creek subbasin, Solomon River basin, Pawnee River subbasin, Ogallala aquifer and Ozark Plateau aquifers.

Recently added content includes information on voluntary incentive programs, the new five-phase process, hydrologic modeling and the 2007 field summary for each area. We are working on a section for the streamflow monitoring data under the Pawnee-Buckner-Sawlog subbasin. The streamflow monitoring data will be available in the near future for the Solomon subbasin.

We are always looking for ways to improve our website or make it more useful. Please feel free to send an email through the “contact information” section or submit your feedback on the comment form in the top right-hand corner of the website.

## Division of Water Resources publishes newsletter

The Division of Water Resources' electronic newsletter, DWR Currents, is distributed quarterly and focuses on providing useful, timely information related to Kansas' water resources. You can subscribe to receive the newsletter via email, or you can view current and past newsletters at [www.ksda.gov/dwr/](http://www.ksda.gov/dwr/)