

# **Rattlesnake Creek Partnership Meeting - Minutes**

## **GMD #5 Conference Room, Stafford, KS**

### **August 12, 2008**

**Attendees:** Carrie Cordova (USFWS), Susan Stover (KWO), Jim Sellers (USFWS), Orrin Feril (GMD 5), Dennis Dutton (Water PACK), Megan Estep (USFWS), Dan Severson (USFWS), Rachel Laubhan (USFWS), John Janssen (GMD 5), Darrell Wood (GMD 5), Mike Lamb (Water PACK), Kevin Schultz (GMD 5) and Kent Lamb (GMD 5)

**KDA-DWR staff:** Bruce Falk, Tina Alder, Andrew Lyon, Lisa Sader, Darci Paull

Meeting started 3:00 pm

#### **Partnership Fieldtrip:**

GMD 5 and DWR jointly hosted a field tour of the Rattlesnake Creek subbasin. GMD 5 organized the field trip. Stops included a GMD 5 well transect site, a DWR manual streamflow measurement site, Quivira Wildlife Refuge and the USGS Zenith streamflow gage site.

#### **Partnership Meeting:**

The meeting began with introductions for all in attendance. Dan Severson further introduced himself as the new Refuge Manager for Quivira. Lisa led the discussion on updates to the Rattlesnake Creek Partnership 8-Year Review. The first draft was provided to the Partners prior to the meeting. Since the mailing of the first draft, DWR had received some feedback from GMD 5 and USFWS. Most updates consisted of typographical errors. Water use analyses will be recalculated to ensure accuracy. The updates seemed to be well received by the Partnership.

Darci and Lisa combined efforts to present the water use analysis. The four-year review used a method that averaged each water right's use for the time span (i.e. 1990-1995) and then summed all the water rights. The first draft used the WIMAS toolbar available now to DWR. It takes a different approach by totaling water use by year and averaging all the years. Both methods equal the same solution. The Partnership agreed to proceed with the analysis using the WIMAS tool. GMD 5 asked to reserve the right to look at the numbers when DWR finishes the analysis.

Next, each partner commented on the draft report. Meg spoke on behalf of USFWS. She felt DWR addressed the water use analysis concerns they had. The next concern was the use of a sentence "Nevertheless, because the average January streamflow reached 25 cfs at the Zenith gage, during the review period, the reduction in water use should be adjusted; the streamflow is the goal and change in water use is only a means to achieve it" USFWS felt that the 25 cfs in January assured that the aquifer is not mined, but does not address the low flows in summer. USFWS needs to protect the senior surface water right to Quivira. After much discussion the partnership agreed with USFWS to strike that sentence from the Review and that timing for Quivira was still an issue that had not been addressed in the management program. USFWS commissioned a study in the 1990's to consider storage options to assist with timing needs. It was determined by this study that there is not a feasible site for a storage facility. USFWS would also like to see a table that is simpler than the tables found at the end of the Management Program and 4-Year Addendum, but still shows the progress of each management strategy.

GMD 5 wanted to make sure their savings were accounted for from water rights purchases and from moving water rights out of the corridor into another priority area. A board member also explained that the reason why he would not participate in many of the voluntary retirement programs is because they are based off of consumptive use rather than the authorized quantity and the prices are market value rather than earning value. He believes it's much more economical for an irrigator to sell to his neighbor than to enroll in the programs available. The new owner will often pump the entire right and this can cause a subbasin to increase water use. The changes that SCC is proposing to the Water TAP program were explained to the group. These changes may promote more participation in the program. GMD 5 also felt that enhanced enforcement and compliance (Blatant and Recurring Overpumping – BRO) has had the biggest effect on water use savings in the subbasin. DWR does not think the big savings will continue as it works its way down the list of BRO because the biggest overpumpers are dealt with first. The GMD 5 also feels it could reach its water use goals by end-gun removal. It would like to see the State Water Plan pay for 10AF for each water right that removes an end-gun. It was explained that this cost-share incentive may not be available due to budget restraints at the state level. In addition, USFWS still would like to see that removing end guns will show water use reductions. GMD 5 would also like to still consider augmentation. USFWS explained that augmentation is not really an option because it is a hard sell to the conservation groups. There was discussion on looking into grants for low head dams along Wild Horse Creek to increase recharge. Water PACK and DWR did not have any additional comments.

A discussion of an appropriate time for next meeting followed. It was suggested not having a meeting unless the Partners felt the need for one. They would like DWR to update the 8-year Addendum and send it to the Partners. The Partners would then decide if another meeting would be necessary. In addition, DWR will send data analysis that was conducted during the 4-year review to each Partner. There was some confusion on why four years ago some of the goals were changed. A table was requested as well to show the differences between the original management program, 4-year Addendum and the 8-Year Addendum.

Rachel from USFWS stated the 8-Year Addendum has a good description of the past but nothing about the future of the management strategies and why they are or are not working. The Partners went through each management strategy in the Addendum.

A. Water TAP: There has been a lack of participation in this program. Susan Stover mentioned that price per acre-foot is being proposed by SCC that would increase this dramatically in the coming year. Almost 1.5 million dollars has been allocated for each Fiscal Year 2009 and 2010. Other water right purchasing programs will be placed under this section including GMD 5 purchasing program. GMD 5 did not say what they were planning on doing with those water rights.

B. Water Banking: This program is based on consumptive water use rather than authorized quantity which is felt this may be the reason for lack of participation.

C. Flex Account Program: Changes were made to this program following the first four year review. Water PACK worked with legislators to have the base period extended from five years to ten years. The account is still based on five years of water use. Updates will be made to this section to reflect the changes in the program.

D. Conservation Practices and Irrigation Management: GMD 5 wanted to make sure their savings were in the report especially the EQIP. Also, Susan Stover would like to clarify that EQIP is a temporary program with a minimum enrollment of 4 years where as WTAP is a permanent water right retirement program.

E. Voluntary Removal of End Guns: GMD 5 feels there is already a savings across the district including the Rattlesnake Creek subbasin because irrigators have been removing the end guns in preparation for the mandatory program. They estimate a savings of 10% in the last 3 years in each county. The Partners agreed that since this was an estimate it could be written in the report. A GMD 5 board member asked USFWS if they would be willing to accept the removal of end guns on 1500 pivots at a savings of 10AF per end gun for a total savings of 15,000 AF. USFWS said they would consider it, but they would like to see more numbers.

F. Enhanced Enforcement and Compliance: This DWR noted that they changed its way of computing savings from BRO to an annual basis to be more compatible with other analyses in the report (annual water use, annual savings), rather than accounting for the savings each year for the same water right. This accounts for the reduction in use based on the amount over pumped for that first year in the program and not every year thereafter. There has been approximately 1200 AF saved through enhanced compliance and enforcement.

G. Water Appropriation Transfers: Darrell Wood moved 3 water rights which saved 30 AF overall and 195 AF in the stream corridor.

H. Mineral Intrusion Area-Replacement Wells: Sharon provided an overview of what has occurred to date.

I. Augmentation: GMD 5 suggested using it for a model scenario. Susan Stover provided an overview of the study KWO conducted on the augmentation for this subbasin. It was a legislative request this be reviewed as an option. The study results indicate that it is not a feasible option due to the lack of interest by water right holders that would provide most benefit. Also, Susan Stover said it should be noted that the project estimate by KWO stated in the document was January 2006 estimation. This will be updated in the report.

J. Low Head Dams: Sharon provided a status on the potential of securing grants for the installation of low head dams. Nothing has been submitted for some time.

DWR asked if there were any future goals for the next four years since DWR did not have any in the report. No one made any suggestions. Tina suggested additional education. DWR asked that the Partners think about goals and pass them along to DWR so they can be included into the Report.

DWR opened the discussion of extending the review process until the GMD 5 model is completed. Neither GMD 5 nor USFWS liked the idea. They felt we should wrap up the Review because it is a snapshot of the subbasin and update later if they decide it is needed following review of model results

DWR will be preparing a bi-annual newsletter for the subbasin. The Partners were encouraged to provide articles, meeting dates and other relevant information to DWR for the newsletter. DWR also noted that many updates have been made to the website and encourage the Partnership to review and provide feedback.

Meeting ended 5:30 pm