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Southwest Kansas Irrigation Association is a trade association started 58 years ago. The purpose and objectives of the Association as stated in our constitution.

Article 2: Objectives and Purposes

The objectives and purposes of this association are to promote, foster, and encourage the intelligent and economical operation of irrigated land within the territory of the association, and to do all lawful things deemed necessary or proper to accomplish such purposes, including but not limited to the following:

- (a) To initiate, sponsor, and promote research to determine the amount of water available for irrigating purposes, the source of underground water, the rate the same is replenished or recharged, and all other factors pertaining to the available supply of water for irrigation purposes.
- (b) To assist the members of the association in obtaining the most satisfactory fuel for irrigation power, at reasonable rates.
- (c) To initiate, sponsor, and promote research to determine the most profitable crops which can be raised on irrigated land.
- (d) To sponsor the formulation of general water policy which will be for the best interests and will promote the welfare of the majority of the members of the association.
- (e) To obtain and furnish such information and reports to the members of the association as are deemed helpful or of value to them in connection with irrigation.
- (f) To take such action as is deemed necessary or advisable to protect the rights and promote the welfare of the members of the association in all matters which are or mutual interest and benefit to a majority of the members in connection with irrigation.
- (g) To promote the general interest and activities of the members of the association in the improvement of irrigation practices for their mutual benefit and welfare and for the development of the most of the most profitable and permanent system of irrigation that is possible.
- (h) To sponsor the study of legislation, tax matters, rules and regulation of any duly constituted authority, which may affect the irrigated lands, equipment, power and water resources of the members of this association.
- (i) To cooperate and work closely with allied groups and organizations in regards to the aforementioned interests of our members, including S.W. Kansas Groundwater Management District #3, the Cimarron and Upper Arkansas Basin Advisory Planning

Committees, the State Water Office, the Water Authority, the Soil Conservation Districts, the Garden City Experiment Station, and neighboring irrigation associations.

Our Constitution was first adopted October 13th, 1955. Only ten years after the Water Appropriation Act was enacted and the same year as the Kansas Water Resources Board was created to work out a state plan of water resource development.¹

In 1963 the Legislature enacted the State Water Plan Act whose purpose was to present a comprehensive state water plan.² SWKIA had its 7th annual meeting.

In 1977 Water Appropriation Act was amended to require water use permits. Well permits had been required since the adoption of the act in 1945 but this amendment made it a criminal offense to divert water without a permit. "It was a few years after this amendment that the Chief Engineer's office really began to manage new water-rights development, as previously, DWR was essentially approving all groundwater applications without evaluating them."³

With this "enhanced" management came the need for local input in the management process. Rules and Regulations were being promulgated by the division with input from the property right holders.

SWKIA was a participant in the initiation of the groundwater management districts, understanding the need for local stakeholders to provide input in the development of the Ogallala. The GMD act "which expressly stated the twin policies of preserving basic water-law doctrine and establishing the right of local water users to determine their destiny with respect to groundwater use"⁴. The Groundwater Management District Act was enacted in 1972 when SWKIA had its 16th annual meeting.

These rules and regulations covered such things as well spacing, prohibitions on wasting water, safe yield and depletion formulas, and metering requirements.⁵

Southwest Kansas Groundwater Management District 3 adopted a "planned depletion" management plan and GMD 5 adopted a "safe yield" management plan. GMD 3 covers the Ogallala Aquifer in Southwest Kansas and GMD 5 covers the area east of the Ogallala in the Great Bend Prairie aquifer.⁶

The planned depletion for GMD 3 was to have 60% of the aquifer storage left in storage at the end of 25 years. The safe yield for GMD 5 was to basically take the same amount out of storage that was entering storage on an annual basis from recharge.

In 1981 the **Kansas Water Authority** was created. The water authority is made up of appointees by the Governor and Legislative leadership as well as agency directors. It is responsible for advising the

¹ 2011 KWA Annual Report to the Governor and Legislature

² 2011 KWA Annual Report to the Governor and Legislature

³ The Evolution of Groundwater Management Paradigms in Kansas and Possible New Steps towards Water Sustainability. Journal of Hydrology (2012) Marios Sophocleous Kansas Geological Survey

⁴ Sophocleous

⁵ Sophocleous

⁶ Sophocleous

Governor, the Legislature, and the Director of the Kansas Water Office on water policy issues and for approving the Kansas Water Plan, federal contracts, administration regulations, and legislation proposed by the Kansas Water Office. There are 13 appointed positions on the Water Authority. Representation within our association territory is **Randy Hayzlett**, Lakin, appointed by the President of the Senate, **Greg Goff**, Marianthal, GMD representative, **Mark Fischer**, Wright, and the Chairman **Gary Harshberger**, Dodge City appointed by the Governor. SWKIA had its 25th annual meeting that year.

From the early 1980's to the present several enhanced management plans have been discussed to aid in the conservation and extension of the High Plains Aquifer. Delineation of the aquifer into subunits, various water conservation initiatives, improving irrigation efficiency, Conservation Reserve Enhancement Program (CREP), Water Right Transition Assistance Program (WTAP), are just a few of the topics that have been discussed over the years. Representatives from the Southwest Kansas Irrigation Association have served in several different arenas representing the membership in all of the discussions.

As the drought and extreme heat in 2011 escalated the Southwest Kansas Irrigation Association became very active in persuading State Agencies to provide regulatory relief and allow for adjustments to the authorized quantity applied to crops. The drought term permits were the result. Over two thousand were issued.

The Association was also very involved in modifying the Multi Year Flex accounts to make them more suitable. There have been over 700 MYFA applications previously there were less than 10.

The **2012 Kansas Legislature** considered several "water bills." "**Use or Lose it**" has been a topic of discussion for a long time. This concept had its own bill in the legislature **HB 2451**. Passed and signed by Governor Brownback.

Due primarily to the extreme ongoing drought of 2011, **SB 272** allowed for enhancement of the **multi-year flex account** which is designed to soften the "repayment" of overuse of authorized water quantities in 2011. Passed and signed by Governor Brownback, participation has been very good.

Local Enhanced Management Areas (LEMA) is a concept to help strengthen the local involvement of stakeholders when increased levels of management are necessary to slow the decline of the aquifer. This legislation provides a means for stakeholders to control the management plan as opposed to strict administration of water rights by the Chief Engineer through either impairment administration or Intensive Groundwater Use Control Areas. LEMA's require robust participation from the stakeholders. Passed and signed by Governor Brownback

The SWKIA also continues to represent its members on energy issues related to irrigation. It is a constant battle to ensure secure and reasonably priced energy for our pumping systems.

As the natural gas fields continue to decline the membership continues to be required to find alternative fuel supplies. The use of the well head is obsolete. Your association has provided for the most efficient and immediate solution. We sponsored, hired the attorneys, and wrote the Kansas Self-Help Act which

was passed in the 2002 legislative session. This act makes it possible for a “gas supplier” to build distribution systems to provide gas service to “agricultural” customers in rural areas.

The Association also initiated and established the first large scale Non Profit Utilities in the State. Several of our members are accessing high quality dependable supplies of natural gas to fuel their irrigation motors because of work done by the SWKIA.

Let us know if we can do anything better or if there is something we are missing.

Submitted to the 2014 annual meeting and members

Kirk Heger

President