



THE KANSAS DEPARTMENT OF AGRICULTURE

**Division of Water Resources
Report to the House Committee on Water**

JANUARY 19, 2023

THE KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

The Division of Water Resources (DWR) administers **30 laws and responsibilities** including:

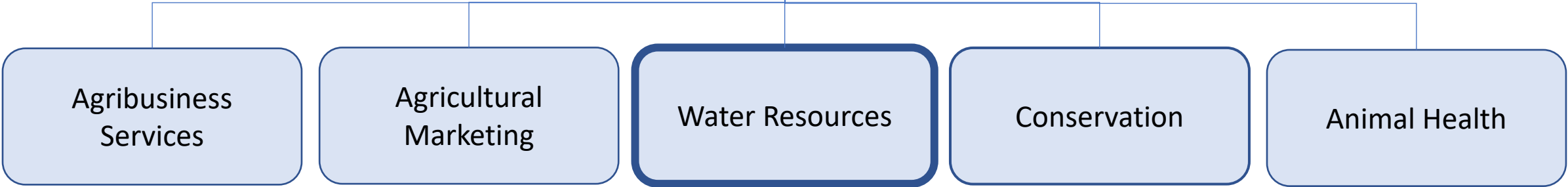
- The Kansas Water Appropriation Act which governs how water is allocated and used.
- Statutes regulating the construction of dams, levees and other changes to streams.
- The state's four interstate river compacts.

DWR also coordinates the National Flood Insurance Program in Kansas.

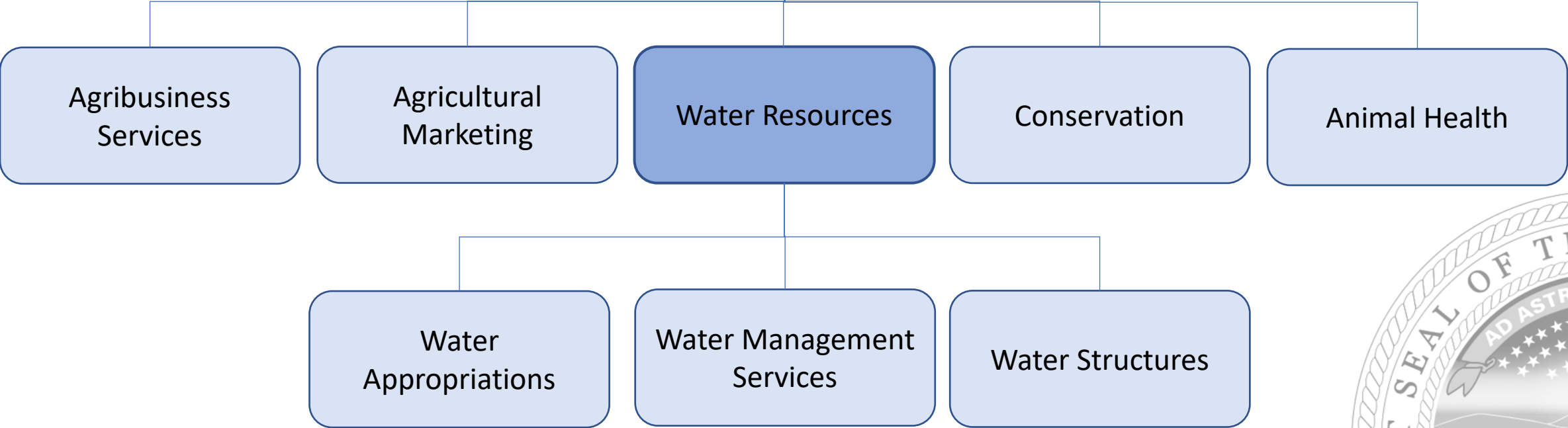
The Division fulfills and upholds statutory and regulatory obligations fairly, transparently, efficiently and effectively.



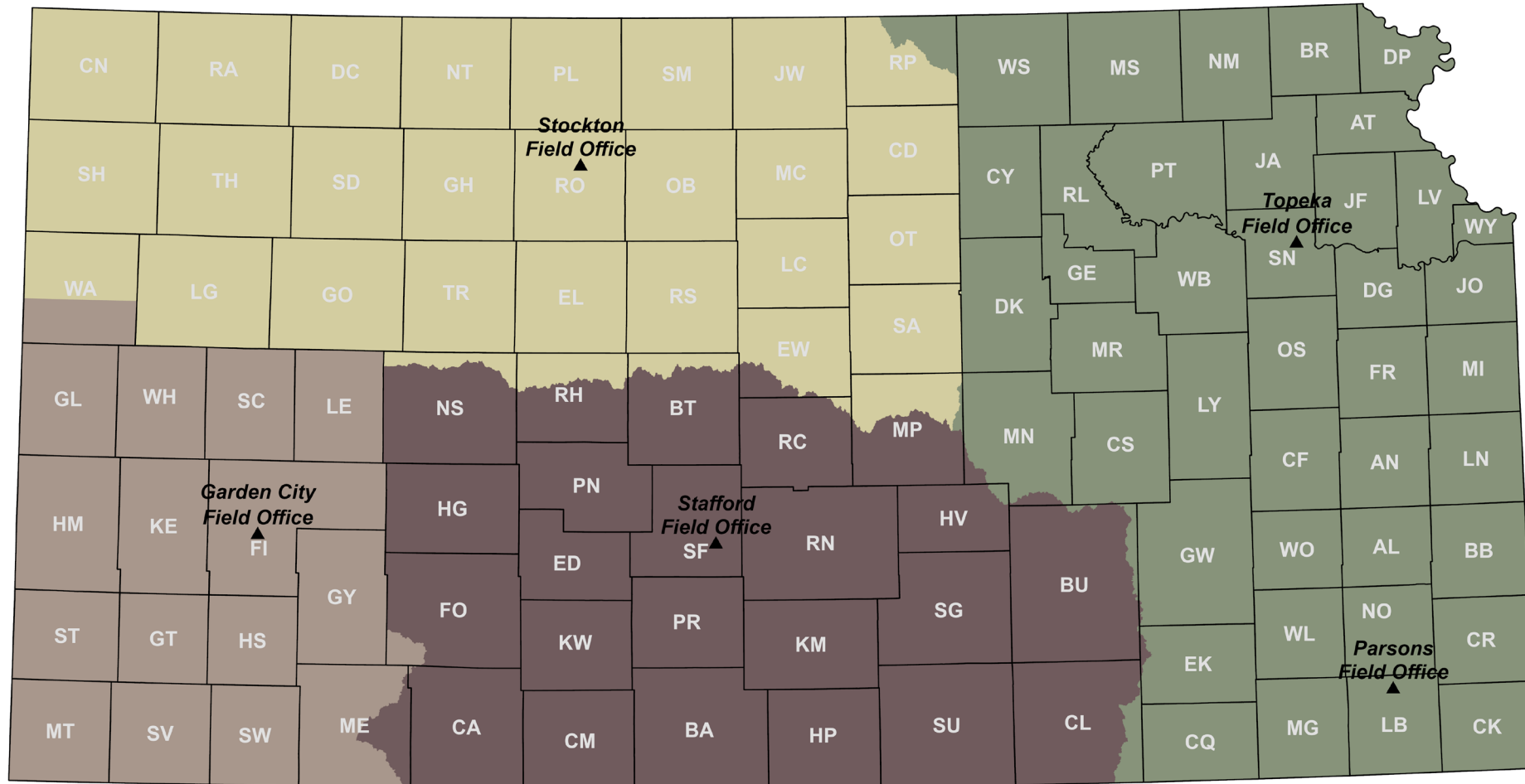
Secretary of Agriculture



Secretary of Agriculture



KDA – DWR Field Offices

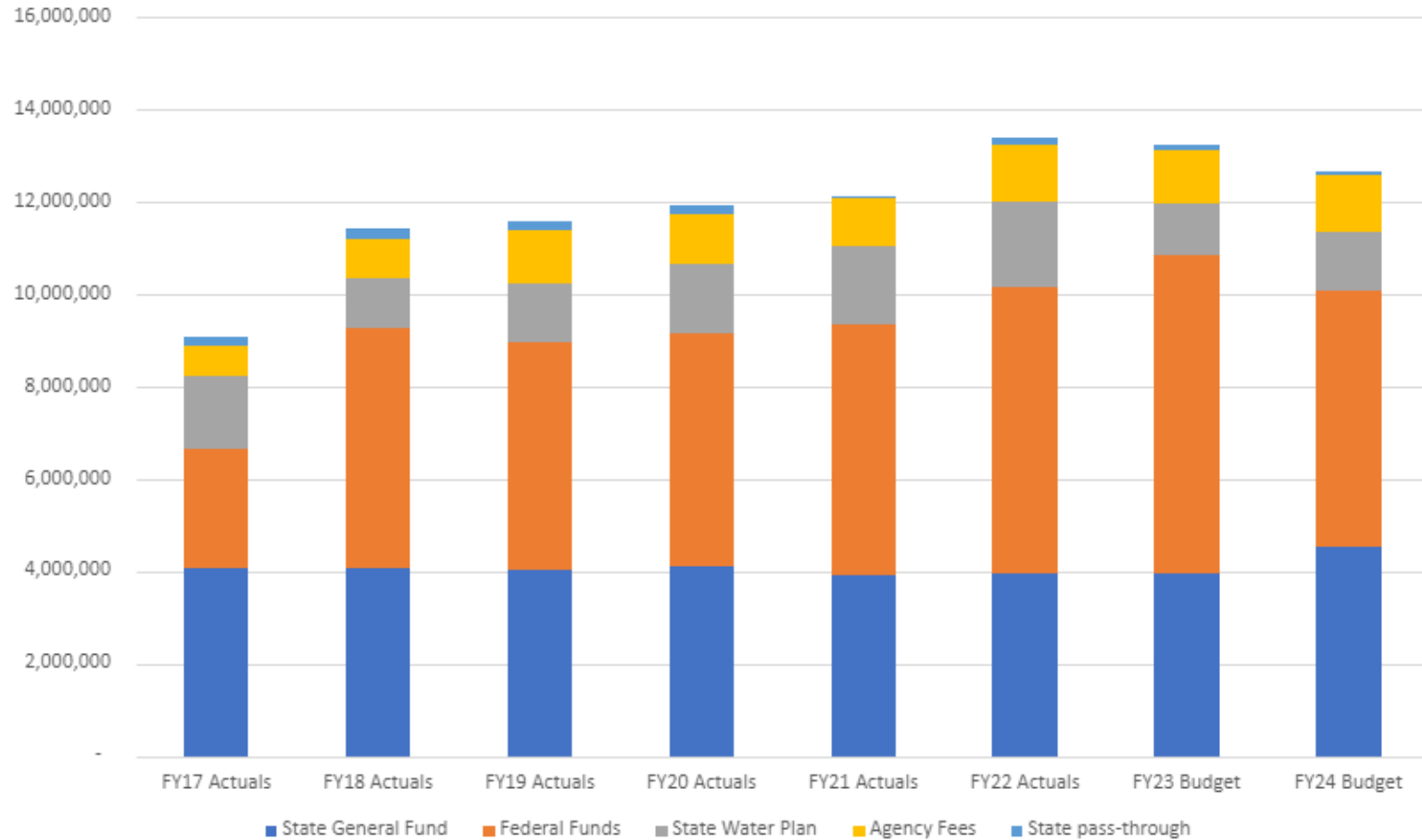


KDA – DIVISION OF WATER RESOURCES

Program	Statute
Water Appropriation	Water appropriation act, 1945
	Groundwater management district act, 1972
	Water plan storage act, 1974
	Water transfer act, 1983
	Water assurance program act, 1986
	Water banking act, 2001
Water Management Services	Republican River Compact, 1943
	Kansas-Colorado Arkansas River Compact, 1949
	Kansas-Oklahoma Arkansas River Compact, 1966
	Kansas-Nebraska Big Blue River Compact, 1971
Water Structures	Levee Law, 1929
	Obstruction in Streams, 1929
	Watershed District Act, 1953
	Floodplain Zoning, 1991



DWR - All Programs



	FY22 Actuals	FY23 Budget
Salary	\$5,228,339	\$5,559,527
Rents	\$295,464	\$289,760
Communication	\$196,198	\$224,340
Professional Services	\$5,843,659	\$6,681,027
Other Contractual	\$40,354	\$80,250
Other OOE	\$347,510	\$335,056
Total	\$11,951,525	\$13,169,960



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Permanent Water Right Numbers:

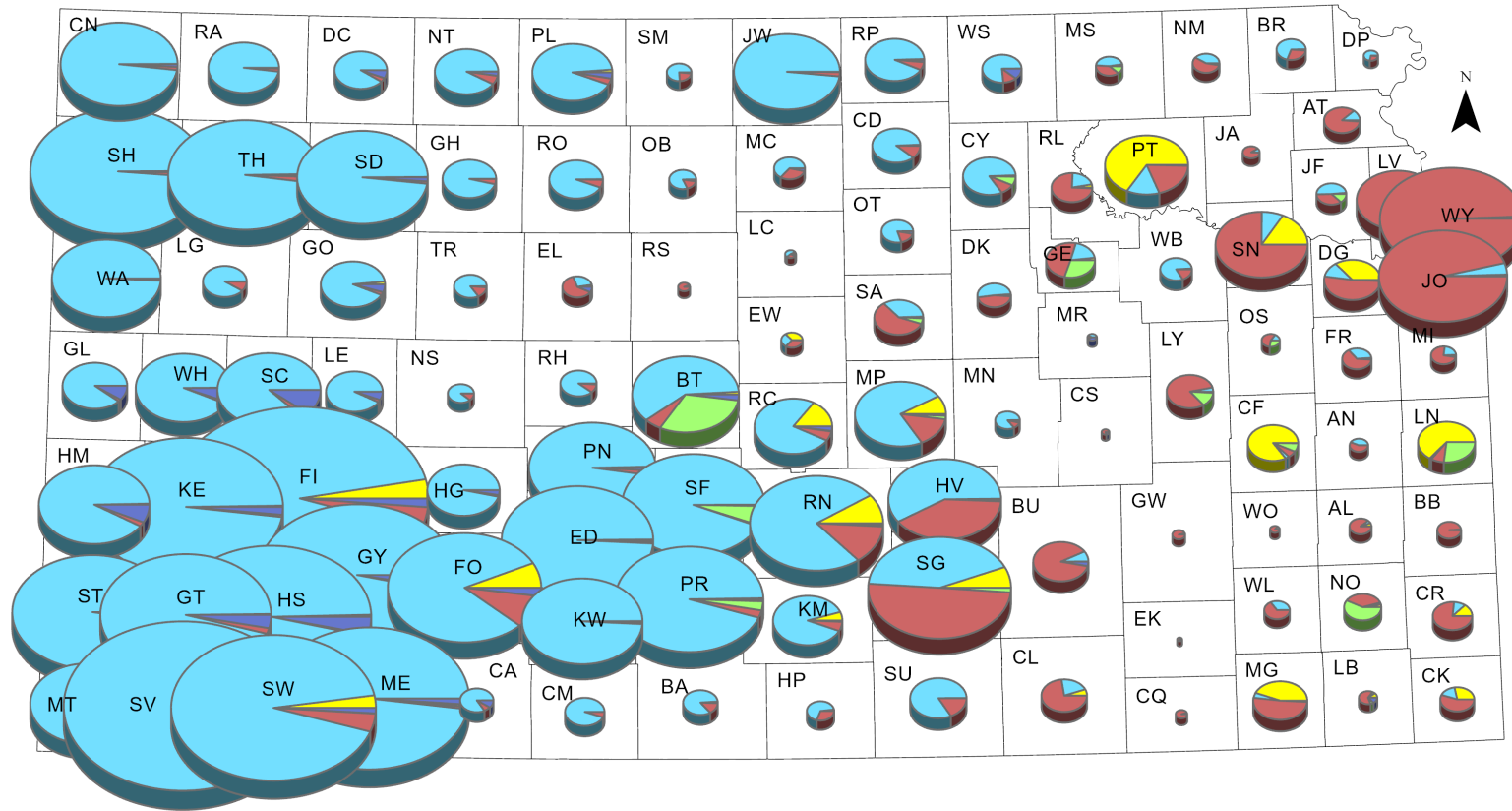
- 34,025 water rights
- 41,006 points of diversion
- 10,508 water use correspondents

2021 Water Use

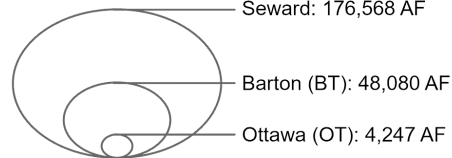
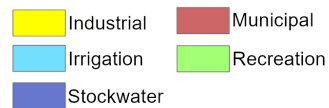
- Total Water Use: 5,789,866 acre-feet
- Consumptive Water Use: 3,743,128 acre-feet
- Irrigation Water Use: 3,121,872 acre-feet
- Irrigated Acres: 3,146,601 acres



2020 Reported Water Use for Kansas Counties

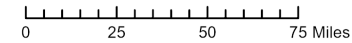


Use Made of Water



Features on this map represent conditions as of the date of the map and are subject to change. The user is referred to specific policies, regulations and/or orders of the Chief Engineer.

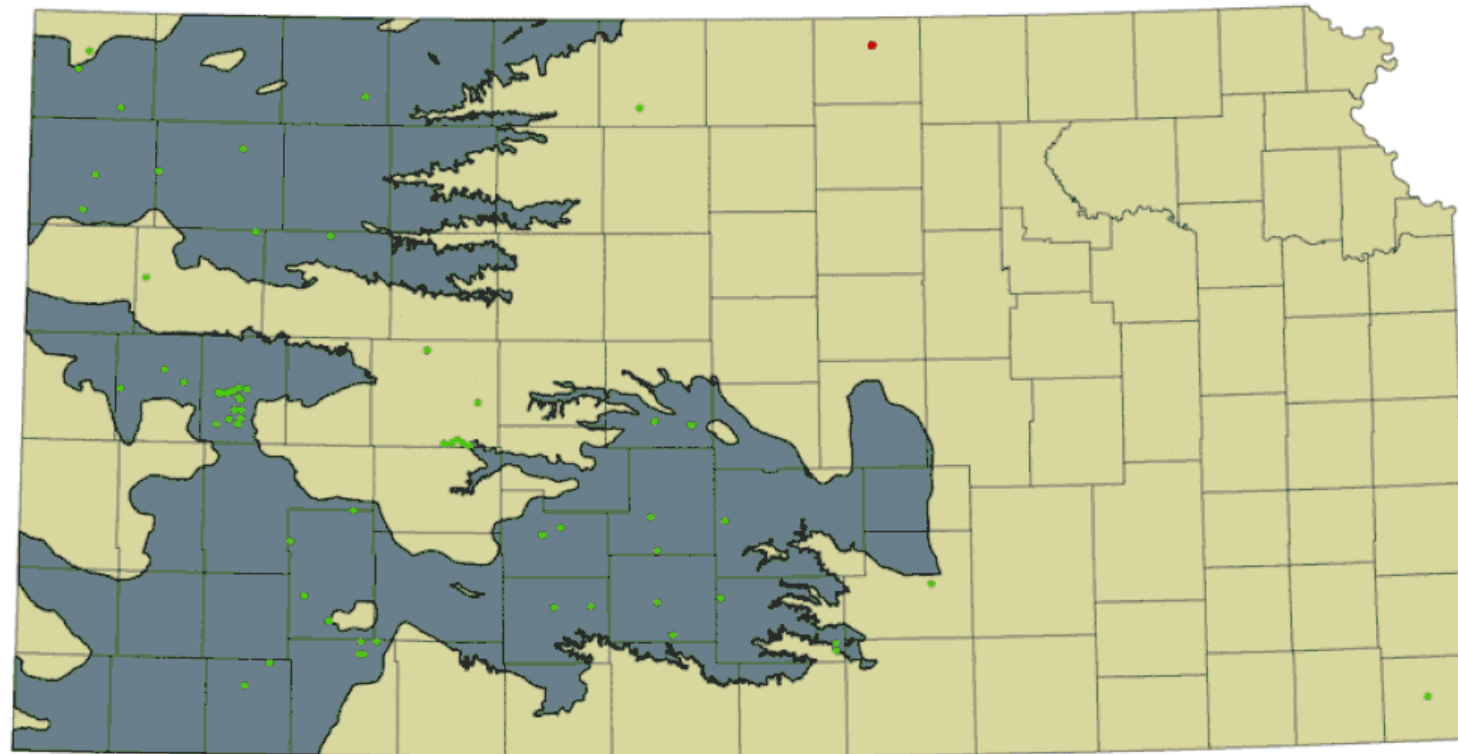
Uses of water for artificial recharge, contamination remediation, dewatering, domestic, fire protection, hydraulic dredging, sediment storage, thermal exchange and water power are not shown on the charts.



Kansas Department of Agriculture
Division of Water Resources
October 8, 2021

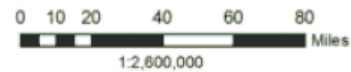


Kansas Water Right Development: Points of Diversion in 1940



Legend

- Ground-Water Point of Diversion
- Surface-Water Point of Diversion
- High Plains Aquifer
- Kansas Counties

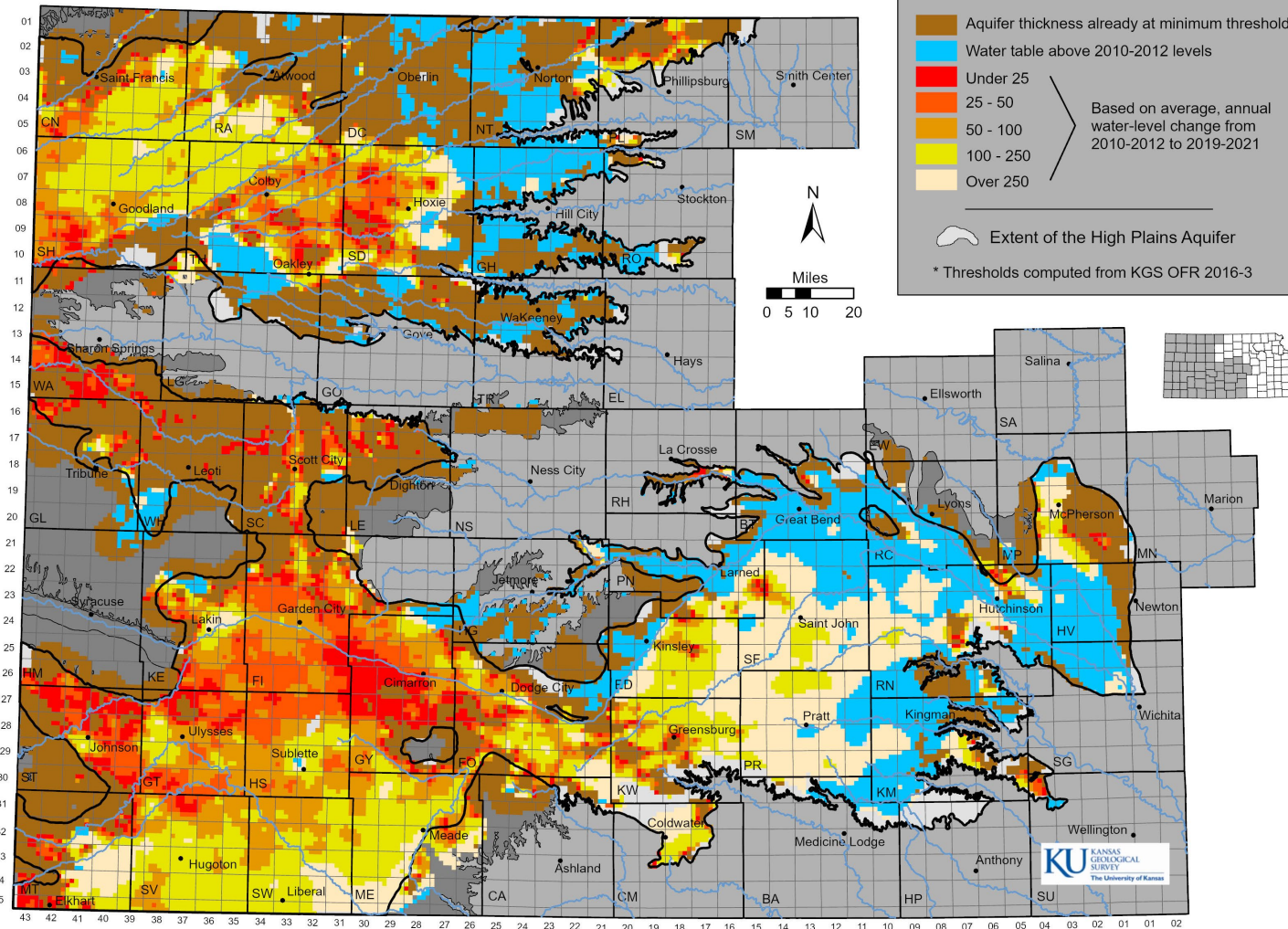


KU KANSAS
GEOLOGICAL
SURVEY
The University of Kansas

Kansas Geological Survey – Geohydrology
University of Kansas – Lawrence, KS
Water Rights from KS Dept. of Agriculture:
Division of Water Resources 11 Sep 2017
NAD 1983 UTM Zone 14 13 Sep 2017



Estimated Usable Lifetime for the Kansas High Plains Aquifer (based on groundwater trends from 2010-2012 to 2019-2021 and the minimum saturated thickness required to support well yields at 200 gpm under 90 day of pumping scenario with 200 gpm wells on 1/4 sections)



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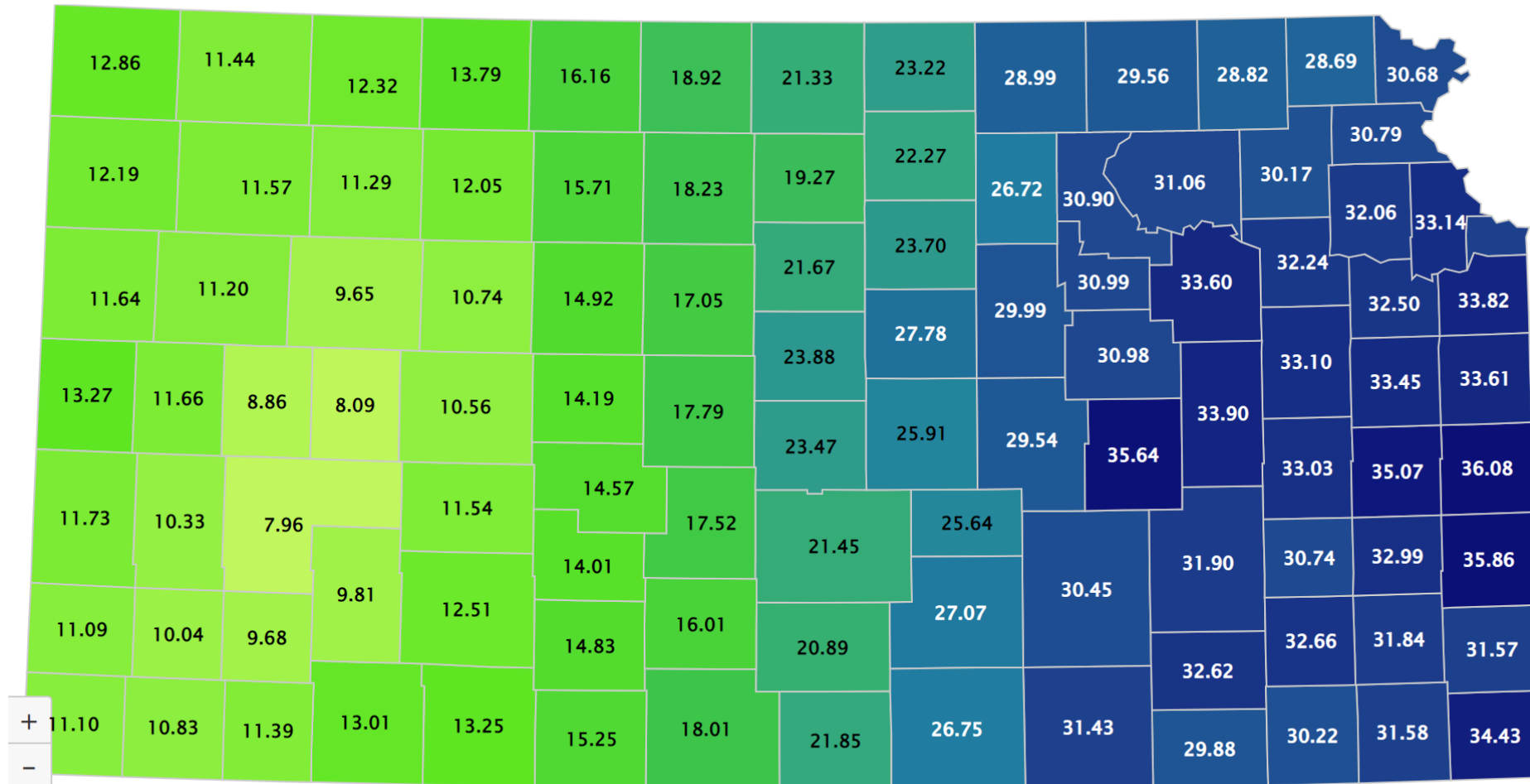
Flexibility and Conservation Tools

- Local Enhanced Management Area (LEMA)
 - Sheridan 6, Greater GMD 4, Wichita County, Four County (Hearing Feb 2)
- Water Conservation Area (WCA)
 - 53 plans (Wichita WCA which has 26 individual plans not included in the 53) covering 86,625 acres designed to save 11,951 acre-feet per year from recent historical use.
- Multi-Year Flex Account (MYFA)
 - Allows groundwater users in certain areas to have a 5-year allocation, exceed their annual appropriation, but limits overall use.



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Yearly Precip Totals for 2022



Information from Kansas State University Weather Data Library

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Over Pumping – Using more than authorized by water right in a given year

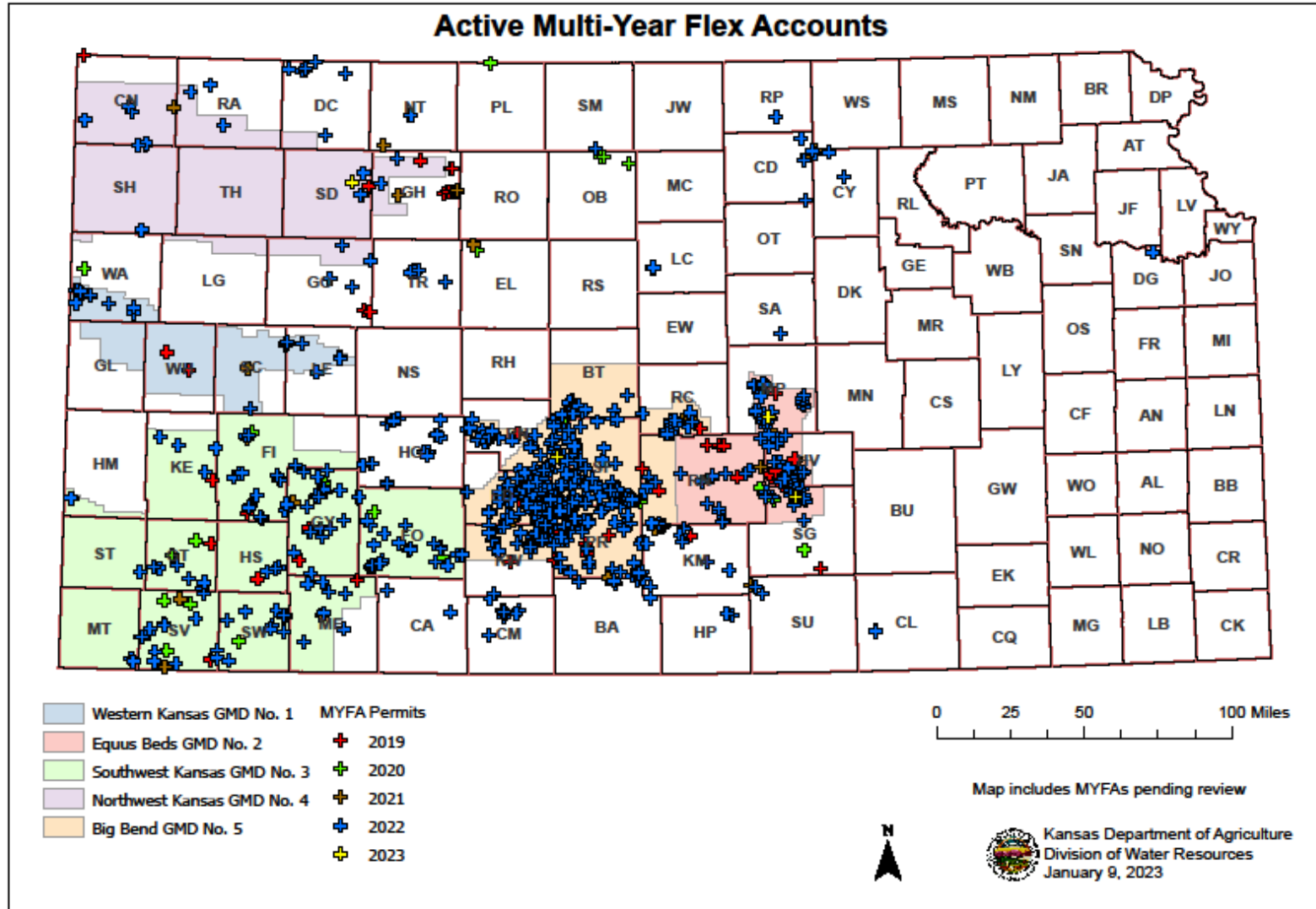
Penalty Category	Severity Level A < 24 Hours Over	Severity Level B 24-72 Hours Over	Severity Level C > 72 Hours Over
1 (no prior offense)	Written notice of noncompliance	\$1,000/day and reduction of 2 times over pumped	\$1,000/day and reduction of 3 times over pumped
2 (1 prior offense)	\$1,000/day and reduction of 2 times over pumped	\$1,000/day and one-year suspension	\$1,000/day and three-year suspension
3 (2 prior offenses)	\$1,000/day and one-year suspension	\$1,000/day and three-year suspension	\$1,000/day and four-year suspension
4 (>2 prior offenses)	\$1,000/day and three-year suspension	\$1,000/day and four-year suspension	\$1,000/day and five-year suspension

2021 water use year

- 147 Over pump orders issued
- 2,720 acre-feet over authorized total
- \$463,750 fine collected

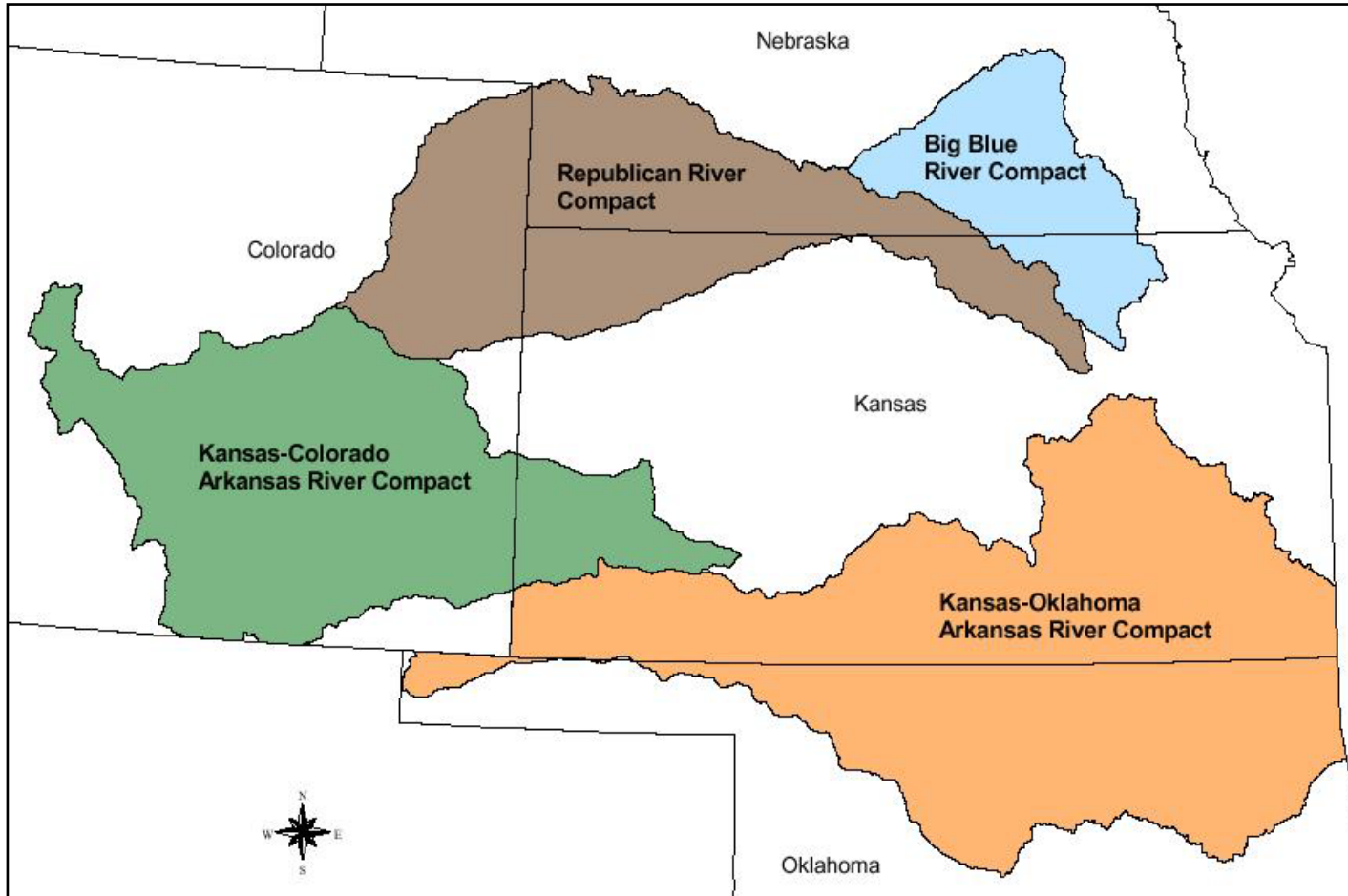


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Interstate Water Compacts



- Compliance with all compacts and historically good relationships with our neighboring states.
- Meeting regularly with Colorado and Nebraska on Republican River compact issues.
- Working with Colorado on Arkansas River water quality.



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Dam Safety

- 6,736 National Inventory of Dams – January 2023
- 2,596 state regulated dams
- 332 high hazard dams
- 184 significant hazard dams



Hot Topics

- Wichita Aquifer Storage and Recovery Permits
 - District court case
- Hays – R9 Transfer
 - Kansas Supreme Court
 - Water Transfer Panel
- Rattlesnake Creek/Quivira



THANK YOU

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Kansas Department of Agriculture – Division of Water Resources
www.agriculture.ks.gov/DWR

January 19, 2023

