

MINUTES OF THE STATE CONSERVATION COMMISSION

1. The State Conservation Commission meeting was called to order by Rod Vorhees, Chairman and Area V Commissioner at 1:08 p.m., Wednesday, August 16, 2023, at the USDA Service Center, 3705 Miller Pkwy A, Manhattan, Kansas 66503.

2. **ATTENDANCE:**

Elected Commissioners:

Ted Nighswonger, Area I Commissioner
Jed Fleske, Area II Commissioner
Sam Sanders, Area III Commissioner
John Wunder, Area IV Commissioner
Rod Vorhees, Area V Commissioner

Ex-Officio & Appointed Members:

Kris Ethridge, Acting State Conservationist, Natural Resources Conservation Service
Terry Medley, P.E., Water Structures Program Manager, Division of Water Resources, Kansas Department of Agriculture
Susan Metzger, Associate Director, College of Agriculture, K-State Research and Extension, Director Kansas Center for Agricultural Resources and the Environment (KCARE) and the Kansas Water Resources Institute (KWRI) (left at 4:00)

Division of Conservation, Kansas Department of Agriculture Staff:

Andrew Lyon, Executive Director
Steve Frost, Assistant Director
Dave Jones, Water Quality Program Manager
Kristin Kloft, Riparian & Wetland Program Manager
Cathy Thompson, Program Consultant
Marsha Setzkorn-Meyer, Conservation District Program Coordinator (left at 3:45)
Christy Koelzer, Administrative Specialist

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Guests:

Dan Meyerhoff, Executive Director, KACD

Amanda Scott, President, KACD-EO

Olivia Bergmeier, Executive Director, State Association of Kansas Watersheds (SAKW)

Daryl Donahue, Area V KACD Director

Kelsey Olson, Deputy Secretary Kansas Department of Agriculture

Cheli Helm, Jefferson County District Manager

3. MINUTES OF THE PREVIOUS MEETING:

A motion was made by Ted Nighswonger to approve the June 6, 2023, and July 7, 2023, minutes as emailed. The motion was seconded by Sam Sanders. Motion carried.

4. UNFINISHED BUSINESS:

a. High Plains Aquifer RCPP Proposal Update – Lyon

- i. Andrew Lyon informed the commissioners that he submitted the High Plains Aquifer RCPP proposal on August 15. The proposal included funding for ten technical assistance positions.

b. Kansas Reservoir Protection Initiative Update – Jones

- i. Dave Jones informed the commissioners that KRPI Initiative applications have been approved (Attachment A). Three new reservoirs, Perry, Hillsdale, and Pomona were added.

c. Conservation Funding Pool Update – Jones

- i. Dave Jones informed the commissioners that 199 contracts were approved from the conservation funding pool (Attachment B).

d. FY2025 Budget Update – Lyon

- i. Andrew Lyon informed the commissioners the FY2025 agency enhancement recommendations for DOC funded programs included increases for Water Resources, Aid to Conservation Districts, Watershed Dam Construction, WTAP/CREP, Irrigation Technology and Streambank Stabilization.

5. NEW BUSINESS:

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a. FY2024 WTAP Bid Rates - Frost

- i. Steve Frost informed the commissioners the WTAP maximum bid rate has been set at \$2,000 per acre-foot HCWU since 2009. DOC recommended the maximum bid rate for the Wichita/Greeley counties target area increase to \$2,750 and the rate for the Rattlesnake Creek target area increase to \$4,000 per acre-foot HCWU (Attachment C). Frost reviewed the WTAP high priority areas, enrollment and target area summaries, Rattlesnake Creek priority areas and streamflow response regions, and a letter from GMD 5 (Attachment C).

A motion was made by Jed Fleske to approve the recommendation to establish new maximum bid rates for the upcoming 2023 fall and possible 2024 spring enrollments for the Wichita/Greeley counties target area at \$2,750 and for the Rattlesnake Creek target area at \$4,000 per acre-foot HCWU. The motion was seconded by Ted Nighswonger. Motion carried.

Break 2:19 – 2:30.

b. FY2024 WR and NPS Additional Cost-Share Policy – Jones

- i. Dave Jones informed the commissioners of the DOC policy recommendations for FY2024 WR and NPS cost-share programs (Attachment D). The recommendations aim to provide flexibility and ensure allocations are spent on contracts completed in FY2024. Discussion surrounded the October 2 cancellation date, providing district managers with more than one week notice of cancellations, and the need for increased technical assistance. Andy Lyon proposed further discussion at the September 15 meeting.

A motion was made by John Wunder to table the FY2024 WR and NPS additional cost-share policy discussion to the September 15 meeting. The motion was seconded by Ted Nighswonger. Motion carried.

c. Conservation District Local Funding Discussion – Lyon

- i. Andrew Lyon informed the commissioners he has met with several county commissions regarding revenue neutral budget requirements upon notification funding was being cut from conservation districts. Lyon provided the boards with KDA ag production data and explained how conservation district programs protect county productivity.

d. SCC Luncheon Awards and Speaker Discussion – Lyon

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- i. Andrew Lyon informed the commissioners he is looking for a luncheon speaker. The revenue neutral budget issue was suggested as a topic.
- e. SCC/KACD Joint Meeting September 15, 2023, Hutchinson, KS – Lyon
 - i. Andrew Lyon informed the commissioners the next meeting will be a joint meeting with KACD September 15 at the State Fair.

6. UPDATES:

- a. Comments from Guests:
 - i. Dan Meyerhoff (KACD) informed the commissioners plans are under way for the Convention. More than 220 people attended the KACD Fall Meeting on August 14. Twenty boards participated as a board.
 - ii. Daryl Donahue (KACD) informed the commissioners he is brainstorming ideas for a benefit package for district managers to assist with manager retention and encouraged the partners to share ideas with him.
- b. Agency Updates:
 - i. Kris Ethridge (USDA, NRCS) informed the commissioners there are several candidates for the State Conservationist position. Interviews will be conducted soon.
 - ii. Susan Metzger (KSU, KCARE) informed the commissioners K-State continues research on many water-related issues. The Western Kansas Research Extension Center is looking at implementing an Oklahoma program in Kansas. The competition style format allows farmers to test management practices and technologies before applying on their farms and includes awards for highest yields.
 - iii. Terry Medley (KDA, DWR) informed the commissioners he is reviewing the SCC Dam Safety Evaluation. There are good recommendations for statutory changes in the Dam Safety program. The flow analysis on the Missouri River should leverage state and federal dollars for flooding on the Missouri River.
- c. Elected Commissioner Area Updates:

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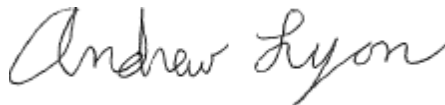
- i. Ted Nighswonger (Area 1) informed the commissioners that at the Area 1 fall meeting, someone asked what KACD and SCC boards do. It might be beneficial to spread awareness of what the boards do.
- ii. Jed Fleske (Area II) asked if the Prairie Food trial would continue for two more years. Andrew Lyon informed the commissioners that it would.
- iii. Sam Sanders (Area III) had no further updates.
- iv. John Wunder (Area IV) informed the commissioners a land judging event will be held in Jefferson County on September 28 and invited partners to attend to promote job opportunities.
- v. Rod Vorhees (Area V) had no further updates.

7. ADJOURNMENT:

The next SCC meeting will be September 15 in Hutchinson.

A motion was made by Sam Sanders to adjourn the meeting. The motion was seconded by Ted Nighswonger. Motion carried.

The meeting was adjourned at 4:06 p.m.



Andrew Lyon
Executive Director

FY 2024 Kansas Reservoir Protection Initiative Approvals

<u>County</u>	<u>Applications Approved</u>	<u>County Total</u>	<u>Average Contract Dollars</u>
Atchison	12	\$40,779.00	\$3,398.25
Brown	51	\$243,419.00	\$4,772.92
Ellsworth	9	\$17,783.92	\$1,975.99
Jackson	37	\$275,099.00	\$7,435.11
Jefferson	3	\$7,218.00	\$2,406.00
Johnson	1	\$19,800.00	\$19,800.00
Lyon	28	\$61,405.35	\$2,193.05
Marshall	132	\$442,630.79	\$3,353.26
Nemaha	21	\$251,440.11	\$11,973.34
Osage	3	\$6,431.85	\$2,143.95
Pottawatomie	11	\$26,517.00	\$2,410.64
Riley	2	\$3,240.00	\$1,620.00
Washington	11	\$72,030.58	\$6,548.23
Total Counties = 13	321	\$1,467,794.60	\$3,115.26

FY 2024 Conservation Funding Pool Approvals				
<u>County</u>	<u>Project Type(s)</u>	<u>Applications Approved</u>	<u>County Total</u>	<u>Average Contract Dollars</u>
Bourbon	PRM	9	\$27,992.00	\$3,110.22
Osborne	Soil Health, PRM	8	\$35,000.00	\$4,375.00
Ellsworth	PRM	8	\$35,000.00	\$4,375.00
Riley	PRM	6	\$35,000.00	\$5,833.33
Pottawatomie	PRM	6	\$35,000.00	\$5,833.33
Rush	Soil Health, PRM	4	\$20,000.00	\$5,000.00
Franklin	Soil Health, PRM	5	\$29,287.13	\$5,857.43
Nemaha	Soil Health	4	\$35,000.00	\$8,750.00
Thomas	PRM	5	\$23,395.93	\$4,679.19
Edwards	Soil Health, PRM	6	\$35,000.00	\$5,833.33
Doniphan	Soil Health	8	\$35,000.00	\$4,375.00
Washington	Soil Health	7	\$35,000.00	\$5,000.00
Atchison	Soil Health	3	\$11,250.00	\$3,750.00
Lincoln	PRM	6	\$24,000.00	\$4,000.00
Cloud	Soil Health	11	\$35,000.00	\$3,181.82
Sherman	PRM	2	\$6,738.24	\$3,369.12
Marshall	Soil Health, PRM	6	\$35,000.00	\$5,833.33
Jackson	Soil Health, PRM	7	\$35,000.00	\$5,000.00
Brown	Soil Health	4	\$20,000.00	\$5,000.00
Ellis	Soil Health, PRM	2	\$9,730.51	\$4,865.26
Barber	PRM	4	\$34,733.11	\$8,683.28
Jefferson	Soil Health, PRM, NM	7	\$27,500.00	\$3,928.57
Cheyenne	PRM	3	\$15,802.98	\$5,267.66
Wilson	Soil Health	6	\$31,231.80	\$5,205.30
Pawnee	PRM	5	\$24,776.98	\$4,955.40
Ottawa	PRM	3	\$12,000.00	\$4,000.00
Geary	PRM	1	\$5,441.09	\$5,441.09
Smith	PRM	2	\$16,000.00	\$8,000.00
Phillips	PRM	1	\$10,000.00	\$10,000.00
Trego	PRM	4	\$24,862.55	\$6,215.64
Russell	Soil Health, PRM	6	\$35,000.00	\$5,833.33
Barton	PRM	3	\$19,868.18	\$6,622.73
Marion	Soil Health, PRM	3	\$26,022.35	\$8,674.12
Osage	Soil Health, PRM	6	\$24,186.64	\$4,031.11
Mitchell	Soil Health	1	\$5,000.00	\$5,000.00
Kiowa	PRM	2	\$11,216.39	\$5,608.20
Sheridan	IWC	10	\$35,000.00	\$3,500.00
Sedgwick	Soil Health, PRM, NM	4	\$25,348.02	\$6,337.01
Graham	PRM	4	\$35,000.00	\$8,750.00
Neosho	PRM	7	\$23,616.10	\$3,373.73
Total Counties = 40	Totals:	199	\$1,000,000.00	\$5,025.13

Water Right Transition Assistance Program

SCC Review of Maximum Bid Rate - August 16, 2023

Our WTAP authorizing statute provides that:

K.S.A. 2-1930. Program established; administration; funding; contracts with landowners; grants, availability, priority.

(c)(2) The maximum amount paid by the division shall not exceed a base rate per acre-foot of historic consumptive water use made available under the water right to be dismissed or permanently reduced. The division, in consultation with the commission, shall establish an annual base rate after considering recommendations from the chief engineer and the groundwater management districts regarding market conditions.

The maximum bid rate has been set at \$2,000 per ac-ft HCWU since 2009. During that time, bid rates on approved applications have ranged from \$515 to \$2,000 with an average cost (to DOC) for the 27 enrollments being \$1,413 per ac-ft HCWU. For several reasons, it is apparent that the \$2,000 cap is no longer drawing much participation and it is time to consider an adjustment.

Current market sale information:

Wichita County

- Irrigated Land - \$3,100 to \$3,900 per acre (one \$4,800 exception)
- Dry Land - \$1,700 to \$2,100 per acre (one \$2,600 exception)
- Grassland - \$1,000 to \$1,300 per acre (one \$1,600 exception)
- Min / Max Difference - \$1,000 to \$2,200 per acre (potential water right value)

Stafford County

- Irrigated Land - \$5,700 to \$7,000 per acre (no exceptions)
- Dry Land - \$2,400 to \$3,100 per acre (one \$3,600 exception)
- Grassland - \$1,700 to \$2,300 per acre (one \$2,700 exception)
- Min / Max Difference - \$2,600 to \$4,600 per acre (potential water right value)

Project Scenarios:

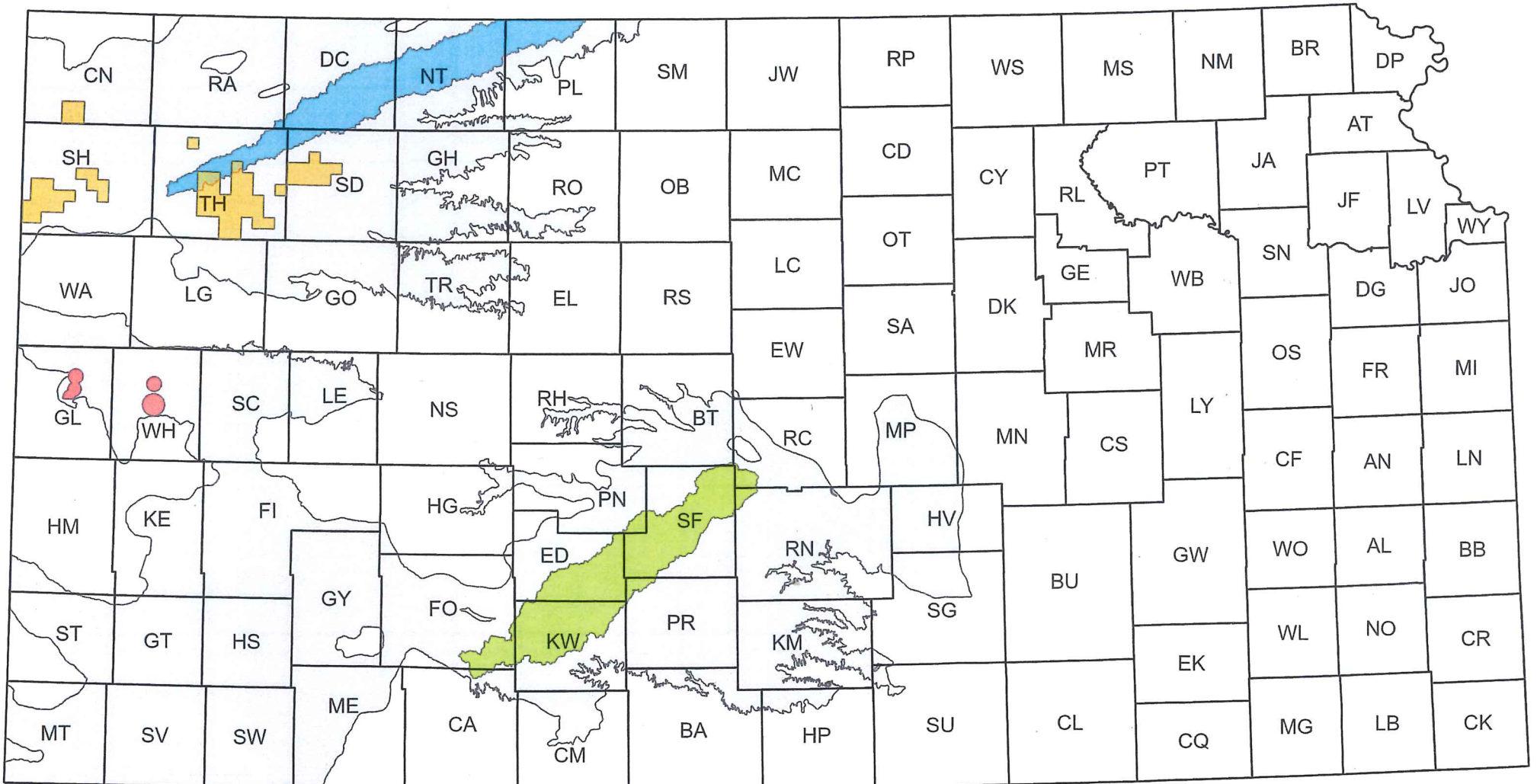
1. In WTAP, a pivot in Wichita County with full HWCU value and a theoretical maximum bid price of \$2,000 per acre-foot would cost about \$312,000. Or at a theoretical bid price of \$2,750 per acre-foot would cost about \$429,000. Or at a theoretical bid price of \$3,000 per acre-foot would cost about \$468,000.
2. In WTAP, a pivot in Stafford County with full HWCU value and a theoretical maximum bid price of \$2,000 per acre-foot would cost about \$260,000. Or at a theoretical bid price of \$3,000 per acre-foot would cost about \$390,000. Or at a theoretical bid price of \$4,000 per acre-foot would cost about \$520,000.
3. In CREP, our recent FSA tour with area landowners a couple of weeks ago indicated that the current irrigated rental rates by themselves are still not high enough to draw much participation – even though they are currently the highest in project history. Stafford County is currently at \$188 / acre + the DOC incentive payment = about \$400,000 total per pivot. FSA pays for 90% of the costs.






Recommendation: DOC would like to establish a new maximum bid rate for the upcoming 2023 fall and possible 2024 spring enrollments.

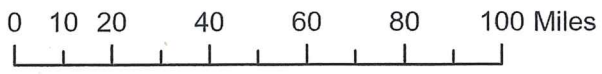
Our recommended maximum bid rate for the Wichita / Greeley counties target areas is \$2,750.00 per acre-foot HCWU.

Our recommended maximum bid rate for the Rattlesnake Creek target area is \$4,000.00 per acre-foot HCWU.

WTAP Target Areas



-  Prairie Dog Creek Basin
-  Rattlesnake Creek Basin
-  GMD No. 1 High Priority Area
-  GMD No. 4 High Priority Area
-  High Plains Aquifer



Kansas Department of Agriculture
 Division of Water Resources
 August 20, 2021

WTAP Enrollment Summary: FY2008 – FY2023

As a result of 27 approved applications to date, 34 irrigation wells and 5,750 irrigated acres have been voluntarily dismissed in 10 enrollment periods since 2008. A total of \$3,902,946 in state funds has been expended in return for the permanent retirement of 8,239 acre-feet of annual water appropriation rights and 2,700 acre-feet of HCWU in these targeted regions at an average cost to the State of Kansas of \$1,413 per acre-foot.

\$1,011,393 of federal, local and NGO dollars have been matched to state WTAP grants, thus contributing to the financial incentives and long-term business decision-making for some landowners. \$28,513 of local dollars has been matched to WTAP applications in Big Bend Groundwater Management District No. 5. \$187,507 of local funds have been committed from Northwest Kansas Groundwater Management District No. 4. \$30,000 has been contributed by Playa Lakes Joint Venture. \$807,142 of federal NRCS EQIP funds have been utilized by landowners to facilitate transitions to dryland agriculture associated with these water right retirements.

Four new high priority target areas were approved in Greeley and Wichita counties as part of the Groundwater Recharge and Sustainability Project (GRASP). Enrollments were conducted there in FY2022 and FY2023. As a result, DOC accepted landowner agreements which have voluntarily dismissed four irrigation water rights authorizing 1,150 ac-ft per year on 568 acres from four wells. The net value of historic consumptive water use which has been permanently retired in the GRASP project area is 151.357 acre-feet near the City of Tribune and City of Leoti municipal well fields.

Target Area Summary








Target Area	Target HCWU Reduction (AF)	# Apps Approved	Appropriation Reduced (AF)	HCWU Reduced (AF)	Total Cost
Rattlesnake	7,396	4	1,027	369.9700	\$785,241.20
Prairie Dog	3,800	0	-	-	-
SH-1	6,000	6	2,022	678.9660	\$1,021,293.68
SH-2	4,000	1	279	107.7000	\$88,852.50
CN-3	2,000	1	320	121.2700	\$242,540.00
TH-4	600	0	-	-	-
TH-5	15,000	11	2,873	1099.5720	\$1,230,344.60
SD-6	12,000	2	568	172.1225	\$232,137.38
Tribune North	453.65				
Tribune South	352.74	1	853	113.9350	\$227,810
Leoti	2,516.13	1	297	37.457	\$74,726.72
Leoti North	1,717.8				
Total	55,836.32	27	8,239	2,700.9925	\$3,902,946.08

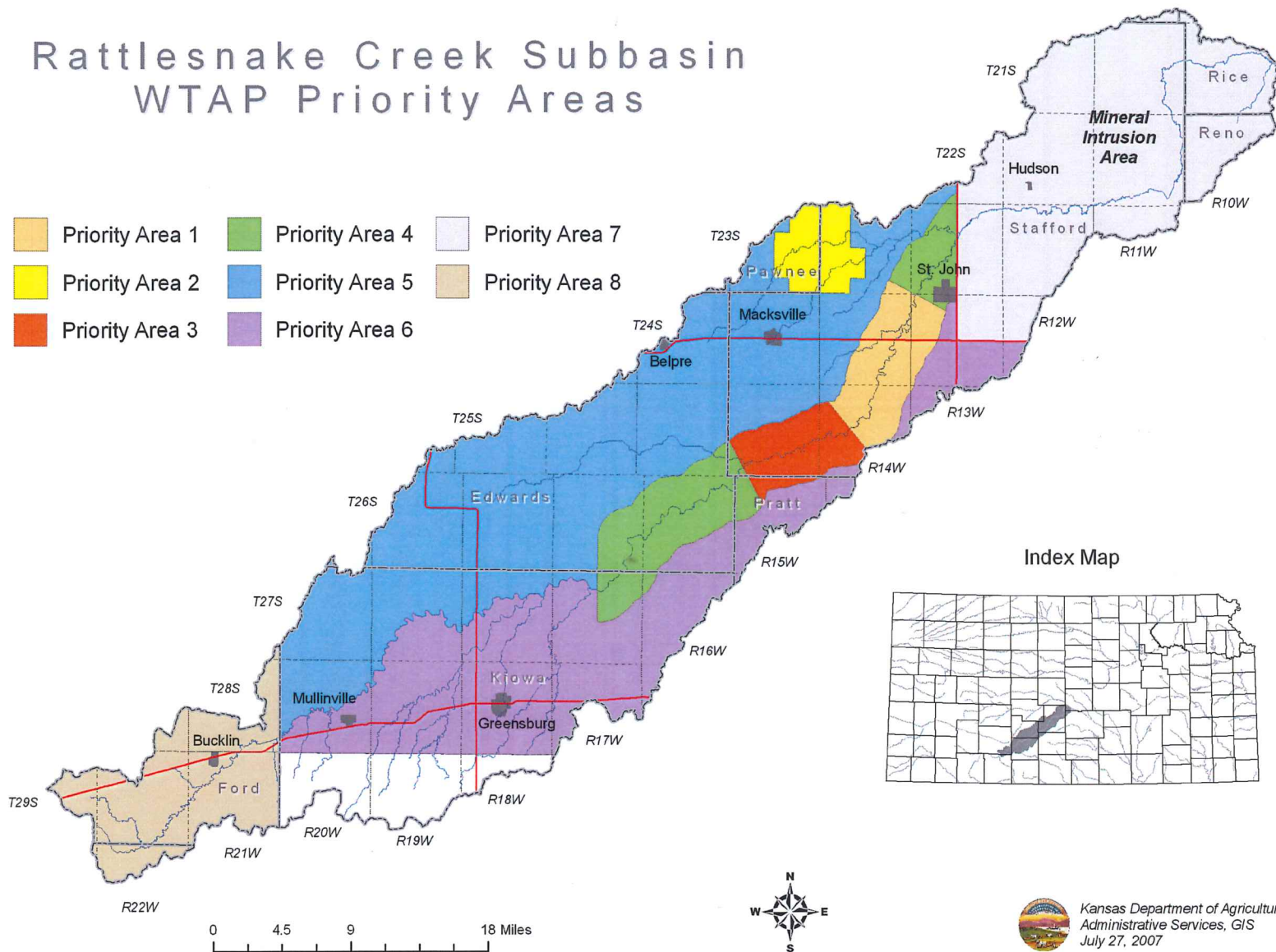
Enrollment Period Summary

Enrollment Period	WRFNs Dismissed	Authorized AF Retired	Authorized Acres Retired	HCWU - AF	Target Area	Bid Rate / AF HCWU	Total Cost of Retirement
FY2023	19044	297	148.6	37.457	Leoti	\$1,995.00	\$74,726.72
FY2022	4254, 5697, 8699	853	420	113.9350	Tribune South	\$2,000.00	\$227,810.00
FY2021	No Enrollment						
FY2020	No Enrollment						
FY2019	No Enrollment						
FY2018	No Enrollment						
FY2017	No Enrollment						
FY2016	31694 D1	264	156	103.1000	SH-1	\$1,995.00	\$205,844.10
FY2015	30895	191	154	91.2860	TH-5	\$2,000.00	\$182,572.00
FY2014	9238	465	259	134.9800	SH-1	\$1,970.00	\$265,910.60
FY2013	No Enrollment						
FY2012	20831	319	267	93.3000	TH-5	\$1,190.71	\$111,093.24
FY2012	22017, 30528	263	367	81.8100	SD-6	\$2,000.00	\$163,620.00
FY2012	31673	320	270	121.2700	CN-3	\$2,000.00	\$242,540.00
Sub-Total		902	904	296.3800		(\$1730 avg)	\$517,253.24
FY2011	9133	305	160	124.2700	SH-1	\$515.15	\$64,017.69
FY2011	16630	305	160	90.3125	SD-6	\$758.67	\$68,517.38
FY2011	11776	293	160	78.7560	TH-5	\$890.83	\$70,158.20
FY2011	22361	239	160	55.3560	SH-1	\$1,227.25	\$67,936.09
Sub-Total		1,142	640	348.6945		(\$847 avg)	\$270,629.36
FY2010	No Enrollment						
FY2009	20428	237	160	64.5600	TH-5	\$792.00	\$51,131.52
FY2009	17173	279	160	107.7000	SH-2	\$825.00	\$88,852.50
FY2009	20430	260	160	87.6000	TH-5	\$831.00	\$72,795.60
FY2009	21601	381	320	194.8000	TH-5	\$925.00	\$180,190.00
FY2009	20429	297	160	113.4000	TH-5	\$1,072.00	\$121,564.80
FY2009	30423	219	160	118.6600	TH-5	\$1,114.00	\$132,187.24
FY2009	24733	260	160	69.9600	TH-5	\$1,200.00	\$83,952.00
FY2009	20218	259	132	81.6400	TH-5	\$1,200.00	\$97,968.00
FY2009	22814	157	160	105.6100	TH-5	\$1,200.00	\$126,732.00
FY2009	16739	386	160	120.0600	SH-1	\$1,420.00	\$170,485.20
FY2009	33817	363	480	141.2000	SH-1	\$1,750.00	\$247,100.00
FY2009	22938	420	334	235.7000	Rattlesnake	\$1,895.00	\$446,652.50
FY2009	22007 (partial)	98	171	35.8600	Rattlesnake	\$1,995.00	\$71,540.70
FY2009	26875	284	192	92.0100	Rattlesnake	\$2,000.00	\$184,020.00
Sub-Total		3,900	2909	1568.7600		(\$1,301 avg)	\$2,075,172.06
FY2008	22934	225	160	6.4000	Rattlesnake	*	\$83,028.00
TOTAL		8,239	5,750.6	2,700.9925		(\$1,413 avg)	\$3,902,946.08

*bidding criteria for the initial WTAP enrollment period was not based on a fixed rate of \$ / AF HCWU

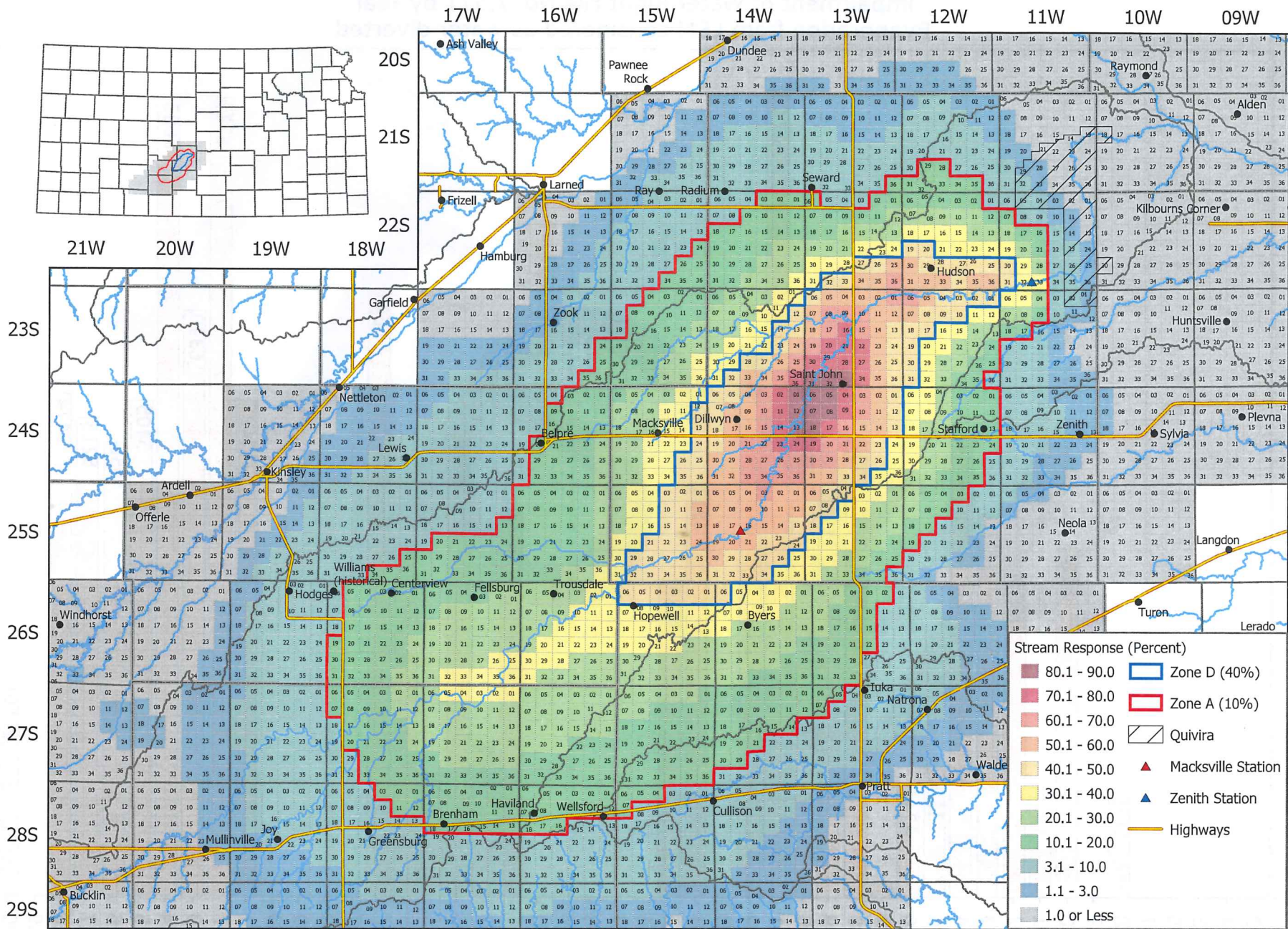
Rattlesnake Creek Subbasin WTAP Priority Areas

- | | | | | | |
|---|-----------------|---|-----------------|---|-----------------|
|  | Priority Area 1 |  | Priority Area 4 |  | Priority Area 7 |
|  | Priority Area 2 |  | Priority Area 5 |  | Priority Area 8 |
|  | Priority Area 3 |  | Priority Area 6 | | |



Rattlesnake Creek Streamflow Response Regions

1998 - 2007 average streamflow response (pct) at Zenith gage as calculated using the GMD No. 5 model.



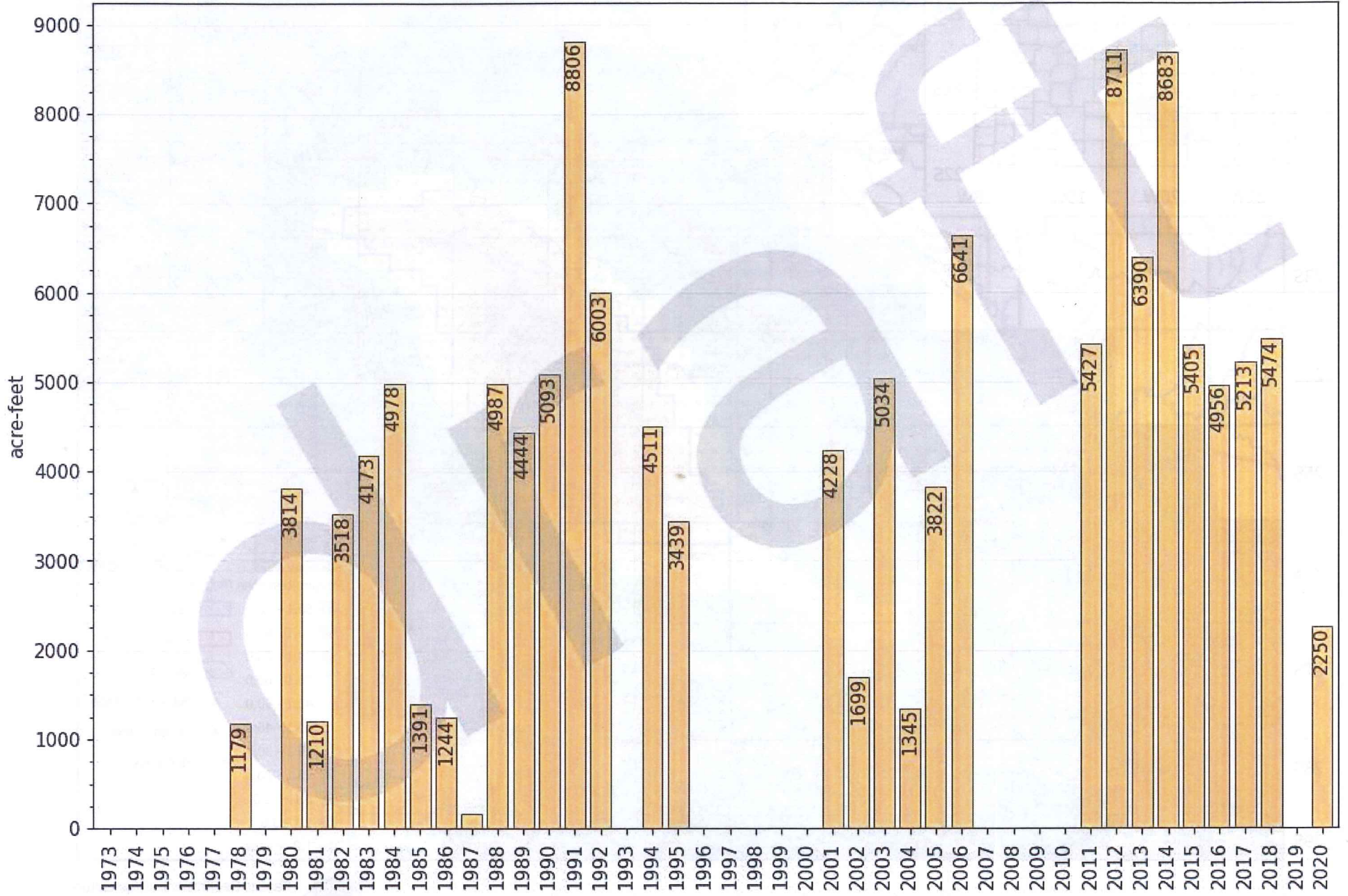
"Streamflow response" represents the portion of the groundwater pumped that would have become streamflow.

Features on this map represent conditions as of the date of the map and are subject to change.



Kansas Department of Agriculture
Division of Water Resources
Modeling date: November 16, 2017
Document date: February 14, 2018

Impairment of Water Right File No. 7,571 by Year
Evaporation from LSM considered as water diverted



<u>County</u>	<u>50% Chance Rainfall</u>	<u>80% Chance Rainfall</u>
McPherson	10.8" = 0.90'	13.1" = 1.09'
Meade	14.3" = 1.19'	16.1" = 1.34'
Miami	5.0" = 0.42'	9.0" = 0.75'
Mitchell	10.8" = 0.90'	13.3" = 1.11'
Montgomery	8.1" = 0.68'	10.9" = 0.91'
Morris	8.5" = 0.71'	11.4" = 0.95'
Morton	15.4" = 1.28'	17.1" = 1.43'
Nemaha	7.8" = 0.65'	10.9" = 0.91'
Neosho	7.1" = 0.59'	10.2" = 0.85'
Ness	13.3" = 1.11'	15.3" = 1.28'
Norton	12.3" = 1.03'	14.4" = 1.20'
Osage	7.0" = 0.58'	9.9" = 0.83'
Osborne	11.7" = 0.98'	13.8" = 1.15'
Ottawa	10.5" = 0.88'	12.9" = 1.08'
Pawnee	12.7" = 1.06'	14.9" = 1.24'
Phillips	11.7" = 0.98'	14.0" = 1.17'
Pottawatomie	8.1" = 0.68'	11.1" = 0.93'
Pratt	12.6" = 1.05'	14.6" = 1.22'
Rawlins	13.2" = 1.10'	15.1" = 1.26'
Reno	11.4" = 0.95'	13.8" = 1.15'
Republic	10.0" = 0.83'	12.6" = 1.05'
Rice	11.5" = 0.96'	13.8" = 1.15'
Riley	8.5" = 0.71'	11.4" = 0.95'
Rooks	12.0" = 1.00'	14.3" = 1.19'
Rush	12.6" = 1.05'	14.8" = 1.23'
Russell	11.3" = 0.94'	14.1" = 1.18'
Saline	10.8" = 0.90'	13.1" = 1.09'
Scott	14.0" = 1.17'	15.9" = 1.33'
Sedgwick	10.7" = 0.89'	13.1" = 1.09'
Seward	14.5" = 1.21'	16.4" = 1.37'
Shawnee	7.4" = 0.62'	10.2" = 0.85'
Sheridan	12.9" = 1.08'	15.0" = 1.25'
Sherman	14.1" = 1.18'	15.7" = 1.31'
Smith	11.4" = 0.95'	13.6" = 1.13'
Stafford	12.3" = 1.03'	14.5" = 1.21'
Stanton	15.6" = 1.30'	17.2" = 1.43'
Stevens	14.8" = 1.23'	16.8" = 1.40'
Sumner	10.3" = 0.86'	13.2" = 1.10'
Thomas	13.5" = 1.13'	15.4" = 1.28'
Trego	12.9" = 1.08'	15.0" = 1.25'
Wabaunsee	7.8" = 0.65'	10.7" = 0.89'
Wallace	14.3" = 1.19'	16.1" = 1.34'
Washington	9.2" = 0.77'	12.0" = 1.00'
Wichita	14.4" = 1.20'	16.3" = 1.36'

Tom Taylor - At-Large (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Marlyn Spare - Stafford (Sec.)
Darrell Wood - Edwards
Craig Zwick - Rice
Joe Schlessiger - Barton
Kerry Froetschner - Pawnee
Gary Hornbaker - Reno



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August 14, 2023

Steve Frost
Assistant Director
Division of Conservation
1320 Research Park Drive
Manhattan Kansas 66502

RE: Water Transition Assistance Program

Dear Mr. Frost,

The Big Bend Groundwater Management District #5 board of directors recently discussed the upcoming consideration to amend the maximum bid rate that landowners can offer on Water Transition Assistance Program (WTAP) applications.

WTAP is an incentive program designed to allow water right holders the option to sell their water rights, retain the land and help achieve the goals of the plan. These programs are all designed to reduce water use and eliminate the possibility of state regulation in this area.

The maximum bid rate is currently set at \$2,000 per acre-foot of historic consumptive water use. According to information available to the District, this maximum rate has not been changed since 2009. Since that time, the District has been unsuccessful in getting the anticipated participation in WTAP due in large part to available funding.

Specifically in this region, the board believes the bid rate should be based on the authorized quantity of water for the water right. The board also understands this may be problematic in other regions of the state. With recent funding efforts to the program, and in light of current conditions in the region, the District board recommends that the maximum bid rate for the Water Transition Assistance Program be set at \$6,000 per acre-foot.

The District looks forward to promoting this rejuvenated program in the region and will stand ready to assist with increasing participation.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril
Manager

DOC Staff Policy Recommendations

FY 2024 WR and NPS Cost-Share Programs

1. October 2, 2023, Cancellation of Uncommitted Funds (WR and NPS)
 - a. All uncommitted funds in WR and NPS will be cancelled.
 - b. Cancelled funds will be available to all conservation districts in the conservation funding pool.
 - c. If a FY 2024 WR or NPS contract is paid or cancelled after October 2, 2023, the uncommitted funds will be returned to the DOC and added to the conservation funding pool.
 - d. Uncommitted funds from a paid or cancelled contract may be utilized to fully fund an existing approved contract with DOC approval. The DOC will approve these requests on a case-by-case basis.

2. Uncommitted funds will be cancelled routinely and added to the conservation funding pool.
 - a. Districts will be given a one week notice prior to a cancellation of uncommitted funds.

3. Only approved conservation funding pool project types (Soil Health, NM, IWC, PRM, RAP, AWP, and OSW) will be allowed on contracts after October 2, 2023.
 - a. A separate conservation funding pool of \$200,000 will be established for OSW applications only. (80 systems)

4. No new FY 2024 WR or NPS contracts can be written after Friday, March 15, 2024. Exception being a DOC initiative (if needed).

5. No FY 2024 WR and NPS contracts will be encumbered.

6. No FY 2024 WR and NPS contract dollars will be rolled forward into FY 2025.

7. All FY 2024 WR and NPS contracts must be either submitted for cancellation or submitted for final payment by close of business Wednesday, May 29, 2024.