



## ***Water Transition Assistance Program Provides Incentive for Water Right Retirement***

For most of us, \$1.2 million is a tidy sum. When it comes to retiring water rights to restore balance in the alluvial aquifers and related stream flow of Prairie Dog and Rattlesnake Creeks, \$1.2 million is a proverbial drop in the bucket if you look at water savings for just one year. The water savings, however, are forever, given that it's a permanent water right retirement. The investment made today is expected to make a positive difference in the life expectancy of the alluvial aquifer and related stream flow in these streams.

The 2006 Legislature approved Water TAP (HB2710), or Water Transition Assistance Program. It is a five-year, up to \$1.5 million per year, pilot project. Prairie Dog Creek in northwest Kansas, a tributary of the Republican River; and Rattlesnake Creek in south-central Kansas, which flows into the Quivira National Wildlife Refuge, are highest on the priority list. Other priority areas, however, may qualify. Those priority areas will be identified by groundwater management districts and the Chief Engineer of the Kansas Department of Agriculture's Division of Water Resources.

"Water TAP is one piece of a much larger water management puzzle," says Greg Foley, executive director of the State Conservation Commission. The State Conservation Commission will develop rules and regulations later this year and administer the program.

Water TAP has evolved over three years. The underlying concept was introduced in 2002 by the Ogallala Aquifer Management Advisory Committee appointed by the Kansas Water Authority. The 24-member Authority works in concert with the Kansas Water Office to provide water policy recommendations to the Governor and Kansas Legislature.

Given the enormity of the Ogallala's needs, the focus narrowed to aquifer sub-basin units with management strategies in place when introduced to the 2005 Kansas Legislature as the Irrigation Transition Assistance Program (ITAP). That measure failed to gain support, but the principles repackaged as Water TAP passed. HB2710 was introduced at the request of the Kansas Water Congress and supported by the state's water agencies and the Kansas Water Authority.

The program will pay irrigators based on the consumptive water use their water right retirement would take out of the system. Consumptive use is the amount of water pumped minus the amount that infiltrates below the crop's root system. House Bill 2710 calls for payment based on the reported water use for four out of the six most recent years. Both the highest and lowest water-use years in the six-year period are excluded.

System efficiency is taken into account in figuring consumptive use. Center pivot systems generally are considered to be 85% efficient, so the reported water usage is multiplied times .85. The factors are .95 for subsurface drip irrigation systems and .75 for flood, or gravity, systems.



The figure computed based on reported water use can not exceed the “Net irrigation requirement.” Corn’s net irrigation requirement, the amount of irrigation water that would have to be applied to produce a corn crop with a given amount of rainfall, is the standard. Other crops net irrigation requirements are either more or less and factored accordingly. Each county has its own net irrigation requirement recorded in state regulations.

Irrigators in the Rattlesnake Creek sub-basin are in year five of a 12-year multi-faceted management plan to reduce water consumption. Their conservation plan includes water right buy-backs, elimination of end guns and water banking.

“Water TAP will fit right in with what we’re doing,” says Sharon Falk, manager of Groundwater Management District No. 5. “The District is buying up strategic water rights in the stream corridor as a hedge against the time when water levels dictate regulatory action.” Funds to buy the water rights have come from a district-wide assessment of 67 cents per acre foot of the authorized water right.

Unlike Water TAP that will take the quantity of water represented by the water rights out of the system, the three water rights bought by GMD No. 5 were placed in the state’s 10-year Water Rights Conservation Program. Entering a water right into the program protects the holder from loss of the right when there is no reported usage.

To monitor the progress and the effects of the water right retirements authorized under HB2710 on water consumption and the regional economy, the Kansas Legislature directed the State Conservation Commission to provide annual reports of studies underway. The reports will relate to reductions in water consumption and financial impact of the water right retirements on communities within the program areas.