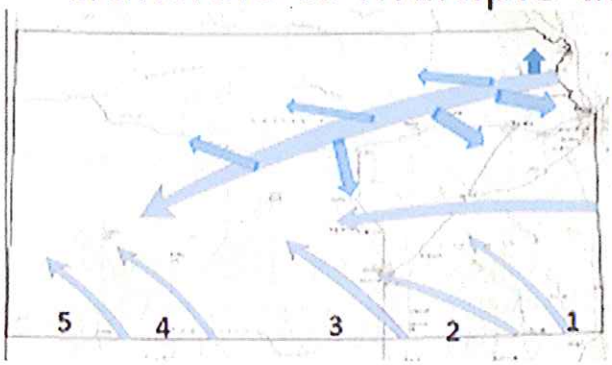
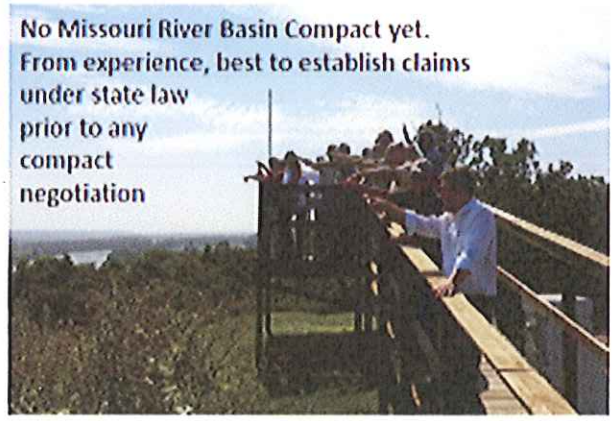
S Sub HB2059 Fact Sheet

March 17, 2016

- **Establishes a filing fee structure** to allow permit applications to appropriate surface waters leaving the state unused to be conserved and transferred for new benefits in Kansas.
- **Preserves long standing policy** for Kansans to propose water projects as an application with fees.
- **Assures full fee payment** under the highest existing fee scenario in Kansas law, if needed.
- **Protects fees for agency action** by avoiding big fee sweeps to the state general fund.
- **Removes deadlines on the chief engineer.** Existing deadlines are too short for large project proposals and fees today can be returned to the applicant after 150 days final form if no final agency action occurs.
- **Delays implementation to December 1, 2016** to provide time for the state department of agriculture to develop standards for reasonable action plans with milestones required with such applications.
- **First step** to implement "option 1" use of WAA from "Aqueduct Study" that was accepted by the Kansas Water Authority over a year ago. See http://www.kwo.org/Projects/AqueductStudy.html
- **The Water Appropriation Act and the Water Transfer Act protect public interest:** permit Kansas water projects; protect water users; control out of state appropriations; and dedicate all waters of Kansas to benefit the people of Kansas through appropriate requests that are considered in the public interest.

Potential appropriations of surface water for transfers to multiple uses in Kansas.



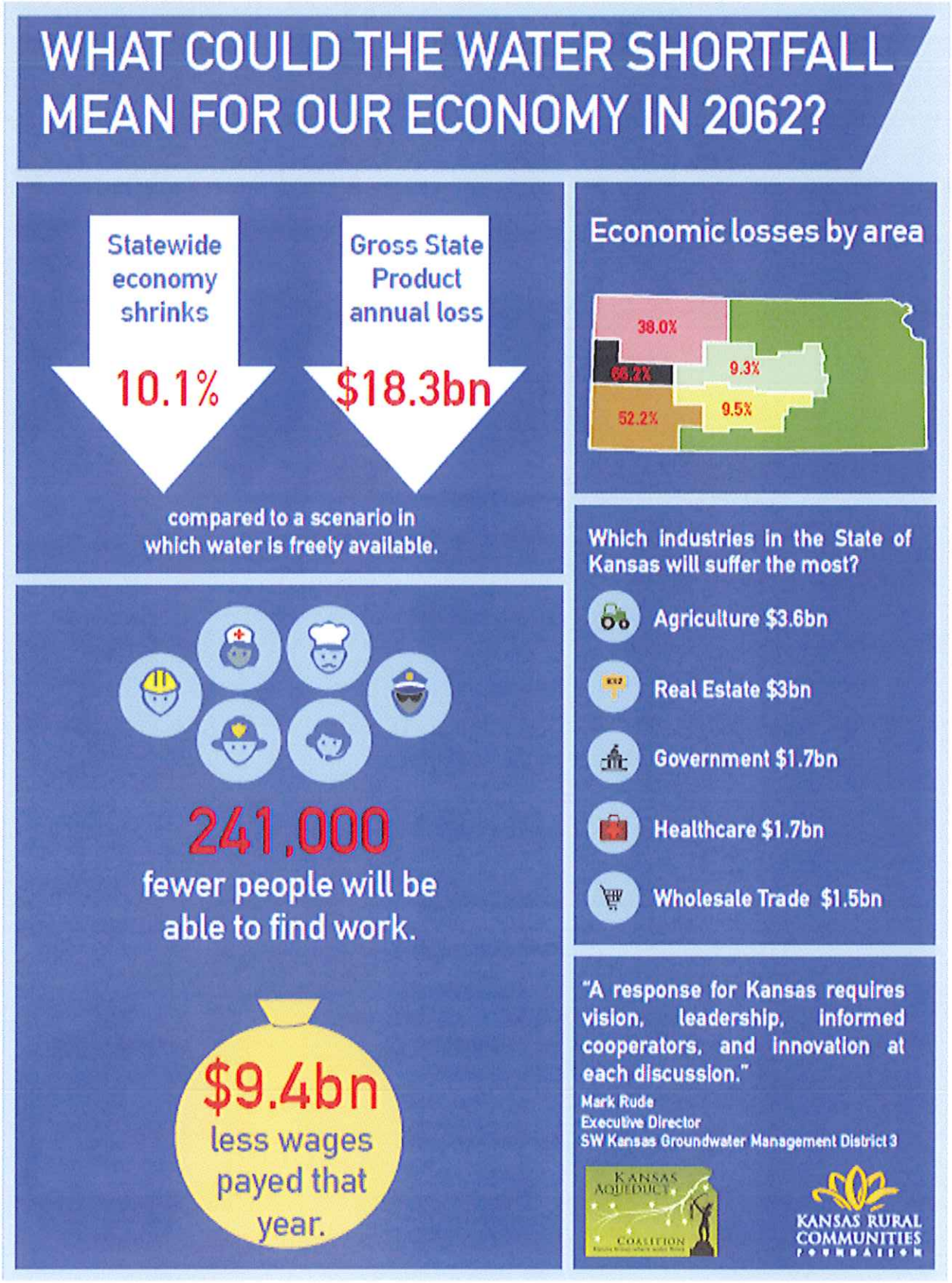


Kansas - Oklahoma Compact

Subbasin	Conservation Storage Allocation,	Available Transfer Allocations
1) Grand-Neosho River Basin	650,000 acre-feet	513,028 acre-feet
2) Verdigris River Subbasin	300,000 acre-feet	1,214,930 acre-feet
3) Mainstem Arkansas River	600,000 acre-feet	598,515 acre-feet
4) Salt Fork River Subbasin	300,000 acre-feet	295,967 acre-feet
5) Cimarron River Subbasin	5,000 acre-feet	5,000 acre-feet
	Total =	2.623 million acre feet

The Verdigris subbasin has an allocation above that allocated by the compact because it has been credited additional storage as a result of conservation storage constructed in Oklahoma.

Information from *The Economic Importance of Water in Kansas*, 2015. A Kansas Aqueduct Coalition funded study



Written testimony regarding The Blue Ribbon Funding Task Force for Water Resource Management: *Long-Term Vision for the Future of Water Supply in Kansas* (The Vision).

Dr. Howard Neibling, P.E.

Extension Water Management Engineer, University of Idaho

Thank you for the opportunity to provide public comments regarding this plan. Water is as important an issue in Idaho as it is in Kansas, and both states are confronting many of the same challenges, particularly the decline of water levels in major regional or local aquifers over time.

Because of my farm experience, training and work experiences, I am quite familiar with a number of issues related to water management. I have almost 40 years' experience in University Teaching, Research and Extension in the soil erosion /sedimentation and irrigation equipment design and management areas. I am the 5th generation of my family born and reared on grain and livestock farms in NE Kansas and I have BS and MS degrees in Agricultural Engineering from KSU, and a Ph. D. in Agricultural Engineering from Purdue University. I am a registered professional engineer in Idaho and Oregon.

Several components can be used singly or in combination to stabilize groundwater levels:

- Reduction in pumping (less water per acre or fewer acres irrigated),
- Groundwater recharge using surface runoff water or excess canal water when available,
- Import of water from areas of excess surface water,
- ...

Because of water law considerations, we are restricted to the first two options, with water use curtailment based on seniority of water rights, as established by the recently completed lengthy re-adjudication of all surface and groundwater water rights in the state. A major lawsuit between senior surface water users and junior groundwater users was settled this last year after 10 years in the courts. It provides among other things, that groundwater users must reduce pumping by an average of about 12-14%, groundwater recharge efforts will be greatly enhanced and the Snake River Plain aquifer water levels will continue to be monitored and the approach adjusted as needed to stabilize the aquifer.

Reduction in water use per acre can be achieved by adoption of more efficient irrigation technologies, more efficient water management practices, and changes in cropping mix to reduce seasonal irrigation water use. My colleagues in Kansas have done an excellent job in developing and promoting the best practices for each area of the state.

In some areas of Idaho, Nevada and California, even after adopting the most efficient equipment and practices, some level of reduction in irrigated acreage is required to stabilize aquifer levels. Several large areas of high-lift pumping have reverted to dryland production due consistent revenue deficits caused primarily by the cost of lifting water over 400-500 feet and then pressurizing it for irrigation.

Route B Water Transfer System

My primary interest at this point lies with the portion of the long term vision related to Collection and transport of Missouri River water to western Kansas to sustain irrigated acreage as the Ogallala aquifer continues to drop. Although water transfers are appealing, the bottom line in determining the feasibility of such projects must be the "bottom line" – can the farmer pay the cost of transferred water and still have an economically-viable operation? Therefore, all the elements that determine this cost are very important in the final evaluation of such projects. Based on my experiences and the experiences of colleagues in Idaho Power and In Washington, the work with high volume, high lift pumping from the Snake and Columbia Rivers, have concerns with a number of the costs used in this study. A number of costs are too low and will result in an artificially low cost per acre foot that cannot actually be achieved and sustained through long-term operation.

White Cloud Lake:

- Soils are silt loam and prone to piping. When at the University of Missouri as a faculty member in Agricultural engineering, I studied methods for reducing frequent and significant piping failures in the soils of the deep loess hills near Mound City. The soils at the proposed dam site are similar. For a 200 + ft embankment, what soil will be used for dam fill and how will piping be prevented?
- The Missouri River bluffs have a thick mantle of loess soil in places, how do you stabilize a joint between the dam and abutments? How fractured is underlying Limestone and how suitable as anchoring abutment?
- Interest rates are currently low, but most likely will not remain at these levels over the life of the project
- What is actual cost of electricity for this level of usage? 4.5 cents /kwh seems very low. Idaho has major low-cost hydroelectric and large pumping system costs are still around 7 cents/kwh
    - Assumed pump efficiency is too high ((82%). Similar applications in Idaho have efficiencies of around 65-70% efficiency, and in Washington, about 72-75%.
- Land costs are definitely not the same as used in the 1982 study. ($1300/ac is low for anywhere along the route and certainly low for the supply reservoir area (recent land sales are around $10K there).
- The 1982 study did not use a cost for supply reservoir area since it was described as primarily steep wooded slopes unsuitable for farming – they obviously did not visit the site.
- Increased earthquakes in OK and KS may be problematic for pipes and lined canals
- Cost/ac-ft is low due to land and pumping cost estimates. Cannot compare other large transfers like CAP or CA aqueduct because higher value, double-cropping and non-ag use can succeed with higher water costs. In western KS, primary crops are small grains and corn. Small grains use a little over half the water of corn and neither are of high profit margins.
- Sustainability is a growing trend. Crops produced with water from this project would definitely not be seen as sustainably produced.
- Evaporation losses appear to be understated.

Thank you again for the opportunity to share my experiences and observations.

Sincerely,

W. Howard Neibling

Dr. Howard Neibling, P.E.