



Water Conservation Areas

In April 2015, Kansas Governor Sam Brownback signed into law a bill allowing for Water Conservation Areas (WCAs), a simple, streamlined and flexible tool that allows any water right owner or group of owners the opportunity to develop a management plan to reduce withdrawals in an effort to extend the usable life of the Ogallala-High Plains Aquifer.

Who is eligible to form a Water Conservation Area?

Any groundwater water right owner or group of water right owners in an area of need of conservation may form a WCA. Water rights must be vested or certified in the same source of supply. Landowners with multiple water rights are eligible to group those rights into one WCA or multiple WCAs.

For the purpose of a WCA, an area in need of conservation must meet one or more of the following conditions:

- Groundwater levels in the area are declining or have declined excessively;
- Rate of groundwater withdrawal within the area in question equals or exceeds the rate of recharge in the area;
- Preventable waste of water is occurring or may occur in the area; or
- Unreasonable deterioration of the quality of water is occurring in the area.

Participation within a WCA is 100 percent voluntary and may also afford flexibilities that are not available to water right owners outside of a WCA or LEMA. These may include creating multi-year allocations, allowing the movement of allocations between enrolled water rights, or allowing the use of water for new uses.

WCAs do not make any permanent change in enrolling water rights and can be limited in duration to allow water right owners to try out the controls.

How is a Water Conservation Area developed?

Water right owner(s) meet with Kansas Department of Agriculture staff to review water rights and goals for the WCA and then develop a management plan to serve as the basis of the WCA consent agreement. The management plan should include names and contact information of the primary WCA representative, clear geographic boundaries, written consent of all participants, information regarding the state of the groundwater conditions, and conservation measures.

During the review process, KDA develops a consent agreement and order of designation. Once all participating water right owner(s) sign the consent agreement, the WCA can begin implementation. The process from the initial meeting to implementation of a WCA can take just a few months.

Help is available at any step during the process by contacting the Kansas Department of Agriculture, Division of Water Resources at (785) 564-6640.

The Chief Engineer will be responsible for monitoring and enforcement of any corrective control provisions in the WCA.

How is a Water Conservation Area different from a LEMA or IGUCA?

While the underlying goals of WCAs, LEMAs and IGUCAs are similar – to conserve water resources and extend the usable life of the aquifer – WCAs have the benefit of greater flexibility and 100 percent voluntary participation.

For more information, visit <http://agriculture.ks.gov/wca>

Attachment 5
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