

**M E M O R A N D U M**

**DATE:** April 16, 2010  
**TO:** Kansas Water Authority  
**FROM:** Nathan Westrup  
**SUBJECT:** Water Reservation Rights for Multipurpose Small Lakes

The Kansas Water Office is proposing to acquire, on behalf of the state, water reservation rights for the following lakes: Bone Creek, Jetmore, Mill Creek, Pony Creek, and Xenia. Similar to the Centralia Lake Water Reservation Right, signed by the Chief Engineer on November 6, 2009, water supply storage in Multipurpose Small Lakes program lakes may be held by the state until it is needed, without the need to perfect a water right.

The State Water Plan Storage Act in K.S.A. 82a-1303 states that the Director of the Kansas Water Office “. . . shall be authorized, subject to approval of the authority, to acquire on behalf of the state a water reservation right to divert and store the waters of all streams flowing into the conservation storage water supply capacity or into the conservation storage water quality capacity of any reservoirs in which the state controls storage space whether under contracts with the federal government or otherwise.”

Table summarizes....and details below...

<b>Multipurpose Small Lakes Summary</b>					
<b>MPSL</b>	<b>Amount of Total Storage (AF)</b>	<b>Amount of PWS Storage (AF)</b>	<b>Amount of PWS Storage owned by Sponsors (AF)</b>	<b>% Storage Owned by KWO</b>	<b>Reservoir Yield* (MGD)</b>
Bone Creek	17210	8922	4755	46.80%	2.95
Centralia	7459	824	0	100.00%	0.75
Jetmore	5900	585	0	100.00%	0.31
Mill Creek	986	293	147	50.00%	0.26
Pony Creek	2630	728	661	9.15%	0.65
Xenia Lake	1959	1352	162	88.00%	0.52

\*Projected yield after the sediment allocations have been subtracted  
 AF = acre-feet  
 MGD = million gallons per day

**Jetmore Lake**

This lake was completed in 1990 for a total cost of \$2,308,200. The Multipurpose Small Lakes Program contributed \$348,192; \$338,192 of that amount came from the Water Marketing Program. The Kansas Water Office holds 100% this water supply storage on behalf of the state until such time as a local sponsor repays the costs and takes ownership. The perfection period of the permit held by the Kansas Water Office will end on December 31, 2014.

### **Bone Creek Lake**

This lake was completed in 1996 for a total cost of \$5,841,465. The Multipurpose Small Lakes Program contributed \$2,900,000. Public Wholesale District No. 11 filed an application to appropriate 53.2 percent of the available municipal water supply concurrently with the Kansas Water Office. The Kansas Water Office controls the remaining 46.8 percent of the storage or 1.38 million gallons per day. The Kansas Water Office holds this water supply storage on behalf of the state until such time as a local sponsor repays the costs and takes ownership. The perfection period of the permit held by the Kansas Water Office will end on December 31, 2015.

### **Mill Creek Lake**

This lake was completed in 1994 for a total cost of \$979,405. The Multipurpose Small Lakes Program contributed \$460,296. The City of Alma acquired 50 percent of the available municipal water supply. The Kansas Water Office controls the remaining 50 percent of the storage or 0.13 million gallons per day. The Kansas Water Office holds this water supply storage on behalf of the state until such time as a local sponsor repays the costs and takes ownership. The perfection period of the permit jointly held by the Kansas Water Office and the city will end on December 31, 2012.

### **Pony Creek Lake**

This lake was completed in 1993 for a total cost of \$1,871,480. The Multipurpose Small Lakes Program contributed \$1,482,065. The City of Sabetha acquired 90.85 percent of the available municipal water supply. The Kansas Water Office controls the remaining 9.15 percent of the storage or 0.06 million gallons per day. The Kansas Water Office holds this water supply storage on behalf of the state until such time as a local sponsor repays the costs and takes ownership. The perfection period of the permit jointly held by the Kansas Water Office and the city will end on December 31, 2013.

### **Xenia Lake**

This lake was completed in 1997 for a total cost of \$2,016,000. The Multipurpose Small Lakes Program contributed \$933,663. Bourbon County Rural Water District No. 4 acquired 12 percent of the available municipal water supply. The Kansas Water Office controls the remaining 88 percent of the storage or 0.46 million gallons per day. The Kansas Water Office holds this water supply storage on behalf of the state until such time as a local sponsor repays the costs and takes ownership. The perfection period of the permit jointly held by the Kansas Water Office and the district will end on December 31, 2015.

**The KWO staff recommends that the Kansas Water Authority authorize the Director of the Kansas Water Office to acquire on behalf of the state, water reservation rights at Bone Creek, Jetmore, Mill Creek, Pony Creek, and Xenia lakes.**