

**Memorandum of Understanding  
Between the  
Kansas Water Office  
and the  
Kansas Department of Wildlife, Parks and Tourism**

This memorandum of understanding between the Kansas Water Office and the Kansas Department of Wildlife, Parks and Tourism is entered into to provide access to and withdrawal of water supplies from certain named state fishing lakes in Kansas for emergency use under conditions of a drought emergency declared by the Governor.

NOW, THEREFORE, it is understood the Kansas Water Office and the Kansas Department of Wildlife, Parks and Tourism agree to the following provisions to allow for access to and withdrawal of water supplies in certain named state fishing lakes in Kansas for emergency use under conditions of a drought emergency:

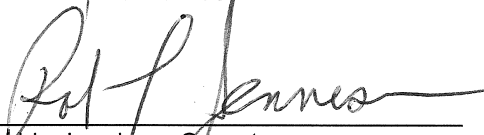
1. Emergency use would be allowed only upon declaration of a drought emergency by the Governor in the immediate area reasonably served by a specific lake for purposes of and subject to this agreement, as determined by the Kansas Department of Wildlife, Parks and Tourism.
2. The Kansas Department of Wildlife, Parks and Tourism reserves the right to assess a fee for users withdrawing water from state fishing lakes.
3. Eligible users shall make a request to withdraw water, as discussed, *infra*. After a request is made, the Kansas Water Office will provide certification of need to the Department of Wildlife, Parks and Tourism
4. The point of contact for inquiries about the availability of water from a specific state lake will be the appropriate Kansas Department of Wildlife, Parks and Tourism regional public lands supervisor.
5. The State of Kansas, the Kansas Department of Wildlife, Parks and Tourism, the Kansas Water Office and any other agencies of the state of Kansas and employees of the same are not responsible for the quality of water withdrawn from state lakes. Water users will be responsible for following Kansas Department of Health and Environment requirements for treating raw water to make it safe for human consumption.
6. Lakes available for such uses are listed in attachment A, which is incorporated by reference into this document. The Kansas Department of Wildlife, Parks and Tourism will designate the location (s) where pumping facilities may be set up to withdraw water from the lake. The users will be responsible for providing pumping equipment to pump water from the lake into appropriate containers for hauling. Pumping equipment must be temporary and not be left unattended.
7. All equipment used to acquire and transport water must be clean and free of untreated water or foreign materials to prevent the unintentional spread of Aquatic Nuisance Species. Accepted methods of cleaning equipment used by the applicant will be included in the permit obtained from the Department of Wildlife, Parks and Tourism.
8. The Kansas Department of Wildlife, Parks and Tourism will establish certain minimum pool elevations on each lake. When this level has been reached, no more water withdrawal will be allowed. At no time shall withdrawals detrimentally impact the fish population of the lake;

in the event the Kansas Department of Wildlife, Parks and Tourism determines such a detriment, withdrawals may be limited or eliminated, at the Department's discretion.

9. No water shall be made available for irrigation, industrial, recreation or hydropower purposes.
10. Water used under this agreement shall be for the purposes of domestic, public water supply and livestock purposes, as defined in K.S.A. 82a-701 et seq, *or regulations related thereto*.
11. A priority of the approved uses is established for the purposes of this agreement to ensure that limited water supplies are used appropriately. The priority order established for this MOU is domestic, municipal and then livestock uses, in that order.
12. No water shall be released for purposes of using a stream as a means of conveyance or as a source of water for any navigation.
13. Should facilities, such as roads, boat ramps, parking lots, etc., be damaged as a result of drought emergency uses, the user may be assessed and billed the cost of rehabilitation and/or repairs.
14. The user must have a permit issued by the Kansas Department of Wildlife, Parks and Tourism in their possession, when withdrawing water from the late.

Approved August 2, 2011  
Date

  
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Tracy Streeter, Director  
Kansas Water Office

  
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Robin Jennison, Secretary  
Kansas Department of Wildlife, Parks and  
Tourism

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**Attachment A;**  
Lakes designated for use under this agreement

The following state fishing lakes (hereinafter "SFL") will be available for drought emergency withdrawals under the terms of this agreement

Atchison SFL  
Barber SFL  
Brown SFL  
Bourbon SFL  
Butler SFL  
Chase SFL  
Clark SFL  
Crawford SFL  
Goodman SFL  
Jewell SFL  
Kingman SFL  
Leavenworth SFL  
Lyon SFL  
Pott#1 SFL  
Pott#2 SFL  
McPherson SFL  
Miami SFL  
Mined Lands (Pits)  
Neosho SFL  
Osage SFL  
Ottawa SFL  
Saline SFL  
Scott SFL  
Shawnee SFL  
Sheridan SFL  
Washington SFL  
Wilson SFL  
Woodson SFL