

# Kansas Water Authority

Virtual Meeting  
December 1, 2021

## *Options For Audio:*

- **Use Computer Audio via Zoom**  
**or**
- **Use your phone:**

Dial: (346) 248-7799

Meeting ID: 824 4311 1976

Passcode: 096678



# MEETING AGENDA

<i>Time</i>	<i>Agenda Item</i>	<i>Presenter</i>	<i>KWA Advice</i>	<i>KWA Decision</i>	<i>Page No.</i>
9:00 am	<b>Call to Order/Roll Call</b>	Dawn Buehler	--	--	--
9:05 am	<b>Approval of Meeting Minutes</b>				
	October 6, 2021 Meeting (Zoom)	Dawn Buehler		X	2
9:10 am	<b>KWA Public Water Supply Committee</b>	John Bailey			4
	Water Marketing Contract No. 21-2 – DG Co. RWD No. 3	Nathan Westrup		X	6
	Water Marketing Contract No. 21-4 – DG Co. RWD No. 6	Nathan Westrup		X	23
	Water Marketing Contract No. 21-3 – City of Hillsboro	Nathan Westrup		X	39
10:00 am	<b>KWA RAC Operations Committee</b>				
	RAC Membership	Jeremiah Hobbs		X	55
10:10 am	<b>Kansas Water Plan Update</b>	Matt Unruh	X		--
10:20 am	<b>KWA Annual Report to the Governor and Legislature</b>	Matt Unruh		X	56
11:10 am	<b>Black Vermillion Water Quality Success Story</b>	Travis Sieve	X		--
11:40 am	<b>Director's Report</b>	Connie Owen	X		--
11:50 am	<b>New Business</b>				
12:00 pm	<b>Adjourn</b>				

# Call to Order/Roll Call

Call to Order/Roll Call; *Dawn Buehler*

# Minutes

Presented by: Dawn Buehler



Action Needed

Approval of minutes from:  
October 6, 2021

# PWS Committee Update

Presented by: John Bailey & Nathan Westrup

# KWA PWS Committee Meeting

## November 19, 2021

### Items proposed for action:

- Consider recommendation to KWA on negotiated Water Purchase Contract No. 21-2 with Douglas Co. RWD No. 3, Clinton Lake
- Consider recommendation to KWA on negotiated Water Purchase Contract No. 21-4 with Douglas Co. RWD No. 6, Clinton Lake
- Consider recommendation to KWA on negotiated Water Purchase Contract No. 21-3 with the City of Hillsboro, Marion Reservoir

- 1) Surplus Report – Brief update
- 2) Clinton Lake water supply
  - 1) Overview of Clinton
  - 2) Action: Douglas Co. RWD 3 and 6 contracts – Committee recommendation
- 3) Marion Reservoir
  - 1) Overview of Marion and system
  - 2) Action: City of Hillsboro contract – Committee recommendation

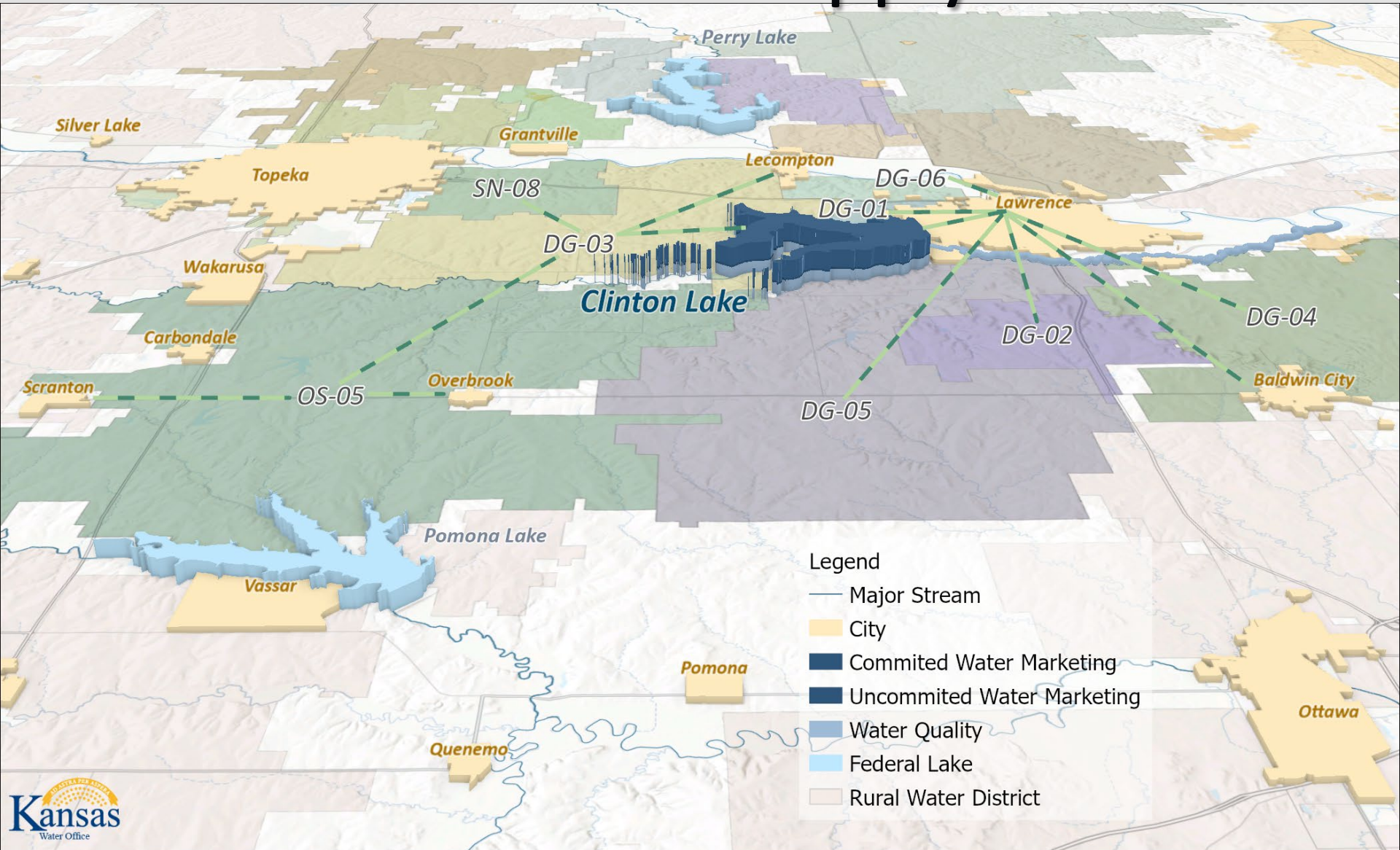
# Considerations for Decision

In accordance with **K.S.A. 82a-1311a(c)**, the Kansas Water Authority shall consider the following items in determining whether the proposed contract is in the best interest of the people of the State of Kansas and whether benefits to the State for approving the contract outweigh the benefits to the state for not approving the contract.

- (1) The present and future water supply needs of the applicant;
- (2) any current beneficial uses being made of the noncontracted water proposed to be diverted;
- (3) any reasonably foreseeable future beneficial uses of the water;
- (4) the economic, environmental, public health and welfare and other benefits or adverse impact of approving the contract;
- (5) alternative sources of water available to the applicant;
- (6) the preliminary plan of design, construction and operation of any works or facilities used in conjunction with carrying the water to its point of use;
- (7) whether the proposed purchase is consistent with the state water plan approved by the legislature;
- (8) the date of receipt of the application to contract for withdrawal and use of water;
- (9) minimum streamflow requirements; and
- (10) whether the applicant has adopted and implemented a water conservation plan.



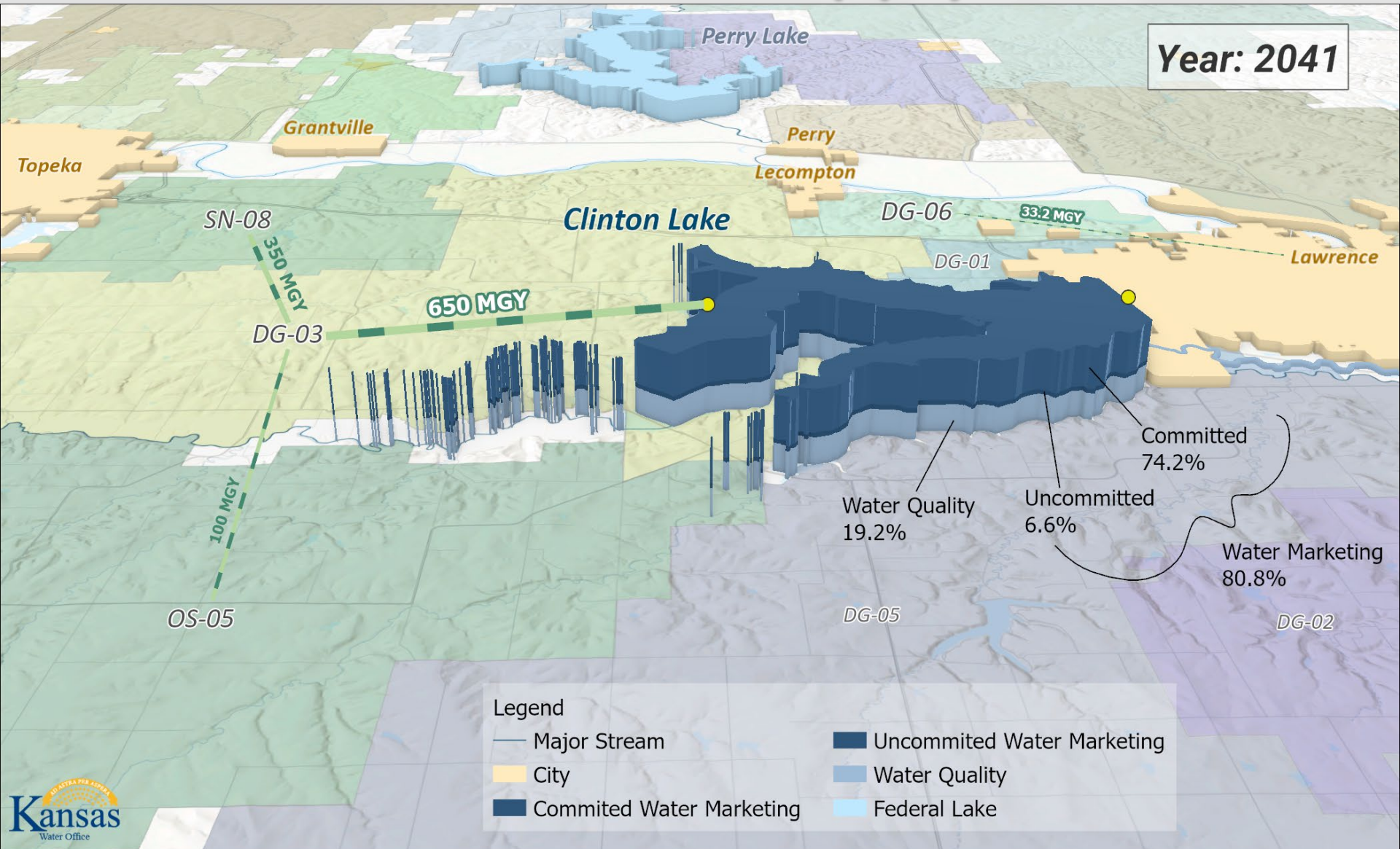
# Clinton Lake Water Supply





# Clinton Lake Water Supply

Year: 2041



# Douglas County Rural Water District No. 3

- Water Purchase Contract No. 79-1
  - Expires 12/13/21
  - Quantity, 684MGY
- Request for renewal
  - Application received 3/4/21
  - Request to begin negotiations approved by KWA on April 26, 2021

# Douglas County Rural Water District No. 3, Contract Negotiations

- Water Purchase Contract No. 21-2
  - Negotiated terms
    - Quantity reduced from 684 MGY to 650 MGY
    - Term of contract, 20 years rather than the typical 40
    - No change to Place of Use, Point of Withdrawal, and “anti-hoarding” language – Article 6(c)
  - Non-standard clauses added
    - Article 6(d) – Quantity contingent on agreements with Osage RWD No. 5 and Shawnee RWD No. 8
    - Article 16(c) – Tri-District Water Authority

# Douglas Co. Rural Water District No. 6

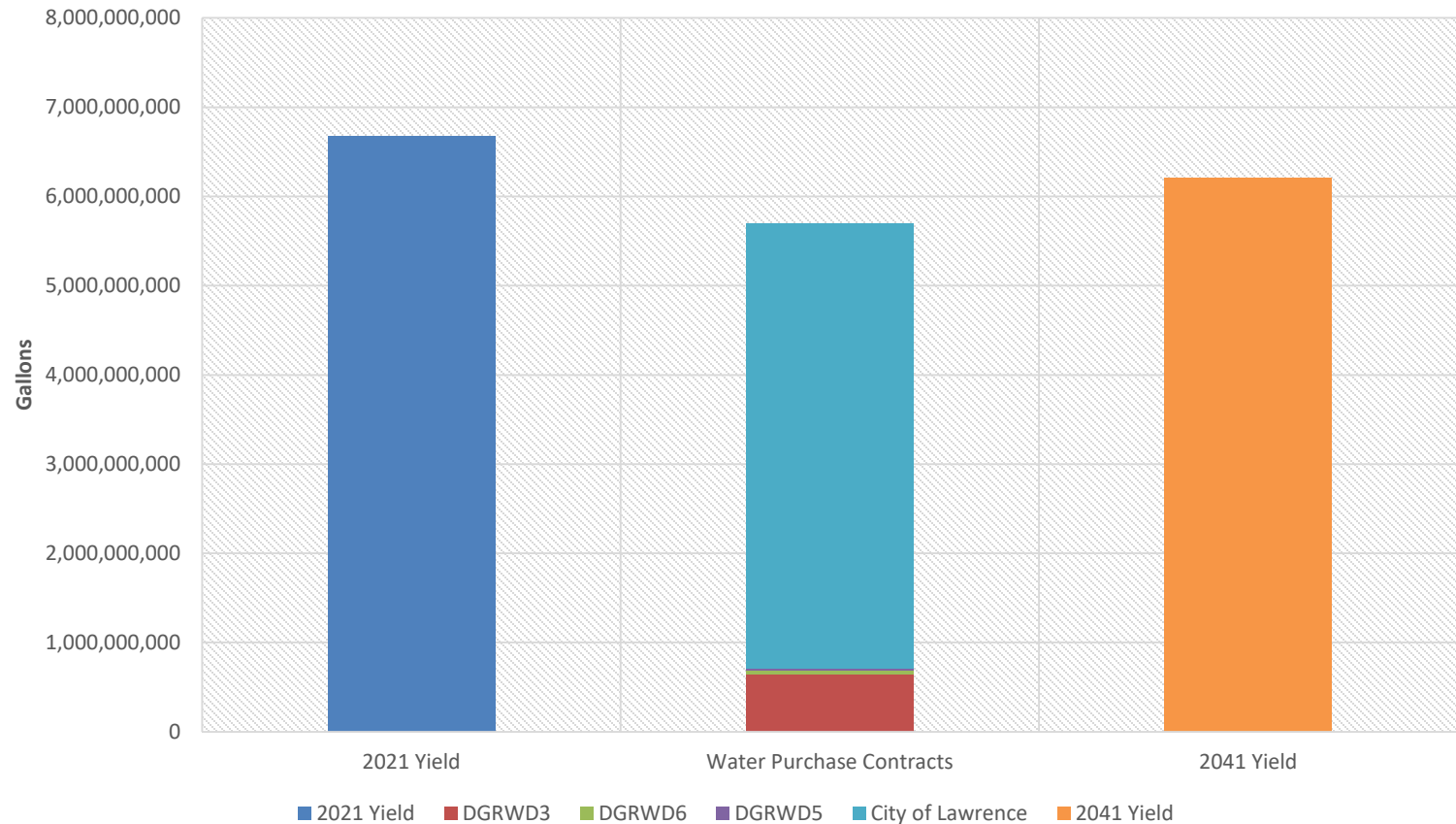
- DG RWD No. 6 – Current contracts
  - Water Purchase Contract No. 79-2 (Capped rate)
    - Expires 12/13/21
    - Quantity, 23.76 MGY
    - Application for renewal – received 06/16/21
  - Water Purchase Contract No. 90-2 (variable rate)
    - Expires 12/31/30
    - Quantity, 9.5 MGY
- DG RWD No. 6 – Application
  - Application No. 260
    - Proposed term – 40 years
    - Proposed quantity – 33.2 MGY
    - Proposed consolidation
      - *The District has requested termination of WPC No. 90-2, incorporating the quantity into a single contract*
- Request to begin negotiations approved by KWA on August 17, 2021

# Douglas County Rural Water District No. 6, Contract Negotiations

- Water Purchase Contract No. 21-4
  - Negotiated terms
    - Proposed quantity accepted, 33.2 MGY
    - Term of contract, 20 years rather than the typical 40
    - No change to Place of Use, Point of Withdrawal, and “anti-hoarding” language – Article 6(c)
  - Non-standard clause added
    - Article 20, Rescission of Prior Agreements
      - Water Purchase Contract No. 90-2 will be rescinded upon execution of WPC No. 21-4
  - Noteworthy – District in the process of updating water conservation plan

# Clinton Lake Water Supply

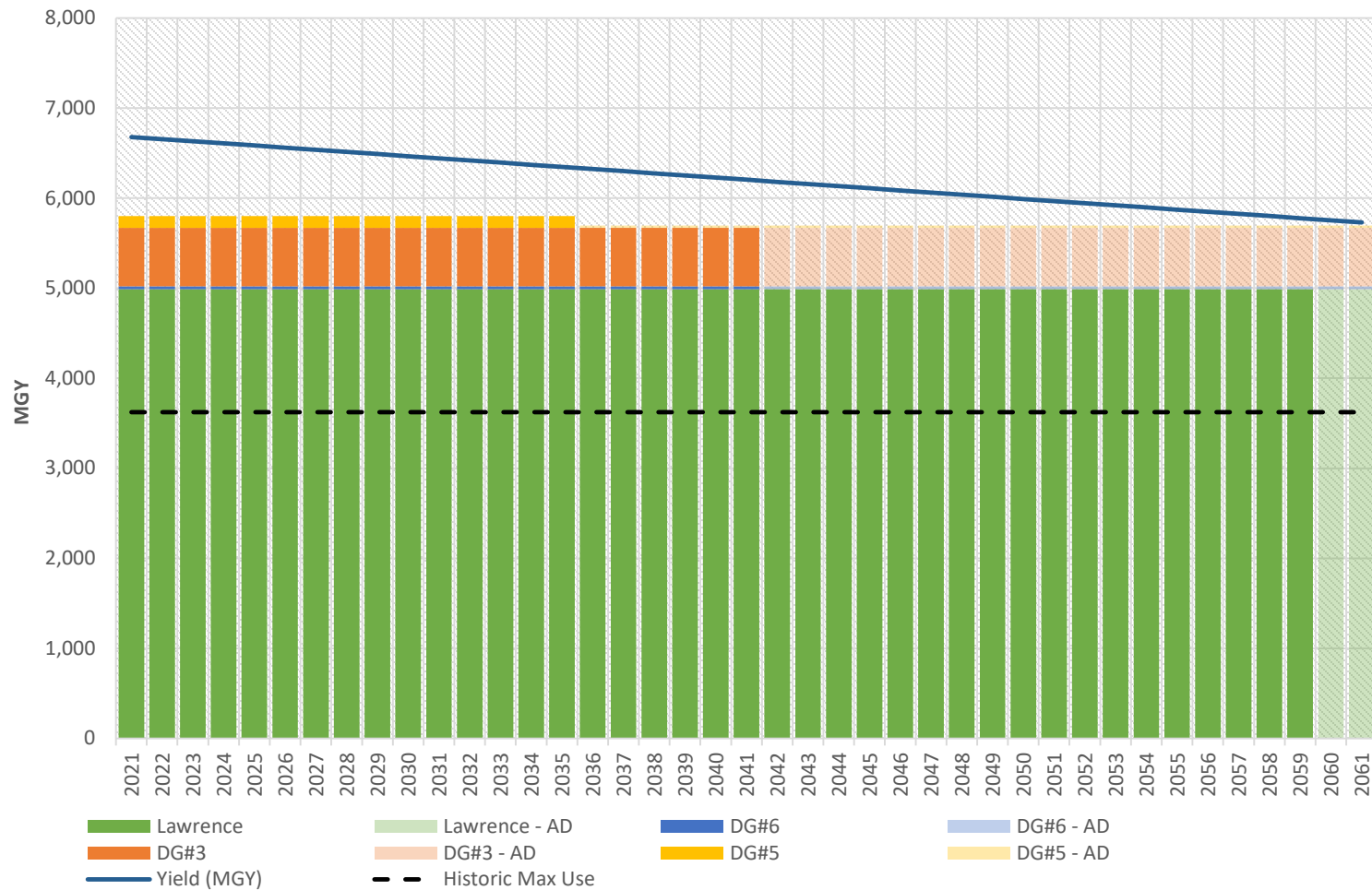
Clinton Lake - Yield & Contractual Obligations





# Clinton Lake Water Supply

Clinton Lake Water - Yield and Contracts (2061 Projection)





# PWS Committee Action

- KWO recommends approval of Water Purchase Contracts 21-2 and 21-4, as negotiated
- KWA/PWS Committee members, in attendance, recommend approval of Water Purchase Contracts 21-2 and 21-4, as negotiated
- KWA action needed

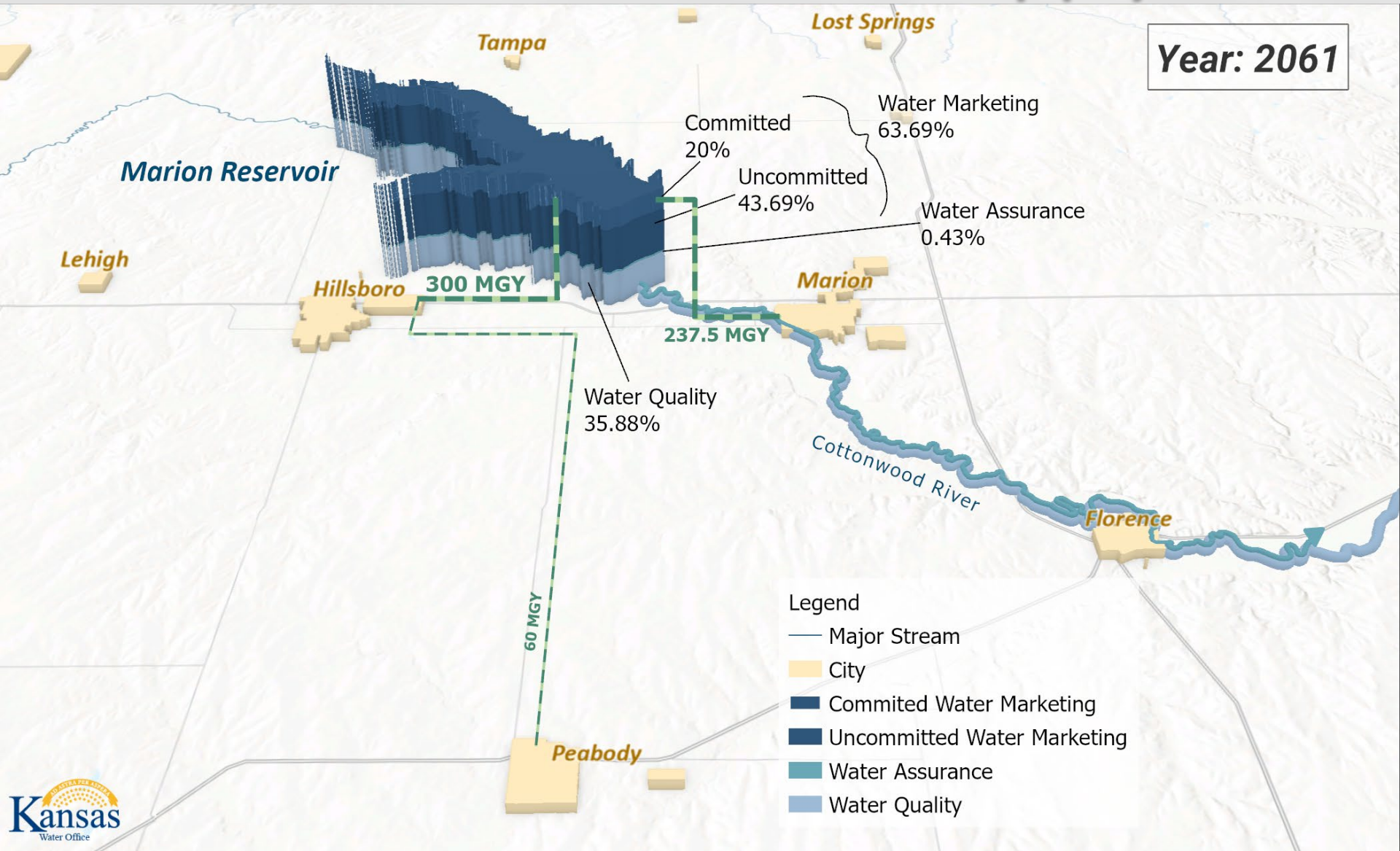
# Marion Reservoir Water Supply





# Marion Reservoir Water Supply

Year: 2061



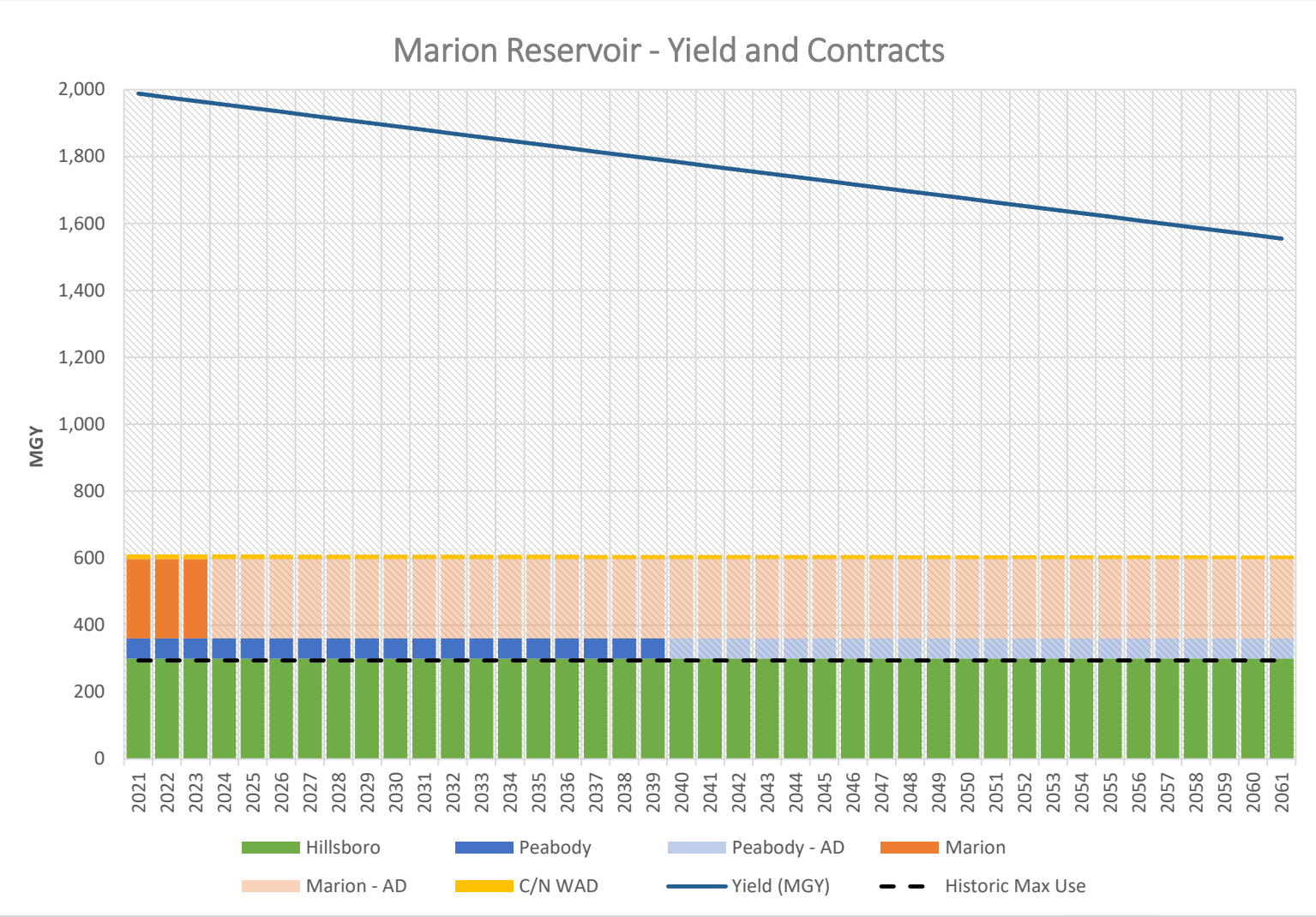
# City of Hillsboro

- Current Water Purchase Contract No. 80-1
  - Expires 12/22/21
  - Quantity, 300 MGY
- Request for renewal
  - Application received 06/04/21
  - Request to begin negotiations approved by KWA on June 23, 2021

# City of Hillsboro

- Water Purchase Contract No. 21-3
  - Negotiated terms
    - Proposed quantity accepted, 300 MGY
    - Term of contract, 40 years
    - No change to Place of Use, Point of Withdrawal, and “anti-hoarding” language – Article 6(c)
  - No non-standard clauses added

# Marion Reservoir Water Supply



# PWS Committee Action

- KWO recommends approval of Water Purchase Contract 21-3, as negotiated
- KWA/PWS Committee members, in attendance, recommended approval of Water Purchase Contract 21-3
- KWA action needed



# KWA RAC Operations Committee

Presented by: Jeremiah Hobbs



## Action Needed

- RAC Membership Appointments

# RAC Membership

## MEMO



DATE: November 10, 2021  
TO: Kansas Water Authority  
FROM: Jeremiah Hobbs, RAC Ops Committee Chair  
RE: RAC membership

900 SW Jackson Street  
Topeka, KS 66612  
Phone: (785) 296-3185  
Fax: (785) 296-0878  
KWO.ks.gov

The KWA Regional Advisory Committee (RAC) Operations Committee met November 10, 2021, via GoTo meeting. Discussion during the conference call focused on the following topics:

- Membership applications for the Cimarron, Marais des Cygnes, Missouri and Kansas RACs.

The Committee reviewed and discussed the applications for membership on the above noted RACs for currently vacant positions. The following membership recommendations were approved by the RAC Operations Committee for these vacancies:

- Recommend Adam Gerrond be considered for the Conservation/Environment (cc) category on the Cimarron RAC with a term expiration of June 2025.
- Recommend Ray Samuel be considered for the open Planning & Zoning category that will be renamed to At Large Public 3 category on the Marais des Cygnes with a term expiration of June 2025.
- Recommend Mike Stec be considered for a category change from the Public Water Supply 2 to the Industry/Commerce (cc) on the Missouri RAC with a term expiration of June 2023.
- Recommend Doug Allen be considered for the open Public Water Supply 2 category on the Missouri RAC with a term expiration of June 2025.
- Recommend Ian Fannin-Hughes be considered for the open Planning, Restoration & Protection category on the Kansas RAC with a term expiration of June 2025.

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*The KWA RAC Operations Committee recommends KWA approval of the applications for membership on the Cimarron, Marais des Cygnes, Missouri and Kansas as indicated above.*

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# Kansas Water Plan Update

KANSAS WATER PLAN

Presented by:  
Matt Unruh

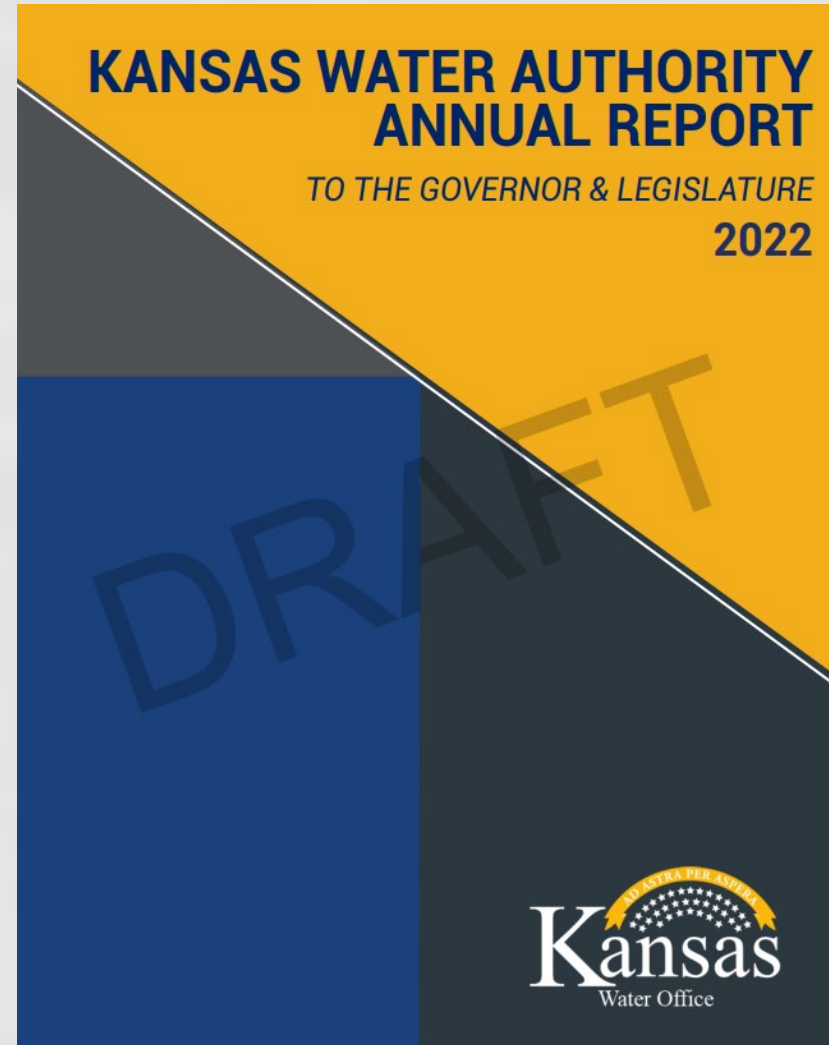


# KWA Annual Report to the Governor and Legislature

Presented by:  
Matt Unruh



Action Needed



# RECOMMENDED NEXT STEPS

- KWO recommendation of KWA approval of the Annual Report to the Governor and Legislature with editorial license.
- Any additional KWA comments requested to be submitted to Katie Ingels by 12/10
- Following review of comments and accompanying revisions, report finalized and delivered to the Governor and Legislature at beginning of 2022 Legislative Session

# Black Vermillion WQ Success Story

Presented by: Travis Sieve

# Director's Report

Presented by: Connie Owen



# New Business

# Adjourn

Next Meeting:

January 26-27, 2022

Topeka, KS

Legislative Visits & Full KWA Meeting

Future Meeting Date Holds:

- 4/20/2022
- 6/22/2022
- 8/17/2022
- 10/19/2022
- 11/2022 *Governor's Water Conference*
- 12/14/2022