

Press Release

FOR IMMEDIATE RELEASE

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Hays/Russell Water Transfer Application Approved

On February 5, 2024, the Cities of Hays and Russell received a favorable ruling on their Application to Transfer Water from the R9 Ranch. Judge Matthew Spurgin, an Administrative Law Judge from the Kansas Office of Administrative Hearings, issued an Initial Order approving the Cities' Water Transfer Application, furthering the Cities' effort to develop a long-term sustainable water source.

The Initial Order must be reviewed by the Water Transfer Hearing Panel. Panel members are the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources, the Director of the Kansas Water Office, and the Director of the Department of Health and Environment, Division of Environment. The Panel's Final Order is expected in May.

The Kansas Water Transfer Act, K.S.A. 82a-1501, et seq., requires the Panel's approval of projects that propose to transport 2,000 acre-feet of water or more per year for beneficial use more than 35 miles from the source.

If approved by the Panel, Judge Spurgin's Order paves the way to transfer up to 6,756.8 acre-feet of water per year from the R9 Ranch in Edwards County to the Cities of Hays and Russell.

Purchased by the Cities in 1995, the R9 Ranch covers approximately 6,800 acres in Edwards County and includes almost 8,000 acre-feet of water rights. It represents the most economically viable and drought-resistant long-term water supply for Hays and Russell.

Hays Mayor Shaun Musil said, "This is a huge win for Hays, Russell, and the region. It would not be possible without the buy-in of the community and our commitment to conservation for many years. The R9 will provide a sustainable supply of water for more than 50 years."

Russell Mayor Jim Cross said, "Monday's ruling is tangible proof of the foresight of both communities to ensure we have a reliable and long-term water supply vital to our economies. The communities of Russell and Hays understand the importance of water conservation which extends to the R9 as the communities will use less water from the R9 than when it was farmed."

Hays and Russell are the water conservation leaders in the State of Kansas and have voluntarily agreed to using the R9 water sustainably. By converting the R9 to municipal use, it is anticipated that the aquifer will be benefitted by 225,000 acre-feet of water, when compared to normal irrigation practices. Hays and Russell are located in an area with limited local water availability that is highly susceptible to shortage. The lack of an adequate local supply, coupled with recurring drought, is a major threat to the growing Cities and the surrounding regional economy.

Irrigation infrastructure at the R9 was removed and the property has been converted to native grass. Last fall it was opened to the public via the Kansas Department of Wildlife & Parks Walk-in Hunting Access program. Design is currently underway for the wellfield/pipeline project and is anticipated to conclude in July of 2025. The project is expected to take two years to construct.

The order can be read at:

<https://www.haysusa.com/DocumentCenter/View/6300/R9-Transfer-Order>