

Keeping Up With the RWD Boundaries is a Challenge

This past September, I received a phone call from a fairly new bookkeeper of a rural water district in Osage County. She seemed a little frustrated about the inconsistencies with the boundaries of the RWD she worked for. The map that the county has shows boundaries being different than the boundaries that KRWA shows on its website. Without seeing the actual boundary that the county has, my guess was that they had the boundary from the original construction back in 1965, and that there was just an assumption that the district's territory covered certain areas because a waterline was perhaps installed there after the original project was constructed.

Every RWD should have a copy of their articles of incorporation. Those documents are what the county acted on to create the new district. Those documents should have included a description in metes and bounds of the area being incorporated for the district.

In 1994, KRWA, with the support of KDHE, saw a need to document the boundaries of all the RWDs in the state. Every RWD in Kansas was visited in person by someone from KRWA to review original boundary descriptions and to note any attachments of land that had been made, or deletions, or consolidations. This was “pre-digital era” and a hard copy of the book showing the boundaries and demographics of each district was produced with the assistance of the Kansas Water Office. In 2001, those boundaries were digitized. I can tell from experience, reading legal descriptions while drawing RWD boundaries is not my favorite thing to do, as I always find myself double checking the

The screenshot shows the KRWA website's 'RWD Maps' page. At the top is the KRWA logo and a navigation menu with links for ABOUT, ONLINE RESOURCES, TECHNICAL ASSISTANCE, TRAINING, CONFERENCE, and MEMBERSHIP. Below the navigation is a heading 'Boundaries for Rural Water Systems Mapovers' with a location pin icon. There are two instructions: 'Mouseover the counties map to see the name of the county, then click to go to that county's detailed page to find associated districts via high res pdf map.' and 'Mouseover the counties to see more, then click to go to that county to find associated districts.' A map of Kansas is displayed, showing county boundaries. To the right of the map is a list of Kansas counties, organized in three columns. Below the map is a link: 'Look up contact information in our systems directory. More about these maps & their accuracy...'

Allen	Greeley	Osborne
Anderson	Greenwood	Ottawa
Atchison	Hamilton	Pawnee
Barber	Harper	Phillips
Barton	Harvey	Pottawatomie
Bourbon	Haskell	Pratt
Brown	Hodgeman	Rawlins
Butler	Jackson	Reno
Chase	Jefferson	Republic
Chautauqua	Jewell	Rice
Cherokee	Johnson	Riley
Cheyenne	Kearny	Rooks
Clark	Kingman	Rush
Clay	Kiowa	Russell
Cloud	Labette	Saline
Coffey	Lane	Scott
Comanche	Leavenworth	Sedgwick
Cowley	Lincoln	Seward
Crawford	Linn	Shawnee
Decatur	Logan	Sheridan
Dickinson	Lyon	Sherman
Doniphan	Marion	Smith
Douglas	Marshall	Stafford
Edwards	McPherson	Stanton
Elk	Meade	Stevens
Ellis	Miami	Sumner
Ellsworth	Mitchell	Thomas
Finney	Montgomery	Trigo
Ford	Morris	Wabaunsee
Franklin	Morton	Wallace
Geary	Nemaha	Washington
Gove	Neosho	Wichita
Graham	Ness	Wilson
Grant	Norton	Woodson

KRWA has posted all 260-plus rural water district boundaries on its website at <https://krwa.net/ONLINE-RESOURCES/RWD-Maps>. Districts are encouraged to advise KRWA of any correction that needs to be made.

boundaries, as all of the section numbers start to read similar.

Another issue that concerned the bookkeeper in Osage County was that a few areas of the district had waterlines that extended outside of the boundary on the district's map. That's not the way it is supposed to be but it is not an uncommon occurrence in Kansas. If a farmer who is a half-mile outside of the district boundary needs an emergency connection, and no other district is in proximity, then usually the closest district will agree to the extension. The installation of the pipeline is the problem at hand. What is often overlooked is for the district to go through the process of legally attaching the new tracts that are served to the existing district. Legalities aside, too often the district then doesn't even note the additional tracts on any map. Situations such as this may not seem important at the time, but they often

result in disputes. A neighboring district may not be close to that farmer right now, but I've seen numerous districts expand and take on sometimes hundreds of new customers at one time. By keeping district boundaries updated, the district can protect itself from future legal disputes, but potential customers also will have clarity as to which system can legally provide service. If a city is considering an annexation, any neighboring RWD needs to be able to demonstrate their legal boundary. Usually questions or disagreements are worked out in a civil manner, but not always. I'm sure many readers of this article have either heard of or read about a RWD vs. RWD, or City vs. RWD legal dispute because of territorial disputes.

A city annexation of land within a RWD boundary is provided by state law. Neighboring RWDs that have verified boundaries to show what

The screenshot shows the Kansas Rural Water Association website. At the top, there is a navigation menu with links for ABOUT, ONLINE RESOURCES, TECHNICAL ASSISTANCE, TRAINING, CONFERENCE, and MEMBERSHIP. Below the menu, there are three main sections:

- Water & Wastewater Training:** A photo of a training session with a presenter and an audience. Text below reads: "KRWA sponsors the most cost-effective water and wastewater training in Kansas. Earn operator..."
- THE LATEST NEWS:** A news article titled "Weekly News - Oct. 8, 2018" dated 10/08/2018. The headline is "Bureau of Reclamation Selects Kansas Projects to Receive WaterSMART Grants to Improve Water Efficiency". The text states: "The U.S. Bureau of Reclamation last week announced the selection of 54 projects nationally to receive a total of \$26.5 million through WaterSMART water and energy..."
- Register for Training Sessions:** A calendar for November 2018 showing training sessions on various dates.

 At the bottom of the news section, there is a link to "read this news story | view all news" and a promotional graphic for a "District Address" interactive tool with the text: "Which Rural Water District Am I In? District Address Who Do I Call? RWD Systems and Cities please Update Your Contact Information so KRWA can better serve you."

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territory is within the boundary are at an advantage versus a district that cannot document its legal boundary. There isn't a whole lot that goes into changing a RWD boundary either. The side bar shows the pertinent state statutes that deal with the matter. It is all accomplished at the local level and there's really no reason that the local

system could not prepare the documents necessary for the county to act on the request for attachment.

Having district boundaries up-to-date for the county is the first step. That's the most crucial part of this, as that will be the avenue other systems will be steered toward when looking for this information. Today, many counties

with GIS departments are able to display the RWDs that serve the county online. KRWA's website (see <https://krwa.net/ONLINE-RESOURCES/RWD-Maps>) has maps of all RWDs by county. When changes are made, it is important to share those changes with others in government and KRWA. KRWA receives several phone calls every week, either from prospective landowners, realtors, or RWD staff, wanting to know the location of RWD services. There are times when these questions concern a certain location that is between districts. KRWA staff always explain that most of the boundaries that KRWA and counties have are more than ten years old, and that

"rural water" maybe available in the area even though the location is not within the boundary of any district.

Having up-to-date boundaries that are available to all the appropriate entities, easily accessible online, and on a large wall map, can help make decision-makers' jobs more efficient when it comes to understanding service areas. Though it may seem like a minuscule matter at the time of extending a line outside of the legal boundary, it can turn into an extremely important matter real quick in the future.

KRWA wants to be of service to all water districts in having accurate boundaries. Check the KRWA website to review any district. If anyone knows of changes or updates that need to be made, KRWA would appreciate being made aware of them. Send an email to me at Mark@krwa.net or call the office at 785.336.3760.

Kansas Statutes governing RWDs . . .

Kansas statutes pertaining to organization of rural water districts are K.S.A. 82a-612 through 82a-647.

The following state statutes address attachment and release of lands for rural water districts in Kansas.

- ◆ K.S.A. 82a-622. Attachment of adjoining lands, when; petition, contents.
- ◆ K.S.A. 82a-623. Attachment of adjoining land to water district; procedure; notice and hearing upon petition.
- ◆ K.S.A. 82a-624. Findings of board; new boundaries; subscription to benefit units by landowners of attached territory.
- ◆ K.S.A. 82a-637. Rural water districts; transfer of assets, properties, funds and records of certain districts to city or board of public utilities of city; agreements between district and city or board of utilities; outstanding indebtedness and obligations; water service and rates; approval of U.S. secretary of agriculture.
- ◆ K.S.A. 82a-639. Consolidation of rural water districts; duties of board of county commissioners.
- ◆ K.S.A. 82a-646. Release of lands from district.
- ◆ K.S.A. 82a-647. Release of lands from district; alternative procedure.

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Scholarship Opportunity

The Kansas Rural Water Association Scholarship Committee established a college scholarship in the amount of \$1,000 in 2016. This notice announces the scholarship application process for the 2019-2020 school term. The Scholarship will awarded to a graduating high school senior. Applicants are limited to be children, stepchildren or under guardianship of full-time employees of either an Active Member System of the Kansas Rural Water Association or employees of the Association.

This Scholarship is designated as the Dennis Schwartz Scholarship in honor of Dennis Schwartz who served on the Association Board of Directors from 1977 to 2014 and who has served on a host of state and national committees including the National Rural Water Association, National Drinking Water Advisory Committee and the Kansas Water Authority.

The Scholarship will be paid in two installments: 1) half for the 2019 fall semester; 2) half for the 2020 spring semester upon proof of enrollment and continued study. The award will be issued directly to the applicant and not to the college, university or institution of higher learning.

Applicants must include a copy of his/her transcript for the seven semesters of high school with the application.

Applicants must complete the application form in its entirety by completing all blanks and signing the application. The applicant must include one letter of reference by a teacher or school counselor.

The recipient of the Dennis Schwartz Scholarship award will be announced at the 2019 KRWA Annual Conference & Exhibition, March 27, 2019. Applications must be postmarked no later than February 1, 2018, and mailed to:

Kansas Rural Water Association
ATTN: Scholarship Committee
PO Box 226
Seneca, KS 66538

The application and rules can be found online at www.krwa.net (under "Online Resources" and then "Scholarship Opportunity"). Please contact the KRWA office at 785-336-3760 if you wish to have the application mailed or emailed to you. When downloading this file, save it to your computer and then complete it, save it again, then print and mail to the address above.



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