

## ***September 2014 Issue***

Dear Chapter 25,

Hey to all! This is one of my favorite times of year. The Fall season is a wonderful transition from the long, hot Summer days to days that begin with a cool crisp in the air and ends with a pleasant warmth. The smells that fill the air signal the upcoming harvest season that the farmer has long waited for their crops to reach the peak for gathering. And of course Fall would not be Fall without all of the magnificent colors that appear over the next couple of months. Take the time and pause your fast paced life and take a look, a smell and enjoy all that is around this time of year.

Fall is also the time of year that the Region 5 of the IRWA meets together for the biannual forum to discuss the progress of the last 6 months and grasp a vision for the upcoming months ahead. A time to discuss lessons learned of what has worked in each chapter and what was a challenge or struggle. The upcoming IRWA regional forum will be hosted by the Bluegrass Chapter 25 this year in Louisville at the Marriott – Louisville East on October 10 & 11th. It will begin on Friday night with what is now known as the annual chili cook-off. The competition has been fierce over the past few years; however, this year it has been threatened that some of the out of towners plan to crash the locals with some of their secret recipes. As they like to say, "Game on!" It will be a great way for the regional chapters to commingle and get to know one another while enjoying some good food.

One of the main goals of the Chapter 25 Board is to serve its membership in a way that will benefit the Chapter as a whole. We are constantly striving to plan general membership meetings that are informative and interesting to all that attend. We would love to hear from the general membership of topics that would interest you or you have been involved with over the years. Those topics may be submitted to anyone that is currently on the Chapter 25 Board. Our second goal is to have a wide array of training opportunities that is available in close proximity to our membership. Those of you that are seeking a designation or certification, inform Mike Penick and/or Bill Busch of what additional training courses you need to fulfill these goals and milestones.

Just remember, the benefits of being an IRWA member comes from being involved and active. There are many opportunities to learn from the seasoned veterans and to grasp knowledge from the up and coming. Take the time to be an active member.

Hope to see you at the Fall Forum in October.

**Leigh A. Karr, SR/WA**

## 2014-2015 Officers

President: Leigh Alden Karr, SR/WA

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Treasurer: Matt Chapman, MAI

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International Directors: William L. Busch, SR/WA &  
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Education: Mike A. Penick, SR/WA, RW-EC

Engineering Liasion: Debby Taylor, PE

Land & Economic Studies: Matt Chapman, MAI

Local Public Agency: James Wray

Membership: W.Clement Russell

Newsletter Publisher: Jessica Grivna

Professional Development: William L. Busch, SR/WA

Relocation: Chad Cutsinger

Roster: Morris L. Smith

Transportation: Bruce Napier, SR/WA

Valuation & Website: William R. Cox, SR/WA

# Chapter Celebrations



**Congratulations to IRWA Treasurer, Matt Chapman & his wife, Michelle on the birth of their daughter Carmen in August 2014**

**IRWA Chapter 25  
Welcomes the following  
new members:**

*Stephanie Blain*

*Kevin Damron*

*Spence Hale*

*David Lindeman*

*Jon Totty*

*Derrick Young*

## **Our Foundations Say..... Thank You For Being A Friend!**

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IRWA is fortunate to have two Foundations working to generate funding for educational products. With one core mission, both the Right of Way International Education Foundation (RWIEF) and the Canadian Right of Way Education Foundation (CRWEF) raise funds to expand and enhance education materials and professional development tools for right of way practitioners worldwide. Besides the important work of raising funds, these events are just plain FUN!

### **Support for Right of Way Education at IRWA's Hartford Education Conference Was Fantastic!**

This year's Monday night event was a terrific science experiment! Held at the Connecticut Science Center, the event featured the Center's five floors of interactive science exhibits, along with excellent eats, drinks and music. The event closed out with the ever-entertaining live auction including aggressive bidding for the infamous President's doll. Thanks to dedicated sponsors, this wildly successful event raised proceeds of approximately \$46,000.

Hosting their 18th annual golf tournament, the RWIEF and CRWEF sent 132 golfers out onto the beautiful (but tricky) Tower Ridge Country Club. The course, nestled into the Talcott Mountain Range, invited creative shot making and offered gorgeous long-distance views. This year's outing raised approximately \$31,000.

### **So What Do You Get Out Of This?**

For starters, a much bigger bang for your education buck. IRWA is the unsurpassed source of right of way education programs and professional development tools worldwide. But IRWA cannot provide the level of programming currently enjoyed without subsidies. Since the 2005 Education Summit, RWIEF and CRWEF have funded approximately \$1,290,000 in new course development, updates to existing courses, leadership training and the new Principles of Right of Way text. This financial support makes a tremendous difference in the number, variety and quality of IRWA's educational products, benefiting all product users.

Even if you haven't yet taken an education course, you have benefited as a networking member of IRWA. Profits from course sales go directly to IRWA's general operating budget providing for member services, annual conferences, production of Right of Way Magazine and the IRWA website, as well as organizational support for chapters, regions and committees.

### **Contributions Connect Us All**

Giving back to one's profession instills a sense of pride, makes a positive difference in our industry and illuminates the path for younger people entering the industry. Contributing to our common good connects us to others and makes us better people and better professionals. The Foundations' hats are off and we want you to stand up and take a bow! Thank You For Being A Friend!

The Foundations wish to express their gratitude to all who donated money, time, food, labor, energy and enthusiasm to this year's fund raising activities. Special thanks go to the golf tournament and Monday night event sponsors. Such successful results would not be possible without them.

**Brad Krabel, SR/WA  
IRWA Region 5 Chair**

# August 2014 General Membership Meeting



## The Reviewer's Corner - Issues & Answers

### Spring Water

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I recently had an unusual assignment that involved the valuation of water from a natural spring. I will pass along some of the information that I acquired in my research to frame the issues.

The Kentucky Geological Survey maintains the Kentucky Groundwater Data Repository organized as the Assembled Kentucky Groundwater Database (AKGWA) which identifies individual natural springs throughout the state and provides certain details on their website at <http://www.uky.edu/KGS/water/>. Data is current through 2013. You can search for specific sites by several methods, including by county, at <http://kgs.uky.edu/kgsweb/DataSearching/Water/WaterWellSearch.asp>. Each site has been assigned an AKGWA number with springs being the 9000 series. Water quality data is also available for some of the locations, although sometimes it may be older information. Maps of the springs are also available.

There are several types of springs. A gravity (falling) type of spring is one discharging from a limestone aquifer on a perennial basis. Perennial means lasting or existing for a long or apparently infinite time; enduring. A blue hole (rising) spring is fed by an artesian well. That means that underground pressures force the water upwards to form a spouting spring.

#### **Kentucky Revised Statute 151.120 Public water of Commonwealth, what constitutes.**

(1) Water occurring in any stream, lake, ground water, subterranean water or other body of water in the Commonwealth which may be applied to any useful and beneficial purpose is hereby declared to be a natural resource and public water of the Commonwealth and subject to control or regulation for the public welfare as provided in KRS Chapters 146, 149, 151, 262 and 350.029 and 433.750 to 433.757.

(2) Diffused surface water which flows vagrantly over the surface of the ground shall not be regarded as public water, and the owner of land on which such water falls or flows shall have the right to its use. Water left standing in natural pools in a natural stream when the natural flow of the stream has

of land contiguous to that water shall have the rights to its use.

From the above Statute, (1) the aquifer or artesian well belongs to the Commonwealth of Kentucky, but (2) the water that flows above ground from the spring belongs to the land owners.

However, there is a caveat in the following Statute:

#### **151.140 Withdrawal of water from public waters, permit required -- Exceptions.**

No person, business, industry, city, county, water district, or other political subdivision shall have the right to withdraw, divert, or transfer public water from a stream, lake, ground water source or other body of water, unless such person, business, industry, city, county, water district or other political subdivision has been granted a permit by the cabinet for such withdrawal, diversion, or transfer of water. Provided, however, no permit shall be required for and nothing herein shall interfere with the use of water for agricultural and domestic purposes including irrigation; and no permit shall be required if the amount of water withdrawn, diverted or transferred is less than the amount established by regulation and no permit shall be required for water used in the production of steam generating plants of companies whose retail rates are regulated by the Kentucky Public Service Commission or for which plants a certificate of environmental compatibility from such commission is required by law, or water injected underground in conjunction with operations for the production of oil or gas.

According to the Watershed Management Branch of the Kentucky Division of Water of the Energy and Environment Cabinet, the threshold amount for withdrawal from a water source for domestic purposes, established by regulation referenced in the above Statute, is an average of 10,000 gallons per day by 401 KAR 4:010, Section 1 (1), before a permit is necessary. If the spring were to be used for commercial endeavors, such as bottled spring water or bourbon distilling, a permit would be required for any amount of

## The Reviewer's Corner - Issues & Answers

### Spring Water - Continued

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water withdrawn.

Although classified as a perennial spring, no spring is bottomless. The reservoir is fed by local sources from within what is known as the recharge area. One inch of rainfall on one acre yields 27,192 gallons of water. An average of 50 inches of rainfall per year yields 1,359,600 gallons per acre. This is often expressed in valuation analyses in terms of Acre-Feet, or the amount of water covering one acre to a depth of one foot or 326,304 gallons. There are 7.48 gallons of water in one cubic foot of volume, so the annual rainfall could be expressed as being 1,359,600 divided by 7.48 = 181,765 acre-feet. Since an acre is 43,560 square feet, 181,765 divided by 43,560 equals 4.17 feet of rainfall per year, or about 50 inches, as indicated above.

Some of this is run-off, some seeps into the ground; some of the latter feeds plant life, some replenishes ground water sources. Approximately 66% is lost to evaporation and transpiration, leaving 34% for run-off and ground water. Part of the ground water is discharged by springs to join the run-off into streams. A spring's discharge rate may be at higher volumes after a rain, known as surge flow. The amount of normal drainage is called base flow. Flow rates for smaller springs fluctuate with the seasons and the amounts of rain/snow fall, while larger spring remain constant. Discharge is expressed in either Cubic Feet Per Second, or in Gallons Per Minute.

A 10 cubic feet per second rate would equal 4,500 gallons per minute and would have a 10 square mile drainage basin. Although a few springs have been measured at over 44,900 gallons per minute and are classified as Magnitude I springs, most springs do not approach that size. A recent survey of springs in Virginia determined that half of their springs have flow rates of less than 100 gallons per minute, classified as Magnitude 5 springs. A 20 gallon per minute flow rate is considered very slow.

A 2014 survey of Tennessee water customers determined that the average household, either rural or urban, used 5,000 gallons of water per month. A spring discharging 5,000 gallons a month would only need a flow rate

of 0.1142 gallons per minute, so a household can get by with only a minimal spring discharging about 165 gallons a day. In order to convert (5,000 gallons x 12 months) 60,000 gallons per year to acre-feet, divide by 7.48 gallons per cubic foot (8,021 cubic feet) and divide by 43,560 square feet equating to 0.1841 acre-feet per year.

For some perspective, a 2011 Montana Department of Natural Resources study concluded the following water rights values, on a per acre-foot basis, for successive years:

Year	\$/AF Value
2000	\$ 1,322.77
2001	\$ 1,352.90
2002	\$ 1,373.65
2003	\$ 1,413.12
2004	\$ 1,399.21
2005	\$ 1,540.41
2006	\$ 2,046.55
2007	\$ 2,528.79
2008	\$ 2,714.75
2009	\$ 2,203.59
2010	\$ 2,069.48

No similar valuation studies were available for Kentucky water sources.

I hope this information helps to form a basis for attacking the issues involved in natural groundwater flows. The valuation methods will have to wait for another time, since I've run out of space for this edition.

**William R. Cox, SR/WA**

# Chapter 25 would like to recognize and celebrate the SR/WA Recertification of Mr. Otto Spence, SR/WA!



## **International Governing Council**

### **Executive Committee**

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## **Region Chairs**

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### **Region 10**

Brian Taylor, SR/WA, R/W-AC  
Natural Resources Canada

September 4, 2014

Mr. Otto Spence, SR/WA  
William D. Otto Spence Real Estate  
207 Blankenbaker Lane  
Louisville, KY 40207

RE: SR/WA Recertification

Dear Mr. Spence:

Congratulations! You have successfully met all the requirements for recertification.

As a professional who knows the value of continuing education, you can be justifiably proud of this important achievement. It reflects your commitment to professional growth through education, and your capacity to persevere in making the commitment become reality.

Individuals like you, who pursue beyond the expected, are the lifeblood of our Association. You are an asset not only to the Association, but also to the entire Right of Way professional community.

Your next recertification due date will be on **July 1, 2019**. A recertification certificate showing this date will be mailed to you in 4 to 6 weeks.

Please note that for your next recertification, courses/seminars must be taken from **July 16, 2014 to July 1, 2019** to count for recertification credit. Non-IRWA programs and chapter meetings/seminars must be submitted to the IPDC for review and approval for recertification credit. See recertification requirements on the next page.

Again, congratulations for taking pride in being a true professional.

Sincerely,

*Francis S. Vicente*

Credentialing Manager  
Professional Development Program

cc: William Busch, SR/WA, Chapter 25 PDC Chair

# Welcome to our Fourth Annual Chapter 25 Chili Cookoff & Trivia Night

*This event will start at 6pm EST!*

**Location:** The Tway House Mansion, 10235 Timberwood Circle, Jeffersontown, KY 40223

Tway House Mansion was formerly situated on a 970-acre cattle & dairy farm, and later developed into the small city of Plainview. The City of Jeffersontown annexed Plainview in the late 1990s.



**6pm to 7pm: Social Hour & Setup**

**7pm to 8pm: Chili Tastings**

**8pm: Trivia Night**

**The winners will be announced  
after Trivia Night**



Come as a judge/taster, or enter your best batch of chili! There will be additional food, drinks, and a hospitality area!

Prizes to the chili winners, and also to the trivia team winners! To enter your chili, or for more details, contact Chad Cutsinger, [ccutsinger@qk4.com](mailto:ccutsinger@qk4.com), or Mike Penick, [mike.penick@louisvilleky.gov](mailto:mike.penick@louisvilleky.gov) (Mild to medium chili only please, thx!)



## 2014 Region Five Fall Forum

October 10-11, 2014

Marriott Louisville East –Jeffersontown, KY

The Bluegrass Chapter extends an invitation to you to attend the 2014 Region Five Fall Forum in Louisville, KY. We will be meeting at the Marriott Louisville East Hotel, off I-64 at 1903 Embassy Square Blvd, Jeffersontown, Kentucky 40299, ph.(502) 491-1184. [Book your group rate: INTL RIGHT OF WAY ASSOCIATION >>](#) for direct link.

A block of rooms has been set-aside at a rate of \$109.00 per night (check-in at 3pm). Hotel self-parking is FREE, or \$10.00 per night valet. (No shuttle service offered)

**There are TWO optional special events!** Our Chapter 25 “Chili Cook-off and Trivia Night” is Friday, October 10 at 6:30p.m. (more details later). The Saturday Night Event is an outing to the “Comedy Caravan” for some good laughs, drinks, fun & fellowship!

*The hotel’s main restaurant bar & lounge, CHARR’D, is a featured stop on the Kentucky Urban Bourbon Trail.*

**All reservation room discounts are in the name “IRWA” by September 12, 2014. After this time, you will pay the regular room rates, so don’t delay!**

The Forum meeting will begin Saturday at 8:30 a.m. in the **Bluegrass AB Meeting Room**. Continental breakfast and lunch is included in the Forum cost. Refreshments served throughout the day! Please complete the form below and send it in!

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### Registration Form – 2014 Region Five Fall Forum – Jeffersontown, KY

Name \_\_\_\_\_ Chapter \_\_\_\_\_

Guest(s) \_\_\_\_\_ Will you attend the Sat Nite Event? \_\_\_\_\_  
(if Yes, add \$20.00 per person to total registration fee)

E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Please include the bottom-half of this form and your check for \$65.00 per person **by September 30, 2014** (ALL registrations AFTER September 30 increases to \$75.00 per person)

Make payable to **IRWA Chapter 25**

[Credit Card Registrations/PayPal Accepted!  
Go to [www.irwa25.org](http://www.irwa25.org) and click on the Fall Forum link]

And mail to:

Mike Penick, SR/WA  
Louisville Metro Government  
444 S. Fifth Street, Suite 400  
Louisville, KY 40202

<Saturday Nite Event: The Comedy Caravan. If attending please include an additional \$20.00 per person>

Phone: (502) 574-5338 for more information

