

# *Cure Land, LLC*

1480 Senter Avenue  
Burlington, Colorado 80807  
Email. [Gregcure5@gmail.com](mailto:Gregcure5@gmail.com)

December 9, 2017

Mr. David Barfield, Chief Engineer  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Dear Mr. Barfield,

Re: Local Enhanced Management Area (LEMA)

I am very concerned about approval of the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4. I respectfully request that you do not approve it, at least until the GMD provides more detailed information to current irrigators.

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No.4 that are not within the corporate limits of any municipality.

Sincerely,



For: Cure Land, LLC  
Gregory E. Cure  
323 Harrison Street  
Goodland, Kansas 67735

WATER RESOURCES  
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KS DEPT OF AGRICULTURE

**MCKENNA APPRAISAL SERVICES, INC.****MICHAEL F. MCKENNA, ARA, IFAA****629 2300<sup>th</sup> ROAD****JENNINGS, KS 67643-9724****785-678-2610**

December 11, 2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777

Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

RE: Proposed Local Enhanced Management Area (LEMA) Management Plan  
Northwest Kansas Management District #4 (GMD #4)

Dear Mr. Barfield,

My name is Mike McKenna and I live at 629 2300<sup>th</sup> Road, Jennings, Kansas 67643 in Decatur County, but I do own land in Northeast Sheridan County in the GMD #4 proposed LEMA. The land is owned by the Michael F. McKenna Trust and Michael F. McKenna (Mike) is the Trustee. This land is not irrigated property. It is made up of dryland and pasture but it does neighbor irrigated property. In addition, my wife and I have a real estate appraisal company which serves lenders, individuals and attorneys throughout Western Kansas. The focus of my appraisal practice is primarily agricultural.

I believe the ownership of land in the proposed LEMA should allow me voting rights in the GMD #4. Please note that I have serious concerns about the development and implementation of the proposed LEMA. Due to my concerns, I oppose the Local Enhanced Management Area (LEMA) plan and ask that you return it to the GMD #4 Board for additional study and development.

A major concern of mine is the limited amount of data utilized in the development of the LEMA. For many years, the Division of Water Resources (DWR) has required an inspection tube when an irrigation well is redrilled. I question why the study did not utilize a more comprehensive number of inspection wells to obtain water level measurements. This could have included some of the inspection tubes already in place.

Division of Water Resources  
Kansas Dept. Of Agriculture  
1320 Research Drive  
Manhattan, Ks 66502

David Barfield, Chief Engineer

I still concur with my earlier letter of Sept. 2, 2017. Also I agree with the Kansas Livestock Association, irrigation allocations under this LEMA would unfairly penalize conservative water rights. Evidence of this is shown when a water right holder in any colored district can receive it's full water right amount.

I believe this LEMA will be viewed as Conservation is less Desirable. No incentives for being conservative with water. If a water user does not use his apportioned water he (loses it).

Water Right owners were not informed about water meetings, many times they were to be informed by the tenant or who ever filed water usage report.

Smokey Garden use to be spring feed, along with the Atwood Lake, now we are being left with sink holes and dry creeks across the district.

Leonard Kashka Jr.  
Goodland, Ks.

Dec. 11, 2017

Date: 12/12/2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777

Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

Dear Mr. Barfield,

I am opposed to the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4.

The GMD-4 Board would like to manage all areas in the same way as they have LEMA-6. My area has not been over-appropriated as the LEMA-6 area has. Therefore the decline in the water table is more manageable.

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

 (Signature)  
Frank W. Bouts (Printed Name)  
P.O. Box 166 (Mailing Address)  
Selden, KS 67157  
\_\_\_\_\_ (City, State, Zip Code)

**MCKENNA APPRAISAL SERVICES, INC.****MICHAEL F. MCKENNA, ARA, IFAA****629 2300<sup>th</sup> ROAD****JENNINGS, KS 67643-9724****785-678-2610**

December 11, 2017

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Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

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Northwest Kansas Management District #4 (GMD #4)

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I believe the ownership of land in the proposed LEMA should allow me voting rights in the GMD #4. Please note that I have serious concerns about the development and implementation of the proposed LEMA. Due to my concerns, I oppose the Local Enhanced Management Area (LEMA) plan and ask that you return it to the GMD #4 Board for additional study and development.

A major concern of mine is the limited amount of data utilized in the development of the LEMA. For many years, the Division of Water Resources (DWR) has required an inspection tube when an irrigation well is redrilled. I question why the study did not utilize a more comprehensive number of inspection wells to obtain water level measurements. This could have included some of the inspection tubes already in place.

In addition, I consider the water rights held by irrigators to be a property right and development of the LEMA with limited data could result in unnecessary regulation and reduction of water rights, which in turn could have a serious negative impact on the value of the owner's property rights.

I feel the intent of the LEMA law was to provide local solutions for local problems. By implementing a GMD #4 wide LEMA, I question how local the proposed LEMA truly is and how well the reductions are tailor made to correct a local neighborhood problem.

Also, I would like to point out there is a significant difference as you travel across the GMD #4 and the proposed LEMA area. The elevation increases as you move from east to west. The elevation north of Hill City, at the east side of the proposed LEMA is 2,300' and as you move west the elevation increases to 2,725' at Hoxie and on up to 3,970' at the Kansas/Colorado line near Kanorado.

The growing season increases as you move from west to east with a 155 average day growing season in Sherman County, a 160 average day growing season in Thomas County, a 163 average day growing season in Sheridan County and 167 average day growing season in Graham County.

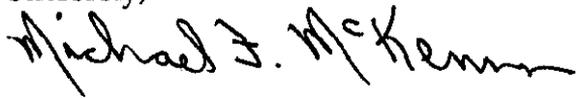
Rainfall across the GMD #4/Proposed LEMA also changes from west to east with the 1981-2010 average of 19.84" in Sherman County to 20.43" in Thomas County, to 20.8" in Sheridan County and up to 21.9" in Graham County. These changes have a strong affect on farming operations in the different areas of the GMD #4/Proposed LEMA. These differences are significant when you evaluate the change from the west side of the GMD #4/Proposed LEMA to the east side of the GMD #4/Proposed LEMA. Farm operators/irrigators in Sherman County have to implement different farming practices than the farm operators/irrigators at the east side in Graham County to adapt to these changing conditions.

These factors which affect growing season and growing conditions, should have been taken into consideration and I feel would have been best to have identified smaller local LEMAs that could deal with local identified water declines with locally developed regulations.

I must note that I find the farmers across the GMD #4/Proposed LEMA to be progressive, up to date farmers that deal with the local conditions they are exposed to, but I must note that what a farmer can do in the east portion or the central portion of GMD #4/Proposed LEMA is significantly different than the farmer operating at the west side of the GMD #4/Proposed LEMA.

**For these reasons, I am opposed to the Proposed Local Enhanced Management Area (LEMA) and I encourage you to deny approval of the Proposed LEMA.**

Sincerely,

A handwritten signature in black ink that reads "Michael F. McKenna". The signature is written in a cursive style with a large, prominent "M" and "K".

Michael F. McKenna

Michael F. McKenna Trust

Michael F. McKenna Trustee

JOAN M. MCKENNA  
629 2300<sup>th</sup> ROAD  
JENNINGS, KS 67643-9724  
785-678-2610

December 12, 2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777  
Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

RE: Proposed Local Enhanced Management Area (LEMA) Management Plan  
Northwest Kansas Management District #4 (GMD #4)

Dear Mr. Barfield,

**I am opposed to the Proposed Local Enhanced Management Area (LEMA) and I encourage you to deny approval of the Proposed LEMA.**

I own land in Northeast Sheridan County in the GMD #4 proposed LEMA. The land is owned by the Joan M. McKenna Trust and Joan M. McKenna is the Trustee.

I believe the ownership of land in the proposed LEMA should allow me voting rights in the GMD #4. Please note that I have concerns about the development and implementation of the proposed LEMA.

A major concern of mine is the limited amount of data utilized in the development of the LEMA. For many years, the Division of Water Resources (DWR) has required an inspection tube when an irrigation well is redrilled. I question why the study did not utilize a more comprehensive number of inspection wells to obtain water level measurements. This could have included some of the inspection tubes already in place. In addition, I consider the water rights held by irrigators to be a property right and development of the LEMA with limited data could result in unnecessary regulation and reduction of water rights, which in turn could have a serious negative impact on the value of the owner's property rights.

I feel the intent of the LEMA law was to provide local solutions for local problems. By implementing a GMD #4 wide LEMA, I question how local the proposed LEMA truly is and how well the reductions are tailor made to correct a local neighborhood problem.

Also, I would like to point out there is a significant difference as you travel across the GMD #4 and the proposed LEMA area. The elevation increases as you move from east to west. The elevation north of Hill City, at the east side of the proposed LEMA is 2,300' and as you move west the elevation increases to 2,725' at Hoxie and on up to 3,970' at the Kansas/Colorado line near Kanorado.

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**For these reasons, I am opposed to the Proposed Local Enhanced Management Area (LEMA) and I encourage you to deny approval of the Proposed LEMA.**

Sincerely,



Joan M. McKenna, Trustee

Joan M. McKenna Trust

Date: 12/12/2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777  
Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

Dear Mr. Barfield,

I am very concerned about approval of the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4. I respectfully request that you not approve it, at least until the GMD provides more detailed information to irrigators.

The GMD-4 Board is attempting to make the entire GMD-4 into a LEMA much like the LEMA-6 was formed, but they have ignored three major considerations.

1. They did not accept suggestions from the producers involved. They held meetings, but did not consider any of the suggestions.
2. The board came up with a plan by township, rather than on an individual well basis. (Look at the well concentration on LEMA-6 compared to the well concentration east of Highway 23. The area east of Hwy 23 needs to be on a "per well" basis, as the wells in this area are much farther apart.)
3. The board assumed the growing conditions and thus the irrigation practices from the Hill City area, Graham County, to the Colorado border, the same. Elevation, (growing season length), and rainfall the same? Both are important.

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

Sincerely,

John P. McKenna (Signature)  
John P. McKenna (Printed Name)  
11 2500th RD (Mailing Address)  
Jennings KS (City, State, Zip Code)  
67643

Shelley McKenna  
Shelley McKenna  
11 2500th Rd  
Jennings, KS 67643



**A.L. ABERCROMBIE MARITAL TRUST  
F. DOYLE FAIR, TRUSTEE  
7309 E. 21<sup>st</sup> N. - #140  
WICHITA, KANSAS  
67206-1178  
(316) 264-7181**

***FAX TRANSMISSION***

***DATE:*** December 12, 2017

***TO:*** David Barfield, Chief Engineer      ***AT:*** Kansas Department of Agriculture

***FAX NO.:*** (785) 564-6777

***FROM:*** F. Doyle Fair      ***FAX NO.:*** (316) 264-2955

***RE:***

***MESSAGE:***

***TOTAL PAGES INCLUDING THIS COVER SHEET: 3***

**A.L. ABERCROMBIE MARITAL TRUST  
F. DOYLE FAIR, TRUSTEE  
7309 E. 21<sup>ST</sup> N #140  
WICHITA, KANSAS 67206  
316-264-7181**

December 12, 2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777  
Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

RE: Proposed Local Enhanced Management Area (LEMA) Management Plan  
Northwest Kansas Management District #4 (GMD #4)

Dear Mr. Barfield:

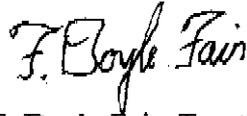
I am the Trustee for the A.L. Abercrombie Marital Trust, which owns land in Sheridan County. It includes irrigation wells and water rights that are used to irrigate approximately 885 acres under sprinkler irrigation in Northeast Sheridan County. The A.L. Abercrombie Marital Trust sprinkler irrigated cropland is operated by a local farm tenant. The local farm tenant and I take the use of the irrigation water very seriously and I expect the tenants to monitor the operation closely on an ongoing basis. Our goal is to be good stewards of the land and water rights owned by the A.L. Abercrombie Marital Trust.

In reviewing the data obtained from the limited number of monitoring wells utilized to determine the static water level across GMD #4, I question why additional information and additional monitoring sites were not used. When we redrilled an irrigation well a few years ago, the Division of Water Resources (DWR) required an inspection tube to be placed next to the well casing. I question why additional measuring sites were not utilized because it does appear they were available.

The A.L. Abercrombie Marital Trust irrigated cropland is located east of Highway 23 in Northeast Sheridan County. A review of the GMD #4 colored township map that was developed for the proposed District Wide LEMA, indicates that our irrigation wells and much of the area in the GMD #4 east of Highway 23 is in the blue and green colored townships which indicate **0% to 0.5% for average annual decline**. With this in mind, I question why the proposed LEMA was "a district wide LEMA proposal". I feel locally identified areas, with locally developed guidelines, would have been a more accurate way of dealing with local problems.

Taking into consideration the limited number of measurement wells utilized in the proposal, I oppose the approval of the proposed Local Enhanced Management Area (LEMA) and encourage you to deny the application and return it to the Groundwater Management District #4 for additional research and development.

Sincerely,

A handwritten signature in cursive script that reads "F. Doyle Fair".

F. Doyle Fair, Trustee  
A.L. Abercrombie Marital Trust

FDF/aal

Written testimony for the proposed LEMA in GMD4

My name is Dwayne Kersenbrock. I live at 1890 South Road 50 West Hoxie Ks. I have a dryland farm in Sheridan County. I worked for the Soil Conservation Service/ Natural Resources Conservation Service for almost 31 years before retiring. Part of my career was spent in the irrigation field. I will go on record as supporting the GMD4 proposed LEMA.

Mr. Traester brought up the issue of fairness a lot when he had Ray Luhman on the stand. It isn't fair to be on one side of the line or the other. In all the programs I worked with in my career lines were drawn. Lines on a map had to be drawn for eligibility for programs, Highly Erodable line for soil map units, HUC codes or political boundaries. When a new program or proposal like the proposed LEMA is draw up lines have to appear on a map.

At the hearing is was brought up a lot that information was hard to get. I have attended monthly GMD4 board meetings for a while. At every meeting that the LEMA was discussed there was a handout. GMD4 staff made sure everyone that wanted a copy got one. In the handout the changes were highlighted. The information was readily available for those that wanted it. The date and time of the monthly meetings are posted on the GMD4 website which is available to anyone that can google.

I will respond to the appraiser comments about reducing property values. I know of two circles that sold recently in Sheridan county. The legal descriptions of the land are the SE4 15-8-28 and the is the NE 22-8-29. Both quarters have center pivots on them. One was inside the SD 6 LEMA boundaries. The other one was not. They are right across the road from each other. The water is about the same on both circles. Very similar soils as well. The both sold for the same money.

**RECEIVED**  
DEC 12 2017  
LEGAL SECTION  
KS DEPT. OF AGRICULTURE



Date: 12/9/17

(Must be postmarked on or before December 12, 2017.)

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777

Email:

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KS DEPT. OF AGRICULTURE

Dear Mr. Barfield,

I am opposed to the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4.

Additional Comments (if any):

*As a landowner in Thomas County, Ks. I am concerned that if the State of Kansas is willing to alter property rights as regards to water rights, what might the State alter in the future regarding other property rights.*

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

or

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

Corla L Harrison (Signature)

Corla L Harrison (Printed Name)

PO Box 532 (Mailing Address)

Tabernash, Co

80778 (City, State, Zip Code)

Date: Dec 8, 2017

(Must be postmarked on or before December 12, 2017.)

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777

Email: +

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KS DEPT. OF AGRICULTURE

Dear Mr. Barfield,

I am very concerned about approval of the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4. I respectfully request that you not approve it, at least until the GMD provides more detailed information to irrigators.

Additional Comments (if any):

*Conserving water is important, but the process needs to be fair and provide for due process of law. Irrigators and other water users need protection for their investment in water rights, to take in consideration the prior appropriation of first in time is first in right doctrine. Thank you for considering my comments above.*

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

OR

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

*Tad Harrison* (Signature)  
Tad Harrison (Printed Name)  
PO Box 532 (Mailing Address)

Tabernash, CO, 80478 (City, State, Zip Code)

Date: 12-12-17

(Must be postmarked on or before December 12, 2017.)

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777  
Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

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Additional Comments (if any):

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or

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

Jamie Franz (Signature)  
Jamie Franz (Printed Name)  
2458 County Road K (Mailing Address)  
Colby, Ks. 67701 (City, State, Zip Code)

Date: 12-7-17

(Must be postmarked on or before December 12, 2017.)

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777  
Email: David.Barfield@ks.gov

Dear Mr. Barfield,

I am opposed to the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4.

Additional Comments (if any): *I don't think as a water right holder, the Board of GDM4 should Not make this decision without a vote of water right holders! Some of the board members are in districts that won't have much restrictions which won't effect their bottom line, but it will mine!*

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

or

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

*James Fitz* (Signature)  
James Fitz (Printed Name)  
2102 Rd 8 (Mailing Address)  
Goodland KS 67735  
\_\_\_\_\_ (City, State, Zip Code)

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Date: 12-7-17

(Must be postmarked on or before December 12, 2017.)

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Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777

Email: [David.Barfield@ks.gov](mailto:David.Barfield@ks.gov)

LEGAL SECTION  
KS DEPT. OF AGRICULTURE

Dear Mr. Barfield,

I am opposed to the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4.

Additional Comments (if any):

Any restrictions need to apply to everyone. I am in favor of cutting back water use but not if certain townships are not restricted. c/o the same aquifer.

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

or

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

Joseph G Waldman (Signature)

Joseph G Waldman (Printed Name)

5853 County Road Y (Mailing Address)

Park KS 67751 (City, State, Zip Code)

Date: Dec 8-17

(Must be postmarked on or before December 12, 2017.)

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

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or

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Sincerely,

Brent Miranda (Signature)

Brent Miranda (Printed Name)

8020 County Rd. BB. (Mailing Address)

Owens, KS 67752 (City, State, Zip Code)

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DEC 12 2017

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Date: Dec 8 2017

(Must be postmarked on or before December 12, 2017.)

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Kansas Department of Agriculture,  
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Sincerely,

Daniel Weyant (Signature)

Daniel Weyant (Printed Name)

519 west 6th (Mailing Address)

Manhattan Ks 67752

\_\_\_\_\_ (City, State, Zip Code)

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DEC 12 2017

KS DEPT OF AGRICULTURE

Pat J. Haffner  
7380 E Road 10 S  
Hoxie, KS 67740

Date: December 6, 2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

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I am opposed to the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4.

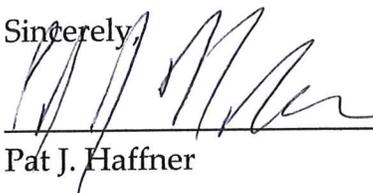
In my opinion, the board is not representing the water right owners who elected them. If they had done their job, they would have met with the water right owners in the troubled areas and hammered out a solution similar to SD 6. But rather than doing the hard work they were elected to do they have become useful idiots participating in a property grab that has consequences that will reach across the state.

Large areas of the district do not have sufficient monitoring in place to even determine water levels. There has been little research and very little qualified or proven data to support what is being rammed through before anyone can even answer questions regarding rules, regulations and the working process of such a LEMA. Many, many questions go unanswered! It's the same as the way Nancy Pelosi described healthcare from the past administration—"we have to pass it to see what's in it".

This whole process very likely will open a can of worms that will call into question the validity and legality of the Water Districts themselves. In conclusion, I ask the Chief Engineer to put on the brakes, step back and instruct the board of Groundwater Management District No. 4 to do the job they were elected to do: go to the irrigators in the troubled areas and hammer out solutions that fit. One size does NOT fit all.

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

Sincerely,

 (Signature)  
Pat J. Haffner

WATER RESOURCES  
RECEIVED

DEC 12 2017

KS DEPT OF AGRICULTURE

Date: 12-9-17

(Must be postmarked on or before December 12, 2017.)

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Fax: 785-564-6777

Email: David.Barfield@ks.gov

Dear Mr. Barfield,

I am very concerned about approval of the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4. I respectfully request that you not approve it, at least until the GMD provides more detailed information to irrigators.

Additional Comments (if any):

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that is not within the corporate limits of any municipality;

or

I own or have an interest in a well that is within the boundaries of the Northwest Kansas Groundwater Management District No. 4 that uses at least one acre-foot of water (325,851.4 gallons) per year.

Sincerely,

Ken Christensen (Signature)

Ken Christensen (Printed Name)

657 Co Rd CC (Mailing Address)

Brewster KS 67732 (City, State, Zip Code)

WATER RESOURCES  
RECEIVED

DEC 12 2017

KS DEPT OF AGRICULTURE

# ***EBJ, LLC***

1480 Senter Avenue  
Burlington, Colorado 80807  
Email. [Gregcure5@gmail.com](mailto:Gregcure5@gmail.com)

December 9, 2017

Mr. David Barfield, Chief Engineer  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

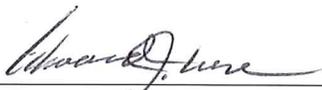
Dear Mr. Barfield,

Re: Local Enhanced Management Area (LEMA)

I am very concerned about approval of the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No. 4. I respectfully request that you do not approve it, at least until the GMD provides more detailed information to current irrigators.

I own or have an interest in 40 or more contiguous acres within the boundaries of the Northwest Kansas Groundwater Management District No.4 that are not within the corporate limits of any municipality.

Sincerely,



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For: EBJ, LLC  
Edward J. Cure  
215 15<sup>th</sup> Street  
Burlington, Colorado 80807

WATER RESOURCES  
RECEIVED

DEC 12 2017

KS DEPT OF AGRICULTURE

Cameron and Jennifer Epard  
18171 N. 99<sup>th</sup> Street  
Scottsdale, AZ 85255

December 12, 2017

David Barfield, Chief Engineer  
Kansas Department of Agriculture,  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Dear Mr. Barfield,

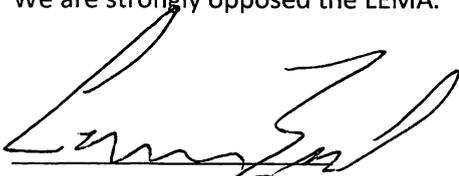
We are opposed to the Local Enhanced Management Area (LEMA) plan proposed by the Northwest Kansas Groundwater Management District No.4.

We own three irrigation circles in Thomas County, Kansas that are within the boundaries of the Northwest Kansas Groundwater Management District No.4. Our most recent purchase was in 2015 for a circle that was close to our farming headquarters that had a strong pumping well. We paid a **significant premium** for this parcel because it had such a strong well that was capable of fully utilizing the total acre-feet associated with its water right. We expected to grow high yield corn because of the amount of water the well could pump, and was allowed to pump.

The proposed LEMA appears to arbitrarily reduce our annual pumping limit to 15.4" which is **significantly less** than what the water right allows and what the well is capable of pumping. I believe the LEMA plan to reduce pumping from this well is a taking of our property right. It not only reduces the value of the land that we recently purchased, but prevents us from consistently growing the high yield corn that we anticipated when we purchased the circle.

Because our crop yields will decline due to the LEMA's requirement to pump less water, the revenue generated from this circle may not cover the debt service associated with the loan. Where does that leave my family? Retroactively limiting the ability to use a water right within a few years of purchasing the land with the water right doesn't seem reasonable or fair. The LEMA should not impact a landowner's ability to service debt and make a reasonable living of their land.

We are strongly opposed the LEMA.



Cameron Epard



Jennifer Epard