

Comment from Max E. Mann, D.V.M.

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To Hearing Officer, Connie Owens, appointed by David Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Please consider the following observations and my conclusion:

- “The Ogallala Aquifer is locally variable in depth and saturated thickness; it is diffused, if not uniformly across the Great Plains.” (from Griggs, p. 21.)
- Frequently Griggs speaks of “over the Ogallala” which I take to mean: we live on the surface of the Great Plains and are separated from the water table of the Ogallala by a varying thickness of soil which hinders us from accurately observing and defining the labyrinthine boundary of this 174,000 square-mile reservoir.
- The LEMA in Sheridan County ignored priority water rights.
- High priority areas of water depletion have been identified by data required from water right holders and their water use reports; also by the Kansas Geological Survey.
- So, it seems difficult to question adopting hydrological reality and regulating accordingly.
- LEMA boundaries defined by townships or counties assume that these surface boundaries define the underlying Ogallala boundaries.
 - This assumption is not substantiated by:
 - Well driller’s logs,
 - Pumping records, and
 - Static water-level measurements.

Therefore:

- I speak against this district wide “locally enhanced management area” (LEMA).
 - The boundary recommended is not reasonable in that it does not address the issue of depletion on the basis of hydrological data that is readily available.
- I speak in favor of a LEMA whose boundary is defined by wells exhibiting the greatest drop in static water level.