

Wichita County proposed LEMA

My name is Titus Jaeger, 1353 Road P Lakin, KS 67860. I represent 4 generations of our family who have actively been part of agriculture in Wichita County for almost 100 years. Today my wife and I are raising the 5th generation on my side and the 7th generation on my wife's side to be involved in agriculture production pursuits in Western Kansas. Agriculture is our life and our livelihood, our family has pursued stewardship through conservation from time we arrived in Wichita County in 1921. My grandfather, D F Jaeger was instrumental in the development, along with engineers from John Deere, of the hoe drill, which benefited dryland wheat production by conserving moisture in the high plains. He was also one of the first producers to idle or fallow 1/2 his acres per year, a conservation practice known as summer fallow farming. He persevered through the 'Dirty Thirties' and it was the irrigation development which was credited with reducing the effects of the drought in the 50s and the prolonged drought of the early 2000s, which recorded less precipitation than the drought of the 30s. Irrigation has fueled the lifeblood of the Wichita County economy since its development. Our family had the John Deere dealership in Leoti for 61 years, it was irrigation that brought the most business and economy to the dealership. We saw a reduction in sales in the late 80s when in Conservation Reserve Program (CRP) idled a number of irrigated acres in the county.

I have concerns as they relate to the 3 criteria to establish a LEMA.

- Has there been decline and is decline continuing?

This is evident but have solutions other than a LEMA with top down controls been considered? The Water Appropriation Act is basic water law in Kansas. Has it been followed or applied? Augmentation through alternative sources of supply is an option to accelerate recharge. Conservation can be achieved and our local economy can be sustained with an augmentation plan. Has it been explored?

Efforts are being made in the region to reestablish recharge through playa restoration. Are these efforts benefiting recharge?

A Water conservation area (WCA) has also been established voluntarily by some producers in Wichita County. Is this conservation tool accomplishing its goal?

- Are the geographic boundaries reasonable?

The Kansas geological survey has established that water moves across the aquifer from west to east. Since the LEMA is only being applied to irrigators within the Wichita County boundary. The LEMA would immediately give producers outside the boundary a comparative advantage to producers within the boundary, even though some irrigators outside the boundary would Junior rights to irrigators within the boundary and disadvantage landowners inside the boundary by still requiring the same GMD assessment as landowners outside the boundary. Is this in violation of the water appropriations act?

- Is it in the public interest to establish controls?

Investment in the development of Irrigation and the perfection of water rights along with the purchase of property carrying water rights was made with a full understanding of the water appropriations act. And now property owners with water rights are expected to except the fact that the rules have

changed automatically and immediately devaluing our property. The valuation formula uses water usage. Is this in the public interest especially the landowner?

The public interest and conservation should already be addressed in the water appropriations act. There should be no need to grow the bureaucracy. To establish more rules. Which all come with an increase in taxes. Is that in the public interest?

A LEMA was designed for an individual or group of individuals to come together to accomplish voluntary collective conservation. It was designed to be bottom up not top down, district, or county wide mandated reductions. Is this in the public interest and how does it support and protect private property rights?

Have all other solutions and proposals been exhausted? The proposed forced mandatory reductions county wide will dictate producers reduce their irrigated acres so they can still maintain compliance and meet the minimum requirements established by RMA and USDA for irrigated crop production. This effectively results in a reduction of economy and gross domestic product within the boundary of the proposed LEMA. Is it in the public interest to shrink the local economy?

How does the Historical use calculation reward prior voluntary conservation? Is the calculation in the public interest and does it reward voluntary conservation?

Rainfall intensity differs from east to west in Wichita county while the same percent reduction is applied from east border to the west border of the proposed LEMA. Is this in the public interest especially the irrigators?

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