

**From:** Beightel, Chris [KDA]  
**To:** "[Darrell Wood](#)"; [Orrin Feril](#)  
**Cc:** "[Fred Grunder](#)"; "[Tom Taylor](#)"; "[John Janssen](#)"; "[Preheim, Lynn](#)"; "[Hansen, Christina J.](#)"; [Barfield, David \[KDA\]](#); [Letourneau, Lane \[KDA\]](#); [Titus, Kenneth \[KDA\]](#); [Lanterman, Jeff \[KDA\]](#); [KDA Office of the Secretary](#)  
**Subject:** KDA review of GMD5 9-Aug-18 draft LEMA Management Plan  
**Date:** Thursday, August 23, 2018 9:04:00 AM  
**Attachments:** [180822.GMD5LEMA-MPr10.reviewSummary.pdf](#)

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In keeping with our commitment to provide you with timely, meaningful feedback as your LEMA management plans evolve, we have prepared the attached document to summarize our review of your 9 August, 2018 draft plan.

We noted several improvements in this iteration of your plan, but we also noted a concerning step backward. Your latest plan removes the requirement to specifically limit withdrawals in the high-impact area (Zone D). Those targeted reductions are a crucial element of the general 19,000 AF/4,000 AF LEMA/Zone D plan that KDA and GMD5 have been in agreement on for many months. The omission of this element with no commitment to any equivalent action will by itself render this plan unacceptable at its foundation.

That said, an acceptable plan will include all of the listed elements – complete and in enough detail that they can be considered “green” (in good shape) by the chief engineer.

As with other correspondence regarding the development of your LEMA management plan, we will post this email and the attached document to the KDA webpage:  
[agriculture.ks.gov/gmd5lema](http://agriculture.ks.gov/gmd5lema)

Please let us know how we can be helpful as you draft your next plan.

Chris Beightel, P.E.  
Program Manager  
Water Management Services  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502  
(785) 564-6659  
[chris.beightel@ks.gov](mailto:chris.beightel@ks.gov)

Green = current draft plan is in good shape. Yellow = needs more clarification. Red = elements are missing or incomplete

AUGMENTATION		
7/12 draft	8/9 draft	Augmentation project; 15 cfs capacity; up to 5,000 AF annually
7/12 draft	8/9 draft	Design completed by December 31, 2019
7/12 draft	8/9 draft	Financing secured by June 30, 2020
7/12 draft	8/9 draft	Fully functional by March 15, 2022

WATER USE		
7/12 draft	8/9 draft	Water use targets/allocations set for 2020-2029
<b>LEMA-wide:</b>		
7/12 draft	8/9 draft	Water use by juniors is held to an average of 210,000 AF per year
7/12 draft	8/9 draft	Performance evaluated in 2025 for 2020-2024, and in 2030 for 2025-2029
7/12 draft	8/9 draft	Water use by seniors is not restricted by the LEMA
<b>Zone D/St John area/high priority area:</b>		
7/12 draft	8/9 draft	Water use by all users is held to an average of 25,655 AF per year (is there senior use in Zone D?)
7/12 draft	8/9 draft	The five-year limit may be climate adjusted, but the ten-year limit will be 2,100,000 acre-feet of junior use in the LEMA.
7/12 draft	8/9 draft	No other adjustments to the water use limits
7/12 draft	8/9 draft	Quality controlled water use reports are sole basis for determining water use
7/12 draft	8/9 draft	Water use targets/allocations given to each junior water right based on priority (and maybe proximity), giving due consideration for past conservation.
7/12 draft	8/9 draft	Water users who limit themselves to their target use 2020-2024 will receive the same target use 2025-2029.
7/12 draft	8/9 draft	If the LEMA water use limitation is exceeded either:
7/12 draft	8/9 draft	Water users who exceed their target use 2020-2024 will receive the same target use 2025-2029 less the total amount of their over use in 2020-2024, OR
7/12 draft	8/9 draft	If the limit is exceeded by less than 3,500 acre-feet, then the basin has until December 31, 2025 to take actions to remedy the shortfall and avoid enforcing allocations on the water rights that exceeded their 2020-2024 target use

MODELING		
7/12 draft	8/9 draft	GMD5 Model updated and re-calibrated by December 31, 2026 using data through 2024
7/12 draft	8/9 draft	Model update and recalibration conducted collaboratively with KDA-DWR and others
7/12 draft	8/9 draft	2026-updated model to find allowable junior pumping to reduce rate of increasing depletions by half or more for 2030-2039

IF NO AUGMENTATION		
7/12 draft	8/9 draft	If augmentation is not fully functional by December 31, 2022, juniors immediately restricted to annual limit of 150,000 acre-feet in the LEMA using original allocation methodology
7/12 draft	8/9 draft	If augmentation is not fully functional by December 31, 2024 LEMA is terminated, IGUCA proceedings will determine the level of pumping allowable to remedy impairment.

LEMA PLAN DOCUMENT		
7/12 draft	8/9 draft	Include executive summary/overview that lays out the major corrective control elements of the plan with pumping numbers, dates, and consequences
	8/9 draft	Clear goals and a clear basis to determine that proposed corrective controls accomplish the goal
	8/9 draft	Boundary of the LEMA is justified
	8/9 draft	Water Bank - details on what flexibility is going to be allowed and how it will be tracked
	8/9 draft	Clear explanation of the on-going nature of the LEMA and its tests to make sure they are on-track; and controls if they are not
	8/9 draft	Clear provisions and processes to adjust the LEMA without undermining it, e.g. draft plan provisions 7a, 8a, 8b, 8d