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Jackie McClaskey, Secretary

Governor Sam Brownback

June 27, 2017

RAY LUHMAN, MANAGER  
NW KANSAS GROUNDWATER MANAGEMENT DIST #4  
PO BOX 905  
1290 W 4<sup>th</sup> Street  
COLBY KS 67701

RE: GMD 4 District-wide LEMA Proposal of June 8, 2017

Dear Ray,

Pursuant to K.S.A. 82a-1041, I and my staff have reviewed GMD 4's proposal for its proposed District-wide LEMA as received on June 8, 2017.

Pursuant to K.S.A. 82a-1041 (a), this initial review was limited to the following, as to whether the plan:

- (1) proposes clear geographic boundaries;
- (2) pertains to an area wholly within the groundwater management district;
- (3) proposes goals and corrective control provisions as provided in subsection (f) adequate to meet the stated goals;
- (4) gives due consideration to water users who already have implemented reductions in water use resulting in voluntary conservation measures;
- (5) includes a compliance monitoring and enforcement element; and
- (6) is consistent with state law.

Based on our review, I find that, the proposal meets these requirements and thus is acceptable for consideration. On this basis, I am initiating proceedings to consider the designation of the proposed local enhanced management area.

Statute requires two hearings on the proposed LEMA. The initial hearing is to resolve the following findings of fact:

- (1) Whether one or more of the circumstances specified in subsection (a) through (d) of K.S.A. 82a-1036, and amendments thereto, exist;
- (2) whether the public interest of K.S.A. 82a-1020, and amendments thereto, requires that one or more corrective control provisions be adopted; and
- (3) whether the geographic boundaries are reasonable.

If the initial hearing is favorable on all three issues noted above, a second hearing is required to determine whether the area should be designated and the GMD's proposed local enhanced management plan for the area be adopted.

The initial hearing will be conducted by Ms. Connie Owen on my behalf. I plan to conduct the second hearing assuming the results of the first hearing are favorable.