

As a farmer and irrigator in GMD #4 in Thomas County, these are my comments and concerns on the proposed LEMA.

1. No board members gave testimony in support of LEMA at the August 21 hearing.. If this is the best plan; at the very least, the board president should have given the information. This presentation was give by an employe of the district. The manager's comments about the annual meeting were not valid and should be withdrawn.
2. If this is a local control district, why was a representative of the state of Kansas giving comments? The only comments that have value come from those who own the water rights. The state should stay neutral.
3. Kansas Geological Survey comments on the observation wells are misleading. The only information that an observation well provides is only relevant to that well. The nearest observation well to my wells is $\frac{3}{4}$ of a mile. That well is not drilled to shale but mine are. The top of the shale is not a level surface. There are old erosion channels in the shale so saturation thickness will vary greatly.
4. Boundaries of the LEMA: A reading of the Kansas Statues states that a LEMA must be within the boundaries of the GMD. This LEMA plan creates 4 LEMAs. Each are within the boundaries of the GMD. The statues say nothing about the boundaries of the GMD being the boundaries of a LEMA. By using the boundaries of GMD #4 for the LEMA, a complete new GMD is being established. This proposed area wide LEMA will be a new GMD with new rules and regulations. When GMD #4 was established, landowners and water right holders voted to establish the GMD. A vote should be held to establish this new GMD. An examination of the proposed boundaries show that water restrictions are being applied to older water rights and little restrictions given to younger water rights. This does not follow Kansas Basic Water Law taken from the Kansas Dept of Agriculture web site. Basic water law quotes “first in time first in right”. I believe these boundaries are political and not based on science. The wells on the proposed boundaries should be measured.
5. Drought provisions in this plan are nonexistent. My area of Thomas county has been the driest for the last 5 years. Under this plan, I would have used all of my allotment within three years. No one can predict if the growing season is going to be wet or dry. This issue needs to be addressed.

6. Those board members who do not have wells in the most restricted areas must refrain from voting on this proposal. This is a major conflict of interest.

7. Conservation of the Ogallala aquifer is important. Basic water law must be remembered. If acre feet are to be reduced, it must apply equally to all water rights.

8. Economics: Irrigation and farming in GMD #4 is a multi-billion dollar investment. This LEMA plan will effect this investment in ways that can not be predicted. I do not believe a small board should make this decision. The precedent for voting on LEMA's has been established in GMD #1.

I have read the testimony given by Scott E. Ross and concur with his conclusions.

Respectfully,

Doyle E. Saddler
MS Physical Geography, BS Geology
1375 County Road 26
Colby, Kansas 67701