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In accordance with K.S.A. 82a-1041, Big Bend Groundwater Management District #5 ("District") is pursuing a Local Enhanced Management Area ("LEMA"). On February 15, 2018, the District board presented the key components of the draft LEMA plan at the annual meeting. These components are: 1) end gun removal within entire LEMA area, 2) implement streamflow augmentation at a rate of 15 cubic feet per second ("cfs"); and 3) promote movement or retirement of water rights out of sensitive areas of the LEMA. The draft LEMA document is available for public review and comment. Please use this form to submit comments and concerns to the District by **March 1, 2018**.

Name (optional): Alan Crane and Rachel Crane

Contact Info (optional): cranex7@yahoo.com

Comment 1:
David Barfield's presentation from the February 15th, 2018 meeting states, "the GMD believes the removal of end guns will accomplish most of the required reductions." What is this based on? The LEMA draft only says the removal of end guns will "lessen the growth of future depletion at Zenith." It doesn't say it will restore streamflow. Additionally, if the same logic that is being touted regarding the MDS model run was applied to this end gun removal, cutting AF isn't the bar to measure by, it's how those AF reach the stream. Where is the data to support how those AF reach the stream? There have been no graphs presented for the removal of end guns like the Chief Engineer provided for his 10-30% reduction scenarios. Can you please provide the model run information for everyone to see?

Comment 2:
The GMD5 board is supposed to act as representatives for the people in the community. The people in the community want the law followed and the MDS wells shut off first before senior water rights are curtailed. As a reminder, everyone who has an MDS well signed this agreement:

"I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Comment 3:
Additionally, the model DOES show that shutting off the MDS wells would have a positive impact on the streamflow. The GMD5 keeps saying that it has minimal impact, but they're basing that on an incomplete model run.

The model only included 11,297 AF of MDS wells that were in the Rattlesnake Creek basin. However, in the entire Zone A (less the Mystery River which should be removed) there are over 34,000 AF of MDS wells.
The model run shows that "the MDS flow would be satisfied in about 12% more of the future baseline months with climate variation." Twelve percent is not nothing. Additionally, if the actual MDS AF were used in the model (over three times more AF than were actually modeled), you can imagine that the MDS flow would be satisfied at least 24%, if not 36% more of the time. I'm sure the relationship is not linear, but you can agree that tripling the AF would significantly positively impact the study results. Why are we ignoring this easy, because it's already been agreed to by all MDS owners, very obvious way to increase the streamflow?

Comment 4:
They Mystery River drainage area should be removed from the LEMA proposal. I have attached an additional letter that details, again, why this area should not be included. The groundwater in this area flows north-northeast. There are Kansas Geological Survey contour maps that support this. The water does not flow east. Whether the model run includes this area or not is irrelevant. The map needs to be hand adjusted to take into account factual data that proves the water in this areas does not impact the streamflow at Zenith or the Refuge's water right.

Comment 5:
In the proposal section 3.a. point number three it states "permanent movement of water from hydrologically sensitive areas to lesser sensitive areas." We are strongly against the moving of any water rights from the Rattlesnake basin to the ARK basin. This is just transferring the problem to another area and could lead to impairment issues in the ARK.

Comment 6:
The proposal section 3.b.ii. states that "The District will pay the cost to develop, construct, and operate a 15 cfs wellfield south of the Refuge." Paying for this wellfield, if it happens, should come strictly from Rattlesnake basin certificate holders. Again, this is a Rattlesnake basin problem. Right holders in the ARK should not bear the burden of this expense.

Comment 7:
What is the process for making LEMA modifications? How will we know our concerns are being looked into and incorporated into the LEMA proposal.