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Big Bend GMD #5

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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): Robert Neeland

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1. How can you augment water from one basin to another? Is that allowed?
2. Augmentation should occur in the Rattlesnake not the Arkansas so we can avoid future impairments.
3. Arkansas and Ninnescah basins should not be included in the LEMA. It's been a Rattlesnake issue for the last 20 years and the other basins shouldn't be included at the last minute.
4. MDS wells should take the cuts to get to 23,000 AF of reduction and if more is needed then a step down reduction should be used as it was outlined in the 2000 Rattlesnake Creek Management Plan.
5. Pumping reductions should be made off of appropriated water not NIR. You are punishing farmers for not pumping their full allocation when you were promoting for them the reduce water use. Furthermore, the years that pumpers only used half or a quarter of their appropriation the creek was flowing and there wasn't an impairment issue.
6. One of the solutions mentioned for Zone D reductions was moving the water out of the high impact zone. How will moving water out of Zone D really be a reduction? Will you be allowing movement between basins or just within basins? This will just cause problems elsewhere in GMD5.
7. Can the public see all of the scenario's that were presented to the LEMA committee that were considered for remedy to the impairment? What solutions did the committee reject and why?
8. Why hasn't MDS administration occurred in this impairment? The Zenith gauge failed to meet MDS criteria for over 240 days in 2014. Is the rattlesnake exempt from this law and why? Appendix H of the Big Bend Groundwater model simulates shut off of MDS wells in only the Rattlesnake sub-basin. This model doesn't include MDS wells in the proposed LEMA area because the LEMA goes outside the boundaries of the Rattlesnake watershed.
9. The "seahorse" map is a streamflow response map. Minimum Desirable Streamflow statute was enacted for this exact situation.
10. The "seahorse" map shouldn't even be used to resolve the impairment. In the final impairment report the chief engineer states, "Upstream, junior groundwater pumping within the [Rattlesnake] Basin is and has been significantly reducing water availability". He also states, "Further, I find this impairment is not substantially due to regional overall lowering of the water table". After making these findings, why is the LEMA being expanded to encompass the Ark and Ninnescah?
11. Who is going to pay for augmentation? Stakeholders in the LEMA or all of GMD5? What happens if augmentation is needed elsewhere in GMD5 in the future?