

March 7, 2018

Compton Hoffman Land Co.
P.O. Box 130
Larned, KS 67550

RE: Comments on Proposed LEMA Plan

In 2015 we purchased the Compton Hoffman Land Co which owned the NE 1/4 of 30-22-14 in Stafford County. The quarter section has an irrigation well that supplies a pivot to irrigate crops. The water right file number is 19,930 with a priority date of 01/04/1973.

The ground was purchased with the understanding that and of record that it was in the Arkansas River Sub basin and was not part of the Rattlesnake Creek area of concern. I have further learned that the LEMA proposal would make MDS wells in the area on the same footing as senior water rights. Kansas water law is very clear in that it gives priority dates and makes senior wells have priority over junior rights. The MDS wells were drilled after April 12, 1984 giving them junior status. Those wells should be curtailed before any wells are effected in this area. If the MDS wells are treated the same as a senior right then Kansas Water Law is being ignored. We have years of precedence in the state of Kansas and strict water laws.

I believe the location of our ground in not in the Rattlesnake basin but is located in the Arkansas River Basin as appropriated.

If a LEMA is the only solution to the desired stream flow for the Rattlesnake then make sure all MDS wells are curtailed first. They should never be put on the same level as a senior water right. Priority dates have a purpose. Use them.

Sincerely,



C.R. Bert

President

RECEIVED

MAR 12 2018

Big Bend GMD #5