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Mike Beam, Secretary

April 10, 2023

Laura Kelly, Governor
RECEIVED

APR 10 2023

Big Bend GMD #5

BIG BEND GMD #5
125 S MAIN ST
STAFFORD, KS 67578 1429

RE: Quivira National Wildlife Refuge Impairment and
USFWS Request to Secure Water

Dear BIG BEND GMD #5:

On February 10, 2023, I received a written Request to Secure Water from the United States Fish and Wildlife Service (USFWS) pertaining to its Water Right, File No. 7,571, for the Quivira National Wildlife Refuge, located in eastern Stafford County, Kansas. You are receiving this communication because you have been identified as a water right holder that will potentially be affected by the implementation of a future plan to remedy the impairment of the USFWS's senior water right.

I have informed the USFWS that in order to proceed with its request the Kansas Department of Agriculture Division of Water Resources (KDA-DWR) will need to review the impairment investigation that was completed in 2016 and consider the most up-to-date information and hydrologic modeling tools at its disposal. Therefore, at this time, no actions to administer junior water rights with respect to the USFWS's Request to Secure Water are planned during 2023. It is presently my intent, however, to develop and implement a durable remedy during early 2024 to address the ongoing impairment of the USFWS's senior water right, into the future, pursuant to the process and authority found in the Kansas Water Appropriation Act. I plan to engage potentially impacted water right holders within the Rattlesnake Creek basin regarding KDA-DWR's work throughout this process with additional communications.

Additional information, including the USFWS's Request to Secure Water and its cover letter, as well as historical background information regarding this issue, can be found on the KDA-DWR website at: <https://agriculture.ks.gov/quivira>. Please visit the above website for updates.

Sincerely,

Earl D. Lewis Jr., P.E.
Chief Engineer

pc: KDA-DWR Stafford Field Office
Big Bend GMD No. 5
U.S. Fish and Wildlife Service