RESOLUTION 2003-2
OF THE
SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT

WHEREAS, the Southwest Kansas Groundwater Management District is a body politic and was incorporated on March 23, 1976 under the provisions of K.S.A. 82a-1028 Groundwater Management District Act and therefore shall have the power to:

(n) adopt, amend, promulgate, and enforce by suitable action, administrative or otherwise, reasonable standards and policies relating to the conservation and management of groundwater within the district which are not inconsistent with the provisions of the Groundwater Management District Act or article 7 of chapter 82a of the Kansas Statutes Annotated, and all acts amendatory thereof or supplemental thereto; and

WHEREAS, Article VIII of the Southwest Kansas Groundwater Management District Bylaw Amendments states that such Bylaws may be amended or repealed, by first providing written notice to the Executive Committee at least 30 days in advance of the meeting at which a relevant action will be considered and new bylaws may be adopted by a majority of the Directors present at any regular meeting or at any special meeting by providing written notice; and

WHEREAS, a written notice was provided to the Executive Committee on January 8, 2003 which was 30 days prior to the February 26, 2003 meeting scheduled for the vote on the proposed changes of the Southwest Kansas Groundwater Management Bylaws; and

WHEREAS, it is the desire of the Southwest Kansas Groundwater Management District Board of Directors to provide reasonable and adequate constituent representation; then

THEREFORE, be it resolved by this Board of Directors of the Southwest Kansas Groundwater Management District that the following Bylaw changes be made:

BYLAW ARTICLE III BOARD OF DIRECTORS
B. Membership
    2.   Three (3) director positions will be elected at-large from the 12-county area to represent the classifications of:

        1.   Industrial - Representative must be an owner, or an authorized agent of an industrial water right owner within the District. Stock water users may qualify as industrial users. ~~Industrial representatives must not have direct interests in other water use classifications other than domestic.~~

2. Municipal - Representative must be an authorized agent of an incorporated municipality within the District. ~~Municipal representatives must not have direct interests in other water use classifications other than domestic.~~

BYLAW ARTICLE V ELECTION OF DIRECTORS

B. Qualifications and Eligible Voters

Nominees for county Director's positions must reside in the county to be represented~~., and within the District boundaries.~~ Nominees must further meet the eligibility requirement of K.S.A. 82a-1021. Definitions., which provides:

(e) "eligible voter" means any person who is a landowner or a water user as defined in this act except as hereafter qualified. Every natural person of the age of eighteen (18) years or upward shall be an eligible voter of a district under this act if (1) he or she is a landowner who owns, of record, any land, or any interest in land, comprising forty (40) or more contiguous acres located within the boundaries of the district and not within the corporate limits of any municipality, or (2) he or she withdraws or uses groundwater from within the boundaries of the district in an amount of one acre-foot or more per year.
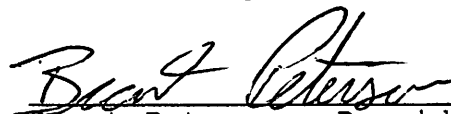
BYLAW ARTICLE VI CONDUCT / DISQUALIFICATION / REVOCATION

B. Disqualification

At its discretion, the Board of Directors may determine that a disqualification of a Director exists under the following circumstances (non-exclusive):

1) he/she ceases to maintain the conditions which qualify an individual as an eligible voter in the District, or ceases to maintain a residency ~~status within the District and~~ within the county to be represented, or ceases to qualify as a representative of the elected water-use classification, if representing a municipal, industrial, or dryland classification.

Adopted this 26th day of February, 2003

Brant Peterson
Brant Peterson, President

ATTEST:

Kent Dunn
Kent Dunn, Vice President