

**RESOLUTION 2004-7
OF THE
SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT**

WHEREAS, the Southwest Kansas Groundwater Management District #3 (GMD3) is a body politic and was incorporated on March 23, 1976;

WHEREAS, under K.S.A. 82a-1028(n) GMD3 has the power to adopt administrative standards and policies relating to the management of the district which are not inconsistent with the provisions of article 10 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto, or the Kansas water appropriation act;

WHEREAS, K.S.A. 82a-1029 states in part:

The board shall periodically and at least once each year review the officially adopted management program. Following that review, they shall either reaffirm its adoption or propose that it be revised;

WHEREAS, after the proposed revision of the management program, K.S.A. 82a-1029 states in part:

. . . the board shall transmit a copy to the chief engineer with a request for his or her approval. The chief engineer shall examine and study the management program and, if he or she finds that it is compatible with article 7 of chapter 82a of the Kansas Statutes Annotated, and all acts amendatory thereof or supplemental thereto and any other state laws or policies, he or she shall approve it and notify the board of his or her action;

WHEREAS, on January 14, 2004, the GMD3 Board of Directors voted unanimously to approve the distribution and publication of the preliminary version of a Revised Management Program;

WHEREAS, on June 4, 2004, David L. Pope, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture issued an order stating that the Revised Management Program, received on June 1, 2004, should be approved and upon adoption by the GMD3 Board of Directors, the Revised Management Program

will supersede the Revised Management Program approved by the Chief Engineer on August 2, 1991, which became effective on September 1, 1991;

WHEREAS, on June 9, 2004 the GMD3 Board of Directors voted unanimously to present the June 9, 2004, version of the Revised Management Program approved by the chief engineer (formally called the June 2, 2004 version) to the public at a hearing and fixed the date and time of the public hearing as September 8, 2004, at 10:00 o'clock a.m.;

WHEREAS, a notice was published in the Garden City Telegram Newspaper, Garden City, Kansas of general circulation in GMD3 on the 26th day of June, 2004, the 10th day of July, 2004 and on the 24th of July, 2004 that set forth the time and date of the hearing and stating that a copy of the June 9, 2004, version of the Revised Management Program was available for inspection in the office of the Secretary. In addition to that newspaper, the same public notice was provided in nine additional area newspapers also for three consecutive weeks; and,

WHEREAS, the GMD3 Board of Directors has reviewed and considered all testimony, written statements, and other information submitted in accordance with K.S.A. 82a-1029 during the September 8, 2004 Public Hearing.

WHEREAS, the GMD3 Board of Directors has reviewed and considered all testimony, written statements, and other information submitted in accordance with K.S.A. 82a-1029 during the October 13, 2004 Public Hearing.

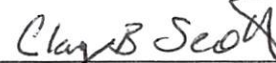
THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Southwest Kansas Groundwater Management District No. 3 to adopt the June 9, 2004 version of the Revised Management Program as the official management program of the District.

Adopted this 10th day of November, 2004



Brant Peterson, President
GMD3 Board of Directors

Attest:



Clay B. Scott, Secretary
GMD3 Board of Directors