

## RESOLUTION

A Resolution concerning appeals to the Board of Directors requesting waiver of District Rules & Regulations, Polices, or Management Plan Criteria or Provisions.  
July 8, 1987

**WHEREAS**, K.S.A. 82a-1028 authorizes and empowers a Groundwater Mangement District to adopt, amend, promulgate, and enforce reasonable standards and policies and to further recommend to the Chief Engineer Rules & Regulations necessary to implement and enforce the policies of the Board, and

**WHEREAS**, K.S.A. 82a-1029 authorizes and empowers a District to adopt a Management Program, and

**WHEREAS**, the District has, from time to time, adopted certain standards and policies and has also adopted Rules & Regulations and a Management Program which have been approved by the Chief Engineer of the Division of Water Resources and are in full force and effect, and

**WHEREAS**, appeals are made directly to the Board of Directors from time to time by applicants or water users regarding applications for permission to appropriate groundwater for beneficial use and for waiver or interpretation by the District of its Rules & Regulations, Management Program or Standards and Policies, and

**WHEREAS**, consistency in the administration of standards and policies, the Management Program and Rules & Regulations of the District is necessary and desirable, and

**WHEREAS**, an orderly and consistent method and manner of evaluating applications is necessary to accomplish said consistency.

**NOW THEREFORE BE IT RESOLVED THAT** all appeals directly to the Board of Directors to waive Standards and Policies, Rules & Regulations or the Management Program of the District, shall be heard by the Board using the following guidelines and criteria:

(a) All applications eligible for consideration must first be assigned an appropriation number by the Division of Water Resources;

(b) Before an appeal may be made to the Board of Directors, a recommendation, pursuant to a request from the Division of Water Resources, must be made by the District Staff;

(c) The applicant shall request the issue be placed on the meeting Agenda prior to the meeting;

(d) When new information is presented, or statements of fact are made, which is not documented or cannot be immediately verified, it shall be the policy of the Board of Directors to take the matter under advisement until the next meeting, in order to allow the staff to further investigate the information;

(e) If additional information is needed to make a decision, the Board of Directors may take the matter under advisement until the next meeting and request the staff and/or the applicant to supply the information;

ADOPTED JULY 8, 1987.

  
Myron Nicholson  
Secretary