

**RESOLUTION 96-2**

**OF THE**

**SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT**

**WHEREAS**, the District's 1991 Revised Management Program provides, in part, that

VI.5.C.2. Entire townships shall be closed to further appropriation of water for beneficial use from the unconsolidated aquifer, commonly described as the Ogallala aquifer, except those for domestic use and those requesting less than five acre-feet per calendar year, under the following criteria:

- a. A township (nominally 36 square miles) shall be closed to further appropriation of water, if the allowable annual appropriation, computed by the formula above, is exceeded by the total quantity of vested and appropriated rights and approved applications within the township.
- b. A township shall be closed to further appropriation of water, if the saturated thickness of the aquifer is 40 feet, or less, within the township.
- c. A township shall be closed to further appropriation of water, if the aquifer has been depleted by 20 per cent, or more, since 1940.

The average saturated thickness within a township and historical depletion shall be determined from maps developed by the United States Geological Survey or the Kansas Geological Survey; and

**WHEREAS**, the Directors have found it to be in the public interest to maintain a current profile of scientific resources and hydrologic references, and for said reason have caused the saturated thickness data of the District to be updated by the Kansas Geological Survey in conformity with the aforementioned Revised Management Program; and

**WHEREAS**, Kansas Geological Survey "Open File Report 95-18" was officially recognized, accepted, and adopted as the District's standard of reference in this regard and same was officially approved by the Chief Engineer on January 29, 1996 for use in administration of the rules and regulations of the Division of Water Resources; and

**WHEREAS**, the Division of Water Resources has adopted a Rule and Regulation regarding the availability of water for new appropriations which provides, in part, that

K.A.R. 5-23-4a. Criteria for closing townships to new appropriations. ... (b) The District shall review townships that are not closed to further appropriations at least once a year to determine their status; and

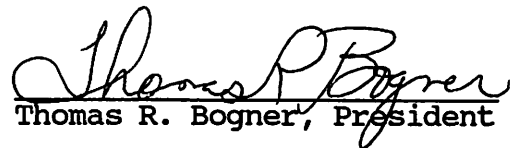
**WHEREAS**, the Board of Directors has necessarily caused the appropriate townships to be reviewed against the aforementioned provisions of the Management Program and Rules and Regulations and found the following townships to meet or exceed the criteria identified, as follows:

- T23 South R30 West, Finney County - over appropriated
- T28 South R24 West, Ford County - over appropriated
- T31 South R26 West, Meade County - over appropriated;  
<40' Saturated Thickness
- T32 South R33 West, Seward County - over appropriated
- T33 South R30 West, Meade County - over appropriated
- T33 South R38 West, Stevens County - over appropriated
- T33 South R42 West, Morton County - > 20% Historic Depletion
- T35 South R39 West, Morton County and Stevens County - over  
appropriated
- T35 South R40 West, Morton County - over appropriated;  
> 20% Historic Depletion
- T35 South R41 West, Morton County - > 20% Historic Depletion;  
<40' Saturated Thickness
- T35 South R42 West, Morton County - >20% Historic Depletion;

then

**THEREFORE**, be it resolved by the Board of Directors of the Southwest Kansas Groundwater Management District that a recommendation to close said townships to further new appropriations be provided to the Chief Engineer as of this day for incorporation into the administrative requirements of the Division of Water Resources.

Adopted this 17th day of July, 1996.

  
Thomas R. Bogner, President

ATTEST:

  
Michael J. McNiece, Secretary