

RESOLUTION 96-4

OF THE

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT

WHEREAS, the Groundwater Management District Act provides in part, that:

K.S.A. 82a-1028. District powers; home office. Every groundwater management district organized under this act shall be a body politic and corporate and 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 this act or article 7 of chapter 82a of the Kansas Statutes Annotated, and all acts amendatory thereof or supplemental thereto;

(o) recommend to the chief engineer rules and regulations necessary to implement and enforce the policies of the board. Such rules and regulations shall be of no force and effect unless and until adopted by the chief engineer to implement the provisions of article 7 of chapter 82a of the Kansas Statutes Annotated, and all acts amendatory thereof or supplemental thereto. All such regulations adopted shall be effective only within a specified district; and

K.S.A. 82a-1029. Management program; board of directors' and chief engineer's functions and duties; hearings; approval and adoption; periodic review. 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; and

WHEREAS, the Chief Engineer has presently adopted Rules and Regulations regarding the administration of groundwater appropriations within the area of the Southwest Kansas Groundwater Management District pursuant to the recommendations of the Board of Directors (and in conformity with the requirements of K.S.A. 77-415 through 77-437, inclusive), as follows:

- K.A.R. 5-23-1. Definitions.
- K.A.R. 5-23-2. Tailwater Control and Waste.
- K.A.R. 5-23-3. Well Spacing Requirements.
- K.A.R. 5-23-4. Aquifer Depletion.

- K.A.R. 5-23-4a. Criteria for Closing Townships to New Appropriations.
- K.A.R. 5-23-5. Applications and Water Use Limitations.
- K.A.R. 5-23-6. Measuring Devices.
- K.A.R. 5-23-10. Check Valves. (Reserved).
- K.A.R. 5-23-11. Procedures for Non-Compliance with Rules and Regulations; and

WHEREAS, the Board of Directors have reviewed the Management Program and appurtenant standards and policies of the District, and have found certain amendments to be desirable and in the public interest of the District; then

THEREFORE, the Board of Directors hereby recommends the following revisions and proposals to the Rules and Regulations of the Division of Water Resources adopted by the Chief Engineer for the area of the District (as herewith attached).

Adopted this 9th day of October, 1996.



Thomas R. Bogner, President

ATTEST:



Michael J. McNiece, Secretary