

RESOLUTION 99-2

OF THE

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT

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

"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."; and

WHEREAS, by instrument of Resolution Nos. 98-2 and 98-6, the Board of Directors have recommended that the Rules and Regulations of the Division of Water Resources effective within the area of the District be revised and prospectively adopted for implementation; and

WHEREAS, the District's 1991 Revised Management Program and the Rules and Regulations of the Division of Water Resources both provide, in part, that

"...The average saturated thickness of the 8,042 acre area shall be determined from maps developed by the United States Geological Survey or other reliable information as may be available."; and

"The average saturated thickness within a township and historical depletion shall be determined from maps developed by the United States Geological Survey; the Kansas Geological Survey, or other reliable information"; 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 98-52 was officially recognized, accepted, and adopted as the District's standard of reference in this regard and same is officially pending review and approval by the Chief Engineer for use in administration of the rules and regulations of the Division of Water Resources; and

WHEREAS, The Division of Water Resources has presently 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 presently "open" townships to be reviewed against the aforementioned provisions of the Management Program and recommended Rule and Regulation revisions, and found the following six additional townships to meet or exceed the criteria identified, as follows:

Township 23 south, Range 30 west, Finney County
Township 30 south, Range 28 west, Gray County
Township 32 south, Range 35 west, Stevens County
Township 33 south, Range 41 west, Morton County
Township 34 south, Range 38 west, Stevens County
Township 35 south, Range 38 west, Stevens County

and;

WHEREAS, the Board of Directors has similarly caused the presently "closed" townships to be reviewed against the aforementioned provisions of the Management Program and recommended Rule and Regulation revisions and found the following nine townships to no longer meet or exceed the criteria identified, as follows:

Township 23 south, Range 28 west, Gray County
Township 25 south, Range 37 west, Kearny county
Township 26 south, Range 21 west, Ford County
Township 26 south, Range 23 west, Ford County
Township 28 south, Range 23 west, Ford County
Township 32 south, Range 36 west, Stevens County
Township 33 south, Range 42 west, Morton County
Township 34 south, Range 41 west, Morton County
Township 34 south, Range 43 west, Morton County

and;

THEREFORE, be it resolved by the Board of Directors of the Southwest Kansas Groundwater Management District that a recommendation to amend the appropriation status of the aforementioned townships be forwarded to the Chief Engineer as of this day for incorporation into the administrative requirements of the Division of Water Resources.

Adopted this 13th day of January, 1999.



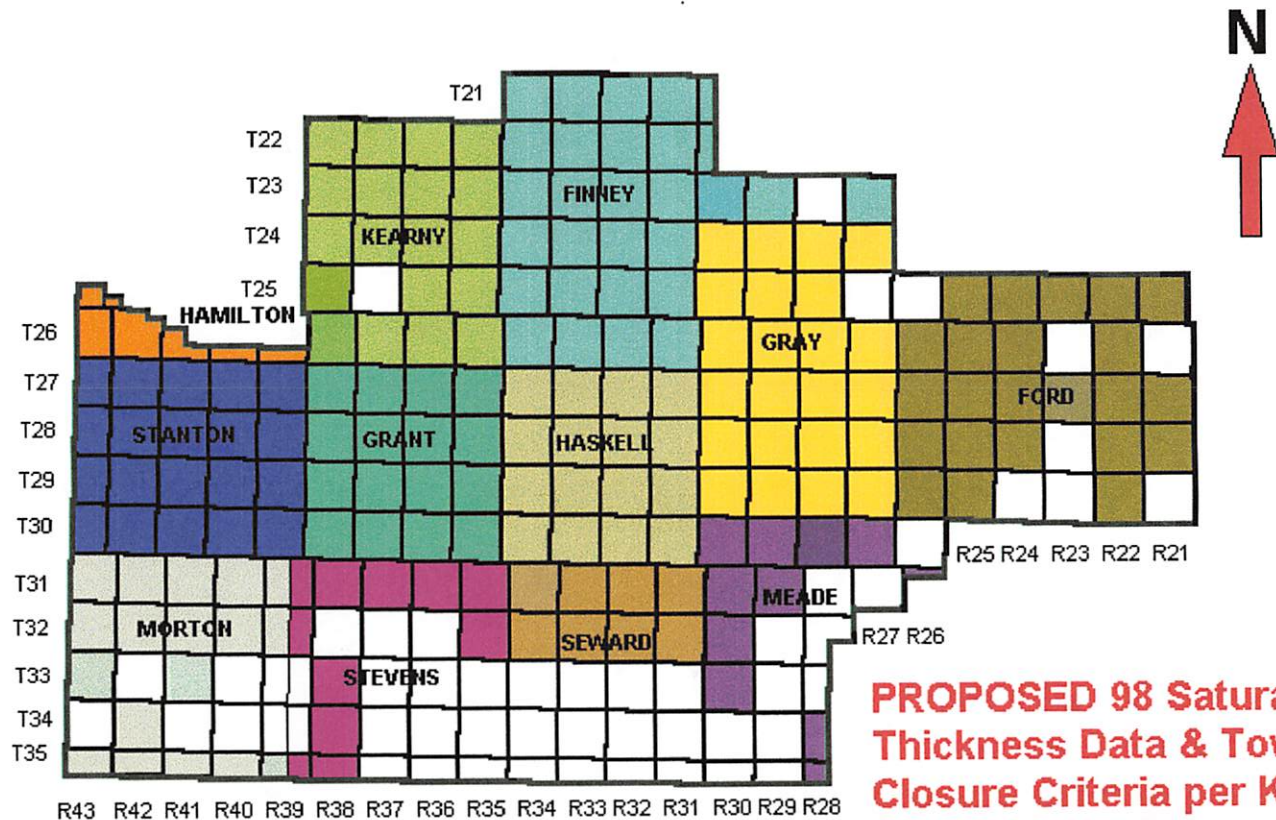
Steve Stone, President

ATTEST:



Kent Dunn, Secretary

Township Closures Using 1998 Saturated Thickness Data



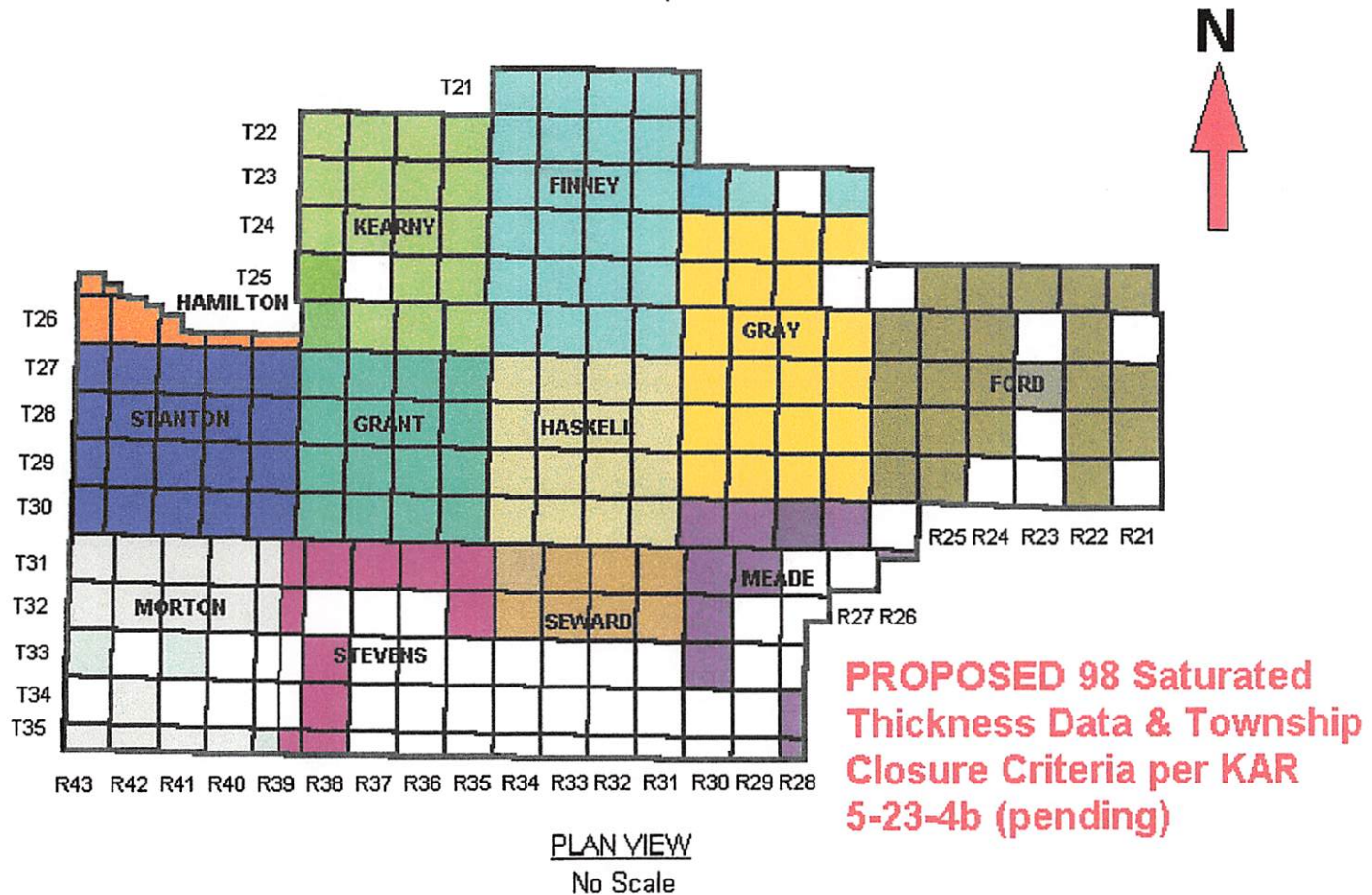
PROPOSED 98 Saturated Thickness Data & Township Closure Criteria per KAR 5-23-4b (pending)

PLAN VIEW
No Scale

NOTE: The townships shown in county specific colors are presently closed to further appropriation of water for non-domestic purposes requesting more than 15 acre feet of water per calendar year. In contrast, the townships shown in white may have new permits available for applications requesting more than 15 acre feet per calendar year for the non-domestic use of water. Please contact the District for information on the procedure for obtaining a permit to appropriate water for beneficial use.

ENTERED DEC 8 - 1998

Township Closures Using 1998 Saturated Thickness Data



NOTE: The townships shown in county specific colors are presently closed to further appropriation of water for non-domestic purposes requesting more than 15 acre feet of water per calendar year. In contrast, the townships shown in white may have new permits available for applications requesting more than 15 acre feet per calendar year for the non-domestic use of water. Please contact the District for information on the procedure for obtaining a permit to appropriate water for beneficial use.

ENTERED DEC 8 - 1998

Southwest Kansas Ground Water Management District No. 3

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Previously
23	28	54 feet	55 feet	19	1%	3527 AF	786 AF	2741 AF	Closed
25	26	88	86	35	-2	6543	3941	2602	Open
25	27	117	105	36	-10	7745	6771	974	Open
25	37	94	80	20	-14	4393	2614	1779	Closed
26	21	31	53	26	72	4037	3110	927	Closed
26	23	60	54	11	-10	2826	545	2281	Closed
28	23	125	115	36	-8	8256	6550	1706	Closed
29	21	84	81	36	-4	6381	5914	466	Open
29	23	94	87	36	-7	6754	4647	2107	Open
29	24	72	64	27	-12	4556	2638	1918	Open
30	26	360	329	21	-9	12520	11786	734	Open
31	27	332	321	23	-3	12940	11464	1476	Open
31	28	304	264	36	-13	16498	15772	726	Open
32	28	346	332	25	-4	14189	3835	10354	Open
32	29	339	314	36	-7	19258	10304	8954	Open
32	36	382	310	36	-19	19080	15535	3545	Closed
32	37	404	360	36	-11	21837	9071	12766	Open
32	38	349	321	36	-8	19676	10456	9220	Open
33	28	254	250	9	-2	4416	985	3431	Open
33	29	293	269	36	-8	16816	6041	10775	Open
33	31	344	326	36	-5	19931	14436	5495	Open
33	32	321	308	36	-4	18965	10549	8415	Open
33	33	336	310	36	-7	19089	15018	4072	Open
33	34	403	382	36	-5	23048	10155	12893	Open
33	35	426	365	36	-14	22105	20244	1861	Open
33	36	362	294	36	-19	18205	17654	551	Open
33	37	467	440	36	-6	26239	21429	4810	Open
33	39	276	260	36	-6	16292	10341	5951	Open
33	40	198	190	36	-4	12422	3565	8857	Open
33	42	90	85	36	-5	6625	3634	2991	Closed
34	29	302	292	27	-3	14033	1011	13022	Open
34	30	400	379	36	-5	22880	11247	11633	Open
34	31	409	402	36	-2	24132	2606	21526	Open
34	32	389	384	36	-1	23155	8076	15079	Open
34	33	412	405	36	-2	24329	16537	7791	Open
34	34	540	511	36	-5	30153	16896	13257	Open
34	35	532	486	36	-9	28772	26560	2212	Open
34	36	530	489	36	-8	28970	24647	4323	Open
34	37	474	453	36	-5	26955	19650	7305	Open
34	39	358	351	36	-2	21321	13855	7466	Open
34	40	251	252	36	1	15879	8308	7571	Open
34	41	136	131	36	-3	9190	3802	5388	Closed
34	43	64	56	17	-12	3376	502	2874	Closed
35	29	265	311	7	17	4304	0	4304	Open
35	30	297	312	18	5	9586	1180	8406	Open
35	31	328	344	18	5	10471	2252	8219	Open

1999 Open Townships January 8 1999.xls

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Previously
35	32	379	368	18	-3	11135	1294	9841	Open
35	33	484	465	18	-4	13816	6139	7677	Open
35	34	563	553	18	-2	16249	6195	10054	Open
35	35	501	473	18	-6	14038	3714	10324	Open
35	36	524	492	18	-6	14563	10139	4424	Open
35	37	492	468	18	-5	13899	9736	4163	Open

Southwest Kansas Ground Water Management District No. 3

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Why?	Previously
21	30	17 feet	38 feet	1	55%	698 AF	37 AF	661 AF	1	Closed
21	31	32	32	14	-1	2604	270	2334	1	Closed
21	32	114	62	31	-45	4875	17083	-12208	2,3	Closed
21	33	121	47	29	-61	4030	18975	-14945	1,2,3	Closed
21	34	35	13	4	-63	2000	2178	-178	1,2,3	Closed
22	30	27	36	11	34	1248	3740	-2492	1,3	Closed
22	31	82	61	36	-26	5287	16584	-11297	2,3	Closed
22	32	130	64	36	-51	5467	17285	-11818	2,3	Closed
22	33	167	69	36	-59	5722	29884	-24162	2,3	Closed
22	34	152	64	30	-58	4851	26476	-21625	2,3	Closed
22	35	72	26	16	-64	2562	7315	-4753	1,2,3	Closed
22	36	45	32	11	-29	2461	1331	1130	1,2	Closed
22	37	52	42	13	-19	2754	656	2098	1	Closed
22	38	0	0	36	0	1920	2844	-924	1,3	Closed
23	27	20	22	11	14	2299	1274	1025	1	Closed
23	29	36	43	19	18	3175	3100	75	1	Closed
23	30	51	45	33	-12	4216	3771	445	1	OPEN
23	31	101	77	36	-23	6195	13056	-6861	2,3	Closed
23	32	184	139	36	-24	9623	28605	-18982	2,3	Closed
23	33	282	207	36	-26	13391	42946	-29555	2,3	Closed
23	34	293	216	36	-27	13839	44030	-30191	2,3	Closed
23	35	225	170	36	-24	11313	34610	-23297	2,3	Closed
23	36	71	42	36	-41	4244	11945	-7701	1,2,3	Closed
23	37	66	42	36	-37	4226	10888	-6662	1,2,3	Closed
23	38	62	50	15	-20	3069	3718	-649	1,2,3	Closed
24	27	45	40	35	-9	4086	7542	-3456	1,3	Closed
24	28	123	103	36	-17	7600	13360	-5760	3	Closed
24	29	132	110	36	-17	8010	13582	-5572	3	Closed
24	30	117	87	36	-26	6717	15752	-9035	2,3	Closed
24	31	164	138	36	-16	9548	17641	-8093	3	Closed
24	32	250	214	36	-14	13759	24134	-10375	3	Closed
24	33	344	294	36	-15	18162	45088	-26926	3	Closed
24	34	350	292	36	-17	18053	32213	-14161	3	Closed
24	35	329	297	36	-10	18364	35326	-16962	3	Closed
24	36	172	150	34	-13	9778	19747	-9969	3	Closed
24	37	76	44	12	-42	2723	1973	750	1,2	Closed
24	38	60	40	2	-34	2041	779	1262	1,2	Closed
25	21	37	31	7	-17	2253	430	1823	1	Closed
25	22	0	0	36	0	1920	120	1800	1	Closed
25	23	0	0	36	0	1920	120	1800	1	Closed
25	24	52	24	2	-52	1995	122	1873	1,2	Closed
25	25	50	48	4	-5	2213	1536	677	1	Closed
25	28	162	132	36	-18	9207	14307	-5100	3	Closed
25	29	173	140	36	-19	9689	18905	-9216	3	Closed
25	30	175	153	36	-12	10396	21573	-11177	3	Closed
25	31	194	162	36	-16	10886	17300	-6414	3	Closed

1999 Closed Townships January 8 1999.xls

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Why?	Previously
25	32	340	283	36	-17	17573	24678	-7104	3	Closed
25	33	434	354	36	-19	21476	33455	-11979	3	Closed
25	34	390	310	36	-20	19086	23684	-4598	2,3	Closed
25	35	360	277	36	-23	17220	37672	-20452	2,3	Closed
25	36	290	238	36	-18	15105	28397	-13292	3	Closed
25	38	4	13	21	225	2355	2513	-158	1,3	Closed
25	42	142	78	2	-45	348	0	348	2	Closed
25	43	117	59	2	-50	821	7232	-6411	2,3	Closed
26	22	29	48	10	63	2653	1697	956	1	Closed
26	24	90	69	29	-23	5012	6519	-1507	2,3	Closed
26	25	117	100	35	-15	7276	10297	-3021	3	Closed
26	26	158	146	36	-8	9967	16444	-6477	3	Closed
26	27	187	164	36	-13	10975	21376	-10401	3	Closed
26	28	179	143	36	-20	9826	25378	-15553	2,3	Closed
26	29	172	123	36	-28	8721	32732	-24011	2,3	Closed
26	30	212	154	36	-27	10449	30483	-20033	2,3	Closed
26	31	284	219	36	-23	14013	29825	-15812	2,3	Closed
26	32	421	355	36	-16	21561	33937	-12376	3	Closed
26	33	421	333	36	-21	20355	33915	-13560	2,3	Closed
26	34	389	296	36	-24	18275	27838	-9563	2,3	Closed
26	35	336	237	36	-30	15022	20883	-5861	2,3	Closed
26	36	297	212	36	-29	13655	22308	-8653	2,3	Closed
26	37	198	129	26	-35	7066	8080	-1014	2,3	Closed
26	38	32	43	1	34	1986	2	1984	1	Closed
26	39	0	0	12	0	640	0	640	1	Closed
26	40	0	0	12	0	640	916	-276	1,3	Closed
26	41	176	134	12	-23	3430	4882	-1452	2,3	Closed
26	42	165	71	33	-57	5359	19058	13699	2	Closed
26	43	127	41	14	-67	2482	11275	-8793	1,2,3	Closed
27	21	4	12	16	183	2220	1530	690	1	Closed
27	22	60	78	16	31	3849	7232	-3383	3	Closed
27	23	83	75	35	-10	5927	5980	-53	3	Closed
27	24	108	94	36	-13	7136	19581	-12445	3	Closed
27	25	95	79	36	-16	6291	16855	-10564	3	Closed
27	26	78	51	36	-35	4734	14561	-9827	2,3	Closed
27	27	102	69	36	-33	5709	15840	-10131	2,3	Closed
27	28	161	114	36	-29	8236	29874	-21638	2,3	Closed
27	29	172	112	36	-35	8125	26602	-18477	2,3	Closed
27	30	217	144	36	-34	9886	32602	-22716	2,3	Closed
27	31	352	268	36	-24	16742	37481	-20738	2,3	Closed
27	32	355	261	36	-27	16342	34972	-18630	2,3	Closed
27	33	342	246	36	-28	15495	28581	-13086	2,3	Closed
27	34	298	220	36	-26	14096	26794	-12698	2,3	Closed
27	35	246	148	36	-40	10093	30729	-20636	2,3	Closed
27	36	269	161	36	-40	10803	31407	-20604	2,3	Closed
27	37	263	129	35	-51	8834	31750	-22916	2,3	Closed
27	38	289	145	20	-50	6376	26349	-19973	2,3	Closed
27	39	264	131	23	-50	6562	22374	-15812	2,3	Closed

1999 Closed Townships January 8 1999.xls

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Why?	Previously
27	40	184	100	32	-46	6811	17424	-10613	2,3	Closed
27	41	163	87	36	-47	6732	17461	-10729	2,3	Closed
27	42	135	47	36	-65	4537	20437	-15900	1,2,3	Closed
27	43	133	39	15	-70	2499	8491	-5992	1,2,3	Closed
28	21	48	43	32	-10	4035	9343	-5308	1,3	Closed
28	22	79	76	36	-3	6147	8124	-1977	3	Closed
28	24	150	126	36	-16	8869	13155	-4286	3	Closed
28	25	95	74	36	-22	6001	12198	-6197	2,3	Closed
28	26	97	63	28	-35	4640	5432	-792	2,3	Closed
28	27	78	41	10	-48	2548	2087	461	1,2	Closed
28	28	92	34	27	-63	3315	3648	-333	1,2,3	Closed
28	29	170	115	35	-32	8093	18709	-10616	2,3	Closed
28	30	365	291	36	-20	18010	32729	-14719	2,3	Closed
28	31	366	286	36	-22	17722	31828	-14106	2,3	Closed
28	32	370	265	36	-28	16593	29269	-12676	2,3	Closed
28	33	376	232	36	-38	14741	34538	-19797	2,3	Closed
28	34	317	192	36	-39	12515	18422	-5907	2,3	Closed
28	35	288	185	36	-36	12164	23863	-11699	2,3	Closed
28	36	259	146	36	-43	10021	10891	-870	2,3	Closed
28	37	310	145	36	-53	9918	14506	-4588	2,3	Closed
28	38	350	190	36	-46	12434	31973	-19539	2,3	Closed
28	39	340	209	36	-39	13460	40660	-27200	2,3	Closed
28	40	260	141	36	-46	9698	39565	-29866	2,3	Closed
28	41	198	90	36	-54	6904	31000	-24096	2,3	Closed
28	42	139	67	29	-52	4924	21776	-16852	2,3	Closed
28	43	112	17	3	-85	1678	1349	329	1,2	Closed
29	22	87	76	36	-13	6110	8296	-2186	3	Closed
29	25	107	84	12	-22	3462	6316	-2854	2,3	Closed
29	26	144	102	29	-29	6476	11693	-5217	2,3	Closed
29	27	211	145	14	-31	5032	9242	-4210	2,3	Closed
29	28	216	158	16	-27	5801	7363	-1562	2,3	Closed
29	29	293	236	35	-20	14581	16451	-1870	2,3	Closed
29	30	313	237	36	-24	15002	25789	-10787	2,3	Closed
29	31	300	214	36	-29	13749	31869	-18120	2,3	Closed
29	32	355	249	36	-30	15686	24037	-8351	2,3	Closed
29	33	372	240	36	-35	15194	35694	-20500	2,3	Closed
29	34	337	214	36	-36	13752	33091	-19339	2,3	Closed
29	35	310	198	36	-36	12859	24727	-11868	2,3	Closed
29	36	324	190	36	-41	12445	6612	5833	2	Closed
29	37	380	189	36	-50	12365	17346	-4981	2,3	Closed
29	38	401	244	36	-39	15414	22816	-7402	2,3	Closed
29	39	349	205	36	-41	13256	29760	-16504	2,3	Closed
29	40	302	185	36	-39	12131	30425	-18294	2,3	Closed
29	41	192	75	16	-61	3762	11703	-7941	2,3	Closed
29	42	0	0	0	0	1920	4356	-2436	1,3	Closed
29	43	0	0	0	0	1600	504	1096	1	Closed
30	27	318	290	36	-9	17937	23999	-6062	3	Closed
30	28	371	317	36	-15	19440	19616	-176	3	OPEN

1999 Closed Townships January 8 1999.xls

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Why?	Previously
30	29	377	311	36	-17	19134	24641	-5507	3	Closed
30	30	330	258	36	-22	16179	30746	-14567	2,3	Closed
30	31	354	270	36	-24	16847	25848	-9001	2,3	Closed
30	32	339	235	36	-31	14907	39718	-24811	2,3	Closed
30	33	319	222	36	-30	14193	26885	-12692	2,3	Closed
30	34	294	210	36	-29	13512	21872	-8360	2,3	Closed
30	35	316	231	36	-27	14687	13147	1540	2	Closed
30	36	324	217	36	-33	13916	16486	-2570	2,3	Closed
30	37	304	159	36	-48	10724	23226	-12501	2,3	Closed
30	38	335	198	36	-41	12893	22996	-10103	2,3	Closed
30	39	272	172	36	-37	11423	28893	-17470	2,3	Closed
30	40	215	110	15	-49	4451	21120	-16669	2,3	Closed
30	41	0	0	0	0	1920	6906	-4986	1,3	Closed
30	42	0	0	0	0	1920	4935	-3015	1,3	Closed
30	43	0	0	0	0	1600	9521	-7921	1,3	Closed
31	26	0	0	0	0	267	293	-26	1,3	Closed
31	29	317	265	36	-16	16598	27494	-10896	3	Closed
31	30	364	291	36	-20	18030	25934	-7904	2,3	Closed
31	31	348	273	36	-21	17028	31154	-14126	2,3	Closed
31	32	324	242	36	-25	15319	26957	-11638	2,3	Closed
31	33	298	236	36	-21	14967	22118	-7151	2,3	Closed
31	34	283	228	36	-20	14526	8611	5915	2	Closed
31	35	254	195	36	-23	12690	22656	-9966	2,3	Closed
31	36	299	216	36	-28	13887	26721	-12834	2,3	Closed
31	37	310	181	36	-42	11909	33934	-22025	2,3	Closed
31	38	298	186	36	-38	12205	20013	-7808	2,3	Closed
31	39	183	97	35	-47	7144	32663	-25519	2,3	Closed
31	40	88	32	13	-64	2551	16306	-13754	1,2,3	Closed
31	41	38	0	5	-100	1920	1556	364	1,2	Closed
31	43	40	0	4	-100	1920	8365	-6445	1,2,3	Closed
32	30	335	283	36	-15	17576	26166	-8590	3	Closed
32	31	287	231	36	-20	14678	19358	-4680	2,3	Closed
32	32	256	205	36	-20	13262	27304	-14042	2,3	Closed
32	33	311	268	36	-14	16716	18821	-2105	3	Closed
32	34	305	271	36	-11	16904	20832	-3929	3	Closed
32	35	364	313	36	-14	19218	20242	-1024	3	OPEN
32	39	202	165	36	-18	11021	17137	-6116	3	Closed
32	40	135	79	28	-41	5336	5402	-66	2,3	Closed
32	41	74	27	33	-64	3270	6424	-3154	1,2,3	Closed
32	42	100	52	25	-48	3909	12647	-8738	2,3	Closed
32	43	96	77	19	-20	4153	6150	-1996	2,3	Closed
33	30	356	319	36	-10	19535	24440	-4905	3	Closed
33	38	365	319	36	-13	19543	24437	-4894	3	Closed
33	41	117	90	36	-23	6904	2775	4129	2	OPEN
33	43	82	105	25	28	5934	6551	-617	3	Closed
34	28	0	0	0	0	960	140	820	1	Closed
34	38	403	367	36	-9	22192	26792	-4600	3	OPEN
34	42	49	48	22	-2	3545	319	3226	1	Closed

1999 Closed Townships January 8 1999.xls

T	R	Pre 1950	1998	sections	Loss	Allowed	Allotted	Available	Why?	Previously
35	28	0	0	0	0	480	0	480	1	Closed
35	38	374	336	18	-10	10250	13259	-3009	3	OPEN
35	39	357	305	18	-15	9393	13613	-4220	3	Closed
35	40	267	193	18	-28	6296	5666	630	2	Closed
35	41	220	131	10	-40	2972	1223	1749	2	Closed
35	42	128	72	18	-43	2951	1588	1363	2	Closed
35	43	103	70	18	-32	2895	4392	-1497	2,3	Closed
31	42	0	0	0	0	1920	5505	-3585	1,3	Closed

Criteria for Township Closure:

1. The average saturated thickness of the aquifer is 50 feet or less;
2. The average historic depletion of the saturated thickness is 20 percent or more; or
3. The appropriations exceed 40 percent depletion in 25 years.

Groundwater:

"The Resource
of the
Future"

Southwest Kansas Groundwater Management District

* * * * *

(316) 275-7147

409 Campus Drive, Suite 106
Garden City, Kansas 67846

January 14, 1999

David L. Pope, Chief Engineer
Division of Water Resources
901 S. Kansas Avenue, Second Floor
Topeka, Kansas 66612-1283

RE: Allowable Appropriation Status Recommendations
(Township Closures)

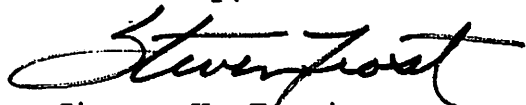
Dear Mr. Pope,

Enclosed please find the District's forward of Resolution No. 99-2 and related subject references (regarding the District's "allowable appropriation" policies and associated recommended revisions proposed to be designated by your office as K.A.R. 5-23-4b).

Based on a review of the data contained in KGS Open File Report 98-52 and appropriation information received from your office as of January 8, 1999, the District has re-determined the appropriation status of township areas utilizing the criteria defined in proposed regulation K.A.R. 5-223-4b. Our review has determined that a total of nine townships now "closed" would not meet or exceed the criteria identified in the proposed regulation, and six additional townships that are now "open" would meet or exceed the same criteria. The status of all other townships would remain unchanged.

The Directors appreciate your consideration in this regard, and as always, we look forward to working with you in the future! Please write or call if you have any questions or if we can be of any assistance.

Sincerely,

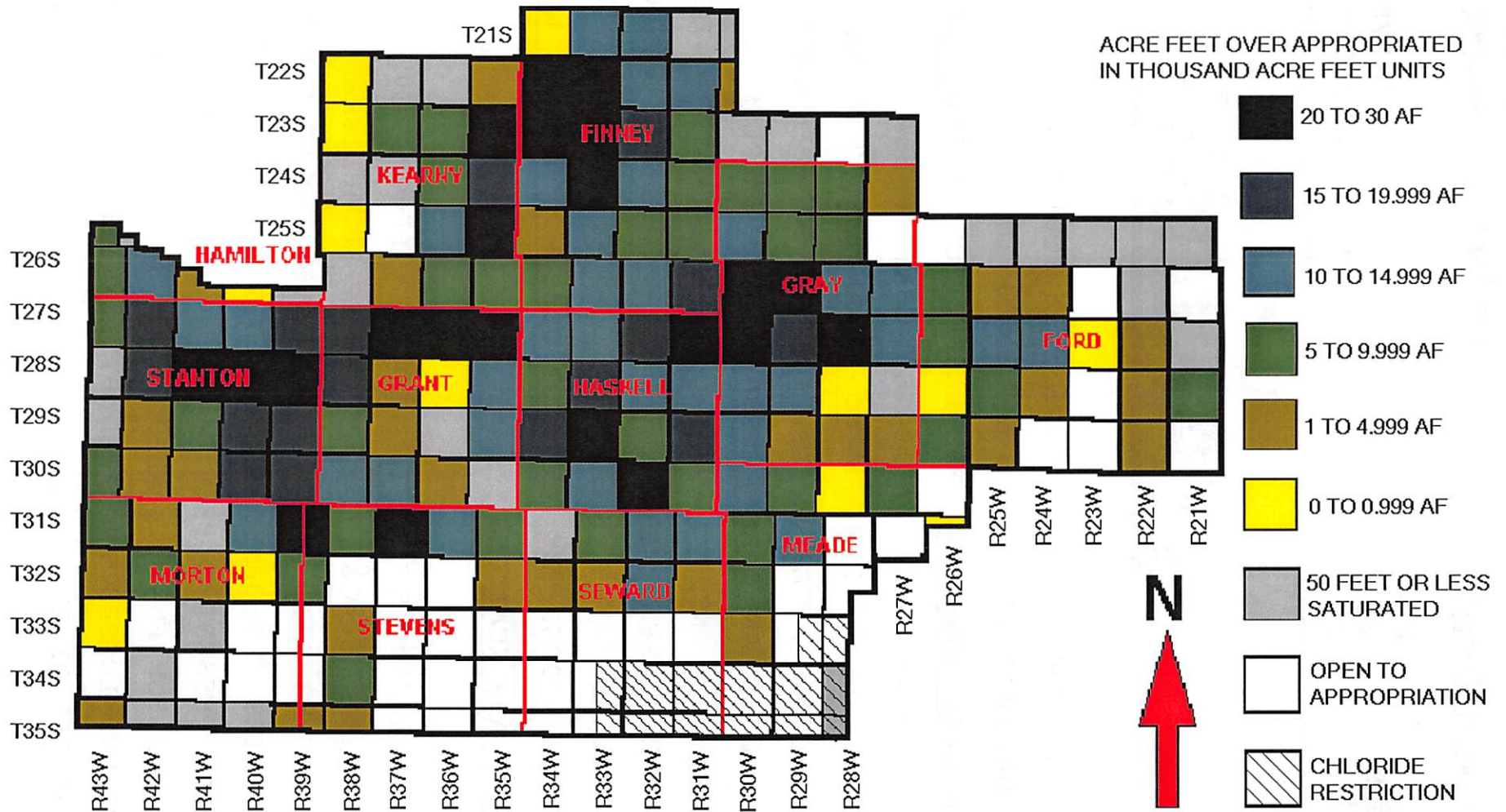


Steven K. Frost
Executive Director

pc: Tom Huntzinger, Water Appropriations Manager
Mark Rude, Water Commissioner
Bruce Falk, Water Commissioner

TOWNSHIPS OPEN OR CLOSED TO APPROPRIATION

ACCORDING TO K.A.R. 5-23-4b. Township Closures. Effective September 22, 2000



EFFECTIVE: SEPTEMBER 22, 2000

Groundwater:

"The Resource
of the
Future"

Southwest Kansas Groundwater Management District

* * * * *

(316) 275-7147

409 Campus Drive, Suite 106
Garden City, Kansas 67846

WARNING

DO NOT SPEND MONEY, INVEST IN EQUIPMENT OR LAND, CHANGE MANAGEMENT PRACTICES, NOR ENTER INTO CONTRACTS BASED UPON AN OPEN TOWNSHIP. THE EXPRESSION: "OPEN TOWNSHIP" DOES NOT PROVE, NOR VALIDATE, THAT A NEW WATER RIGHT IS AVAILABLE. THERE IS NO GUARANTEE THAT WATER WILL BE AVAILABLE AFTER AN APPLICATION TO APPROPRIATE WATER IS FILED IN AN OPEN TOWNSHIP. THE EXPRESSION IS USED TO DEFINE TOWNSHIPS THAT MAY HAVE WATER AVAILABLE FOR FURTHER APPROPRIATION, BUT IT DOES NOT ASSURE WATER IS AVAILABLE AT A SPECIFIC LOCATION WITHIN THE TOWNSHIP. FURTHERMORE, THE DISTRICT DOES NOT APPROVE, NOR DISMISS, SUCH APPLICATIONS.

A THOROUGH STUDY IS REQUIRED BEFORE EVEN RECOGNIZING WHETHER A NEW WELL SITE CAN BE ESTABLISHED. THE DISTRICT PERFORMS SUCH STUDIES ON DEMAND AND NO FEE IS REQUIRED. STUDIES PERFORMED BY THE DISTRICT ARE NON-BINDING AND ONLY PRESENT A PRELIMINARY VIEW OF THE AVAILABILITY OF WATER FOR FURTHER APPROPRIATION. THE DISTRICT SHALL NOT REFUND LOSSES INCURRED BY ANY PERSON INVOLVED WITH THE PROCESS OF APPLYING FOR AN APPROPRIATION OF WATER.