

**Request for Renewal of the Greater GMD 4 LEMA
Submitted to the Chief Engineer,
Kansas Department of Agriculture, Division of Water
Resources**

February 18, 2026

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Preamble and Boundaries

In order to reduce decline rates and extend the life of the aquifer in the Northwest Kansas Groundwater Management District No. 4 (GMD 4), the Board of Directors of GMD 4 proposes the following five-year plan be submitted via the Local Enhanced Management Area (LEMA) process contained in KSA 82a-1041 for the following townships in so far as those townships are located within the GMD 4 boundaries:

Cheyenne County

Township 2 South, Range 37 West
Township 2 South, Range 38 West
Township 2 South, Range 39 West
Township 3 South, Range 37 West
Township 3 South, Range 38 West
Township 3 South, Range 39 West
Township 3 South, Range 40 West
Township 3 South, Range 42 West
Township 4 South, Range 37 West
Township 4 South, Range 38 West
Township 4 South, Range 39 West
Township 4 South, Range 40 West
Township 4 South, Range 41 West
Township 4 South, Range 42 West
Township 5 South, Range 37 West
Township 5 South, Range 38 West
Township 5 South, Range 39 West
Township 5 South, Range 40 West
Township 5 South, Range 41 West
Township 5 South, Range 42 West

Graham County

Township 6 South, Range 25 West
Township 7 South, Range 25 West
Township 8 South, Range 25 West
Township 9 South, Range 24 West
Township 9 South, Range 25 West

Gove County

Township 11 South, Range 26 West
Township 11 South, Range 27 West
Township 11 South, Range 28 West
Township 11 South, Range 29 West
Township 11 South, Range 30 West
Township 11 South, Range 31 West
Township 12 South, Range 26 West
Township 12 South, Range 27 West
Township 12 South, Range 28 West

Logan County

Township 11 South, Range 32 West
Township 11 South, Range 33 West
Township 11 South, Range 35 West
Township 11 South, Range 36 West
Township 11 South, Range 37 West

Rawlins County

Township 2 South, Range 35 West
Township 2 South, Range 36 West
Township 3 South, Range 35 West
Township 4 South, Range 33 West
Township 4 South, Range 34 West
Township 4 South, Range 35 West
Township 4 South, Range 36 West
Township 5 South, Range 32 West
Township 5 South, Range 33 West
Township 5 South, Range 34 West
Township 5 South, Range 35 West
Township 5 South, Range 36 West

Sheridan County

Township 6 South, Range 26 West
Township 6 South, Range 27 West
Township 6 South, Range 28 West
Township 6 South, Range 29 West
Township 6 South, Range 30 West
Township 7 South, Range 26 West

Sheridan Continued:

Township 7 South, Range 27 West
Township 7 South, Range 28 West
Township 7 South, Range 29 West
Township 7 South, Range 30 West
Township 8 South, Range 26 West
Township 8 South, Range 27 West
Township 8 South, Range 28 West
Township 8 South, Range 29 West
Township 9 South, Range 26 West
Township 9 South, Range 27 West
Township 9 South, Range 28 West
Township 9 South, Range 29 West
Township 9 South, Range 30 West
Township 10 South, Range 26 West
Township 10 South, Range 27 West
Township 10 South, Range 28 West
Township 10 South, Range 29 West
Township 10 South, Range 30 West

Sherman County

Township 6 South, Range 37 West
Township 6 South, Range 38 West
Township 6 South, Range 39 West
Township 6 South, Range 40 West
Township 6 South, Range 41 West
Township 6 South, Range 42 West
Township 7 South, Range 37 West
Township 7 South, Range 38 West
Township 7 South, Range 39 West
Township 7 South, Range 40 West
Township 7 South, Range 41 West
Township 7 South, Range 42 West
Township 8 South, Range 37 West
Township 8 South, Range 38 West
Township 8 South, Range 39 West
Township 8 South, Range 40 West
Township 8 South, Range 41 West
Township 8 South, Range 42 West
Township 9 South, Range 37 West
Township 9 South, Range 38 West
Township 9 South, Range 39 West
Township 9 South, Range 40 West
Township 9 South, Range 41 West
Township 9 South, Range 42 West

Sherman Continued:

Township 10 South, Range 37 West
Township 10 South, Range 40 West
Township 10 South, Range 41 West
Township 10 South, Range 42 West

Thomas County

Township 6 South, Range 31 West
Township 6 South, Range 32 West
Township 6 South, Range 33 West
Township 6 South, Range 34 West
Township 6 South, Range 35 West
Township 6 South, Range 36 West
Township 7 South, Range 31 West
Township 7 South, Range 32 West
Township 7 South, Range 33 West
Township 7 South, Range 34 West
Township 7 South, Range 35 West
Township 7 South, Range 36 West
Township 8 South, Range 31 West
Township 8 South, Range 32 West
Township 8 South, Range 33 West
Township 8 South, Range 34 West
Township 8 South, Range 35 West
Township 8 South, Range 36 West
Township 9 South, Range 31 West
Township 9 South, Range 32 West
Township 9 South, Range 33 West
Township 9 South, Range 34 West
Township 9 South, Range 35 West
Township 9 South, Range 36 West
Township 10 South, Range 31 West
Township 10 South, Range 32 West
Township 10 South, Range 33 West
Township 10 South, Range 34 West
Township 10 South, Range 35 West
Township 10 South, Range 36 West

Wallace County

Township 11 South, Range 42 West
Township 11 South, Range 43 West

Overview and Goal Expression

To promote improved management of water used, with a goal not to exceed 1.8 million acre-feet (AF) over five years within townships displaying an annual decline rate for the period 2004 – 2015 of 0.01% or greater and promote more efficient use by non-irrigation water uses within the proposed boundaries of the Greater GMD 4 LEMA as described above.

This LEMA will exist for the five-year period beginning January 1, 2028 and ending December 31, 2032. This LEMA will include all water right points of diversion located within the township boundaries described above, except for vested water rights and water right with points of diversion whose source of supply is 100% alluvial.

The total program diversion amount of 1.8 million AF for water right use for townships with annual decline rates of 0.01% or greater will represent five (5) times the sum of designated legally eligible acres times the amount designated for irrigation water rights;

The GMD 4 and DWR will use the procedures described below to determine the five-year allocation for each water right and specify the allocations in Section 3. All allocations will be expressed in terms of total AF for the five-year LEMA period.

Proposed Corrective Control Measures

1. Allocations – Irrigation

- 1.1. The allocations provided in Sections 3 and 4 were determined based on the maximum reported and/or verified acres for years 2009-2015. These allocations are subject to change where incorrect water use data is GMD 4 verified via the process in Sections 5 and 6.
- 1.2. All irrigation water rights, excluding vested rights and alluvial rights, shall be limited to the allocation for the water right location on the accompanying map, attached as Attachment 1, over the five-year period beginning January 1, 2028, and ending December 31, 2032. If a vested right and an appropriation right have the same place of use or same point of diversion, the vested right will be the vested water right's authorized quantity and the appropriation right will be limited to the total system allocation minus the vested water right's authorized allocation. If an alluvial right and an Ogallala well have the same place of use, the alluvial right's authorized quantity and the Ogallala water right's authorized quantity will be limited to the total system allocation minus the alluvial water right's authorized allocation.
- 1.3. The base water rights will not be altered by any Order issued under this request, but will be subject to the additional terms and conditions described herein for the duration of this LEMA.
- 1.4. Wells pumping to a common system, or systems, shall be provided a single allocation for the total system acres, subject to the review process described in Sections 5 and 6. Where the place of use of a water right or group of water rights receiving a single allocation span two different allocation zones, the total allocation granted shall be based

on a weighted average of allocations based on authorized acres in each zone. The total amount pumped by all of the wells involved must remain within the system allocation.

- 1.5. All LEMA quantities are a five-year fixed quantity. This may allow water use in a given calendar year to exceed a water right's annual authorized quantity but not exceed the fixed five-year quantity per K.A.R. 5-19-2.
 - 1.6. No water right will receive more than the currently authorized quantity for that right, times five.
 - 1.7. No water right within a K.A.R. 5-5-11 five-year allocation status will receive an allocation that exceeds its current five-year allocation limit and the requirements of the most restrictive program will apply.
 - 1.8. In all cases the allocation will be assigned to the point of diversion and will apply to all water rights and acres involving that point of diversion. In all cases, the original water right will be retained.
 - 1.9. For water rights enrolled in EQIP and/or AWEP that will be coming out of either program on or before September 30, 2032, the allocation quantity will be set at the annual allocation for only the remaining years of the 2028-2032 LEMA period.
 - 1.10. If a water right is, or has been, suspended, or limited for any year of this LEMA, due to penalty issued by the Kansas Department of Agriculture (KDA), Division of Water Resources (DWR), then the GMD 4 and DWR will reduce the allocated quantity for such water right accordingly for the 2028-2032 LEMA period.
 - 1.11. For water rights enrolled in a KAR 5-5-11 change, MYFA, WCA, or other flexible water plan, the most water restrictive plan will apply.
 - 1.12. The LEMA will not restrict water rights that are still in their perfection period.
 - 1.13. The following uses will be deemed "non-irrigation" for the purposes of this LEMA and will be encouraged to use best management practices in the watering of:
 - 1.13.1. gardens, orchards, and lawns greater than two acres; and
 - 1.13.2. golf courses, cemeteries, athletic fields, parks, racetrack grounds, and similar facilities.
2. Allocations – Non-irrigation
- 2.1. Livestock and poultry water rights will be encouraged to maintain their use at 90% of the amount provided by K.A.R. 5-3-22 based on the maximum amount supportable by the number of animals authorized by a current facility permit authorized by the Kansas Department of Health and Environment. At no time will a stock water right be authorized to pump more than its authorized quantity.

- 2.2. Municipal water rights with an unaccounted for water on their water use report greater than 15% in any given year during the LEMA period will be required to contact the Kansas Rural Water Association for assistance to lower the percentage of unaccounted for water within the municipality.
- 2.3. All other non-irrigation water rights will be encouraged to use best management practices.
- 2.4. When converting a water right from an irrigation use to a non-irrigation use, the base water right will be converted under the procedures in K.A.R. 5-5-9, 5-5-10, and GMD 4 regulations. The converted water right will then have a LEMA allocation equal to or less than the irrigated LEMA quantity prior to the conversion.
- 2.5. The base water rights will not be altered by any Order issued under this request but will be subject to the additional terms and conditions described herein for the duration of the LEMA.

3. Individual Allocation Amounts

The five-year allocations for every water right under Section 1 above will be converted to a five-year acre-feet total, with Attachment 1 containing the assigned eligible irrigation restrictions for each township. Each water right will be restricted to its total acre-feet allocation within the LEMA Order issued through this process, subject to the review processes outlined in Sections 5 and 6.

4. Data Set

The relevant data for this LEMA proposal came from the Water Rights Information System (WRIS) maintained by the Kansas Department of Agriculture, Division of Water Resources (DWR).

If any data errors are discovered, then the GMD 4 Board requests that the person or entity discovering the errors contact GMD 4 to update or correct any alleged errors via the processes outlined in Sections 5 and 6.

Attachment 2 contains pdf files of water right numbers and allocations. Associated spreadsheets will be kept by GMD 4 and DWR; will be available on the GMD 4 and DWR websites; and may be changed with the Chief Engineer's approval or through the processes outline in Sections 5 and 6. The GMD 4 and the DWR will document or track any changes made to the water right allocations attached hereto.

5. Eligible Acres Process

For the 2028–2032 Greater GMD 4 LEMA, the eligible acres assigned to water rights that were included in the 2023–2027 Greater GMD 4 LEMA shall remain unchanged and shall not be subject to appeal, **except** for water rights that were assigned zero eligible acres during the 2023–2027 LEMA period.

Eligible acres for water rights being newly added to the Greater GMD 4 LEMA for the 2028–2032 period, and for water rights previously assigned zero eligible acres, shall be determined pursuant to this Section and shall be subject to the appeals process described in Section 6.

The GMD 4 and DWR determined eligible acres as follows:

- 5.1. The GMD 4 and DWR used the maximum reported authorized irrigated acres from 2009-2015 that could be verified as being legally irrigated with the GMD 4 in-house aerial photography and water right file information.
- 5.2. If the authorized place of use was not irrigated from January 1, 2009, to December 31, 2015, then earlier years that the water user irrigated the acres may be considered.
- 5.3. The DWR will contact every water right owner within 60 days after the Order of Designation and others known to them as operators or interest holders in the water right to inform them of the eligible acres assigned to their water right(s) under the adopted process, allow them the opportunity to appeal the assigned acres under the process described below and allow them the opportunity to provide more information to the GMD 4 Board on the correct acres. The GMD 4 Board's appeals decision is final, and the eligible acres determined by the GMD 4 Board will be used to calculate and assign the final allocations.

6. Appeals Process

Appeals under this Section are limited to the determination of eligible acres and resulting allocations only for water rights that are newly included in the Greater GMD 4 LEMA for the 2028–2032 period; and water rights that were assigned zero eligible acres under the 2023–2027 Greater GMD 4 LEMA. Eligible acres and allocations assigned to water rights that were included in the 2023–2027 Greater GMD 4 LEMA and were assigned non-zero eligible acres shall not be subject to appeal under this LEMA renewal.

- 6.1. Appeal Process. The following process will govern appeals regarding eligible acres and allocated water:
 - 6.1.1. Any eligible appeal of the eligible acres and allocated water, as limited by this Section, must be filed before March 1, 2029. Failure to file a timely and eligible appeal shall cause the assigned eligible acres and allocated water to become final for the duration of the 2028–2032 LEMA period. GMD 4 and DWR shall coordinate to ensure that no later than 60 days after the order of designation, the basis of the allocations provided in Attachment 2 shall be publicly available through the DWR and GMD 4 websites.
 - 6.1.2. Only eligible acres and allocated water may be appealed through this appeal process. Although allocations are based on 2009-2015 verified acres, more recent irrigated acreages may be considered within the appeal. No other issues including, but not limited to, the LEMA boundaries, violations, meter issues, etc., may be appealed through this process. For clarity, eligible acres

and allocations established under the 2023–2027 Greater GMD 4 LEMA for water rights that received non-zero eligible acres are deemed final and are not subject to reconsideration, revision, or appeal in the 2028–2032 LEMA.

- 6.1.3. GMD 4 Staff will first hear any appeal. GMD 4 Staff will determine eligible acres based on the factors above in Section 5, entitled “Eligible Acres Process.”
 - 6.1.4. Any determination made by the GMD 4 staff may be appealed to the GMD 4 Board.
 - 6.1.5. The GMD 4 and DWR will use the acres and allocated water determined through the processes contained in Sections 5 and 6, as detailed above, to calculate and assign allocations, except that more recent irrigated acreages may be used.
- 6.2. Factors to be considered by the GMD 4 Board on appeal. The following factors, in order of importance, will be used when reviewing a determination of eligible acres and allocated water on appeal.
- 6.2.1. First, the reviewer will consider the location of the well(s) and their township allocations.
 - 6.2.2. Second, the reviewer may consider the authorized place of use.
 - 6.2.3. Third, the reviewer may consider any and all aspects of the water right, use, place of use, point of diversion, or any other factors the reviewer determines appropriate to determine eligible acres and allocated water.

7. Violations

- 7.1. The LEMA order of designation shall serve as initial notice of the creation of the LEMA and its terms and conditions to all water right owners within the GMD 4 on its effective date.
- 7.2. Upon GMD 4 learning of an alleged violation, GMD 4 will provide DWR with the information GMD 4 believes shows the alleged violation. DWR, under its discretion, may investigate and impose restrictions and fines as described below or allowed by law.
- 7.3. A violation of any provision of the LEMA order of designation will subject the water right owner to the penalties provided for in the Kansas Water Appropriation Act, K.S.A. 82a-701, et seq., and rules and regulations adopted thereunder.
- 7.4. In addition to other authorized enforcement procedures, if the GMD 4 Board finds by a preponderance of evidence that meter tampering, removing the meter while pumping, or any other overt act designed to alter the metered quantity as described in K.A.R. 5-14-10 occurred, then the GMD 4 Board will make a recommendation to the Chief Engineer that a written order be issued which states:
 - 7.4.1. The nature of the violation;
 - 7.4.2. The factual basis for the violation;

- 7.4.3. That the water right is suspended for 5 years; and
- 7.4.4. That the water right loses all remaining assigned quantities under the District-Wide Local Enhanced Management Area.

8. Metering

- 8.1. All water right owners will be responsible for ensuring their meters are in compliance with state and local law(s). In addition to complying and reporting annually the quantity of water diverted from each point of diversion, all water right owners shall implement at least one of the following additional well/meter monitoring procedures:
 - 8.1.1. Inspect, read, and record the flow meter at least every two weeks the well is operating. The well owner will maintain records of this inspection procedure and provided to GMD 4 on GMD 4's request. If the flow meter reported readings are in question, the bi-weekly records not available, and/or the bi-weekly records not provided upon request of the GMD 4, then the well shall be assumed to have pumped its full annual authorized quantity for the year in question. Following each year's irrigation season, the person, or persons, responsible for this data may at their discretion transfer the recorded data to the district for inclusion in the appropriate water right file for future maintenance.
 - 8.1.2. Install and maintain an alternative method of determining the time that the well is operating. This information must be sufficient to be used to determine operating time in the event of a meter failure. Should the alternative method fail or be determined inaccurate, the well shall be assumed to have pumped its full annual authorized quantity for the year in question. Well owners and operators are encouraged to give the details of the alternative method in advance to GMD 4 in order to insure that the data is sufficient.
- 8.2. Any water right owner or authorized designee who finds a flow meter that is inoperable or inaccurate shall, within 48 hours of finding a flow meter that is inoperable or inaccurate, contact the GMD 4 office concerning the matter and provide the following information:
 - 8.2.1. water right file number;
 - 8.2.2. legal description of the well;
 - 8.2.3. date the problem was discovered;
 - 8.2.4. flow meter model, make, registering units, and serial number;
 - 8.2.5. the meter reading on the date discovered;
 - 8.2.6. description of the problem;
 - 8.2.7. what alternative method is going to be used to track the quantity of water diverted while the inoperable or inaccurate meter is being repaired/replaced;
 - 8.2.8. the projected date that the meter will be repaired or replaced; and
 - 8.2.9. any other information requested by the GMD 4 staff or Board regarding the inoperable or inaccurate flow meter.

- 8.3. Within seven days after an inoperable or inaccurate meter is repaired or replaced, the owner or authorized designee shall submit form DWR 1-560 Water Flowmeter Repair/Replacement Report to the GMD 4.
- 8.4. This metering protocol shall be a specific annual review issue and if discovered to be ineffective, specific adjustments shall be recommended to the chief engineer by the advisory committee.

9. Accounting

- 9.1. DWR, in cooperation with GMD 4, shall keep records of the annual diversion amounts for each Water Right within the LEMA area, and the total five-year quantity balances will make this information available to the Water Right Holder and the GMD 4 on their request.

10. Advisory Committee

- 10.1. The GMD 4 Board will appoint and maintain a Greater GMD 4 LEMA Advisory Committee consisting of 14 members as follows: one GMD 4 staff; one GMD 4 Board Member; one representative of the Division of Water Resources, Kansas Department of Agriculture as designated by the Chief Engineer; and the balance of the members will be irrigators with regional distribution identical to GMD 4 board member distribution. One of the Greater GMD 4 LEMA Advisory Committee members shall chair the committee. The Advisory Committee will meet annually to consider:
 - 10.1.1. water use data;
 - 10.1.2. water table information;
 - 10.1.3. economic data as is available;
 - 10.1.4. violations issues – specifically metered data;
 - 10.1.5. any new and preferable enhanced management authorities become available;
 - 10.1.6. other items deemed pertinent to the advisory committee.
- 10.2. The Advisory Committee, in conjunction with DWR, shall produce an annual report that shall provide a status for considerations 10.1.1 through 10.1.6 and any recommended modifications to the current LEMA Order relative to these six items. The report will be delivered to the GMD 4 board and the Chief Engineer.
- 10.3. The Advisory Committee shall review what additional water level data is available, its quality and suitability for use in improving the water level data network used for future water management decisions should the GMD 4 wish to continue with LEMA management based on water level decline rates.

11. LEMA Order Reviews

- 11.1. In addition to the annual LEMA Order reviews under Section 11, the Advisory Committee will also conduct a formal LEMA Order review 18 months before the

ending date of the LEMA Order. Review items will focus on economic impacts to the LEMA area and the local public interest. Water level data may be reviewed.

- 11.2. The Advisory Committee, in conjunction with DWR and GMD 4, will also produce a report following this review for the Chief Engineer and the GMD 4 Board. The report will contain specific recommendations regarding future LEMA actions. All recommendations shall be supported by reports, data, testimonials, affidavits, or other information of record.

12. Impairment Complaints

While this LEMA is in effect, the GMD 4 stakeholders request that any impairment complaint filed in GMD 4 that is based upon either water supply issues or a regional decline impairment cause, be received by the Chief Engineer and investigated by the Chief Engineer with consideration to the on-going LEMA activities.

13. Water Level Monitoring

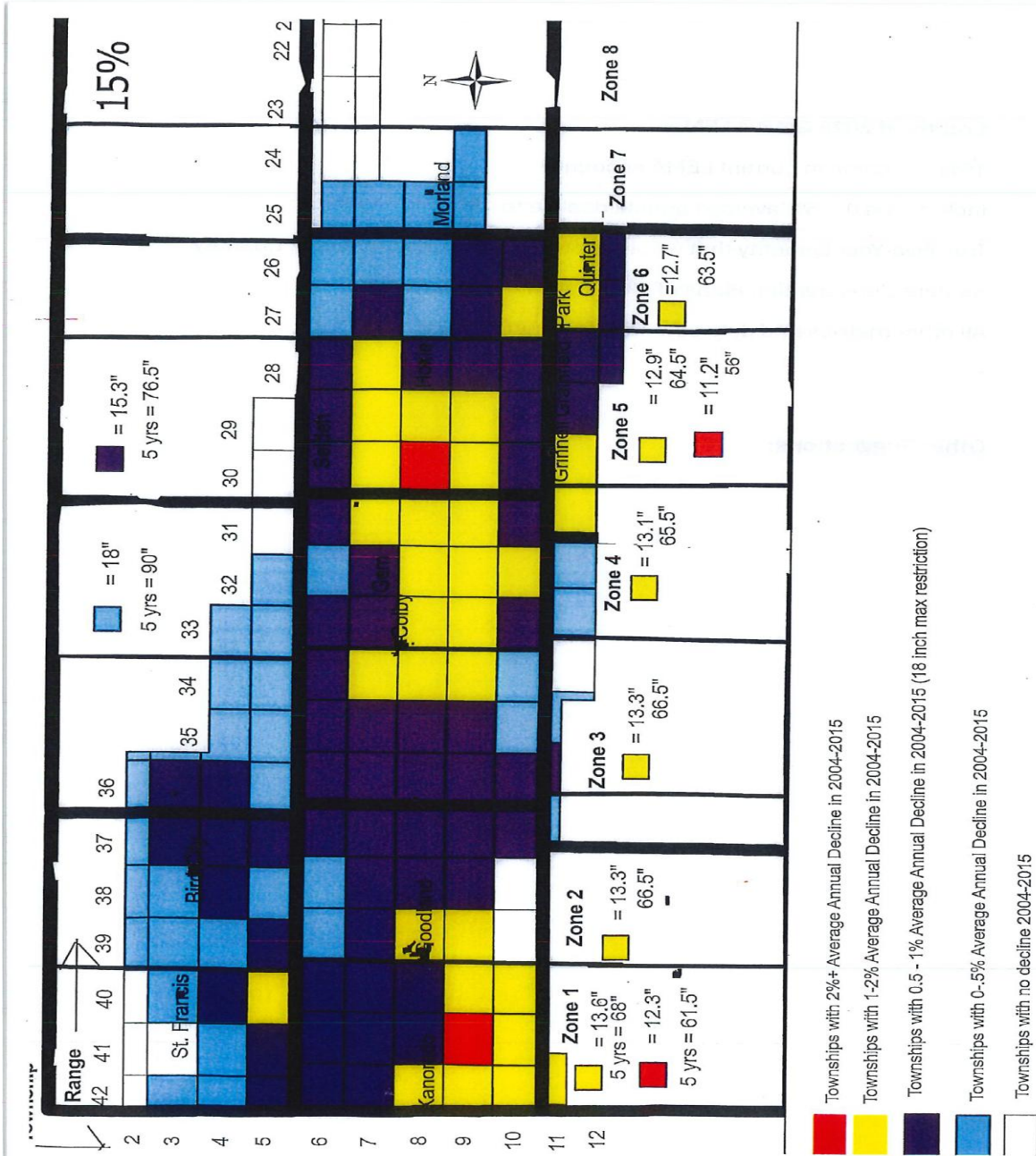
The data used to determine regional aquifer declines in Attachment 1 are based on the annual water level monitoring taken by KGS and DWR. These measurements will continue as the data set used in determining water level declines. In the future, GMD 4 may, but is under no obligation to, install additional monitoring wells.

14. Coordination

The GMD 4 stakeholders and the GMD 4 Board expect reasonable coordination between the Chief Engineer, KDA, DWR, and the GMD 4 on at least the following efforts:

- 14.1. Development of the LEMA Order resulting from the LEMA process;
- 14.2. Accounting for annual pumpage amounts by LEMA water right owners and operators;
and
- 14.3. Compliance and enforcement of the Greater GMD 4 LEMA Order.

Attachment 1



Attachment 2

[GMD 4 LEMA Public Meeting Notes.pdf](#)

Attachment 3

[2028 GMD 4 LEMA Accounting 26 2 10.xlsx](#)