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First Local Enhanced Management Area Moves Forward in Approval Process

The second public hearing has been scheduled next month for a new water conservation plan in portions of Sheridan and Thomas counties.

The hearing is the next step needed to create the state's first Local Enhanced Management Area (LEMA). The 2012 Kansas Legislature, through Senate Bill 310, gave Groundwater Management Districts, or GMDs, the authority to initiate a public hearing process to consider LEMA proposals. The Sheridan 6 application, which was developed by Northwest Kansas GMD No. 4 in its high-priority area number 6 in Sheridan and Thomas counties, is the first LEMA plan received by the division. DWR Chief Engineer David Barfield found the application acceptable for consideration and the initial hearing was held on Sept. 13.

In an Oct. 3, 2012, order on behalf of the DWR chief engineer, hearing officer and attorney Connie Owen found that the record of evidence submitted at the initial public hearing on the Sheridan 6 application satisfies the three initial requirements for approval of a LEMA. Based these findings, the process of establishing a LEMA in portions of Sheridan and Thomas counties will continue.

The second hearing will take place at 10:30 a.m. on Nov. 28, at the Sheridan County Courthouse in Hoxie. This hearing, which will be conducted by the DWR chief engineer, will determine if the LEMA should be designated and if the GMD's proposed control provisions for the LEMA should be adopted.

Written notice of the hearing will be mailed to affected water right holders. It will also be published in local newspapers and on the Kansas Department of Agriculture's website at least 30 days prior to the hearing date. The hearing is open to the public. Written comments will be accepted if delivered or postmarked on or before November 28, 2012. Written comments should be sent to Leslie Garner; 109 SW 9th Street, 4th Floor; Topeka, Kansas 66612.

Copies of the LEMA proposal, the hearing officer's October 3 order and the notice of the upcoming public hearing are available on DWR's website at <http://www.ksda.gov/dwr/>.