

**GROUNDWATER MANAGEMENT DISTRICT #1**  
**DISTRICT ELECTION POLICY RESOLUTION**

**BE IT THEREFORE RESOLVED THAT** the Western Kansas Groundwater Management District No. 1 (the "District") Board of Directors adopt the following as the District's Election Policy:

- 1) **Election Officer.** Annually, the Board of Directors shall appoint an Election Officer. There is no limit to the number of terms any individual may serve in this capacity. The Board of Directors reserves the right to remove the Election Officer at any time, with or without cause. The Election Officer shall:
  - a) approve eligible voters under the rules set forth in the Kansas Statutes Annotated and this Election Policy;
  - b) organize and conduct each election or voting event that occurs during their tenure as Election Officer; and
  - c) compile and present the results of any election or voting event to the Board of Directors.
  
- 2) **Same-Day Voter Registration.** Annually from its records, the District shall prepare an Eligible Voter List for use during all voting events of all known eligible voters based on land ownership and permitted water use. During any election or other vote, the voter shall certify in writing, through signature, that they have the authorization to vote. Said certification shall remain in effect for no longer than the election or voting event at which it was given.
  - a) If the person who intends to vote is voting as a land-owning individual, that person must certify in writing that they represent their respective land. If the terms of this Sub-Section are met, the voter need not provide any advanced notice to the District before the election or voting event of their intent to vote.
  - b) If the person who intends to vote has previously been approved to vote and the District retains record pursuant to Section 8 below, said person must certify in writing that there have been no changes to the documents previously provided to the District, nor any other changes that would alter their previous approval to vote. If the terms of this Sub-Section are met, the voter need not provide any advanced notice to the District before the election or voting event of their intent to vote.
  
- 3) **One Person, One Vote.** An approved voter shall only have one vote, regardless of whether they qualify under multiple voter statuses in this Resolution, or regardless of whether they qualify a multiple of times under the same voter status. No proxy voting is allowed. Under no circumstances shall a person be allowed to cast more than one ballot at any election or voting event.
  
- 4) **Time Limits and Advanced Notice.** A person who intends to vote at any election or voting event based upon qualifying under one of the circumstances in Sections 5, 6, or 7 must give notice to the District of their intention to vote. Such notice shall be given to the District within the following time requirements hereinafter set out. Such notice shall be on the form provided by the District.

a) If the person who intends to vote has not previously been approved to vote, said person must:

i) for any person intending to vote for themselves or for any other person or entity, the notice, which includes the required proof to be eligible to vote as described in Sections 5-7, must be received by the District at least **5 days in advance** of the proposed vote.

ii) The Election Officer may, but is not required, to notify such person attempting to qualify to vote of any mistake in the written notice so that such person has time to correct any defect and comply. The Election Officer, at his discretion and for good cause shown, may grant such a person additional time to correct the mistake or defect.

5) **Capacity to Represent.** A person requesting a ballot on behalf of any estate, trust, municipality, public or private corporation, or managed farm will be required to furnish written proof of voter status as follows:

a) for an estate, the person must be an Executor or Administrator;

b) for a trust, the person must be a Trustee;

c) for a municipality, the person must be an Elected Official;

d) for a public or private corporation, the person must be a Corporate Officer; or

e) for a farm manager, the person must be under written contract, or must provide written authorization from the landowner stating that the person requesting the ballot has the authorization to vote on the landowner's behalf.

The type of proof required to establish a person who requests a ballot under this provision may vary, but the proof required must:

a) be in written form;

b) must be a type of document commonly used by an estate, trust, municipality, public or private corporation, or managed farm, respectively; and

c) it must be found satisfactory to the Election Officer to establish the person's purported status.

In each case only one voter shall be approved, and that voter represents the entire interest of the estate, trust, municipality, or corporation. Notice of voting under this section must be sent to the District in advance of the vote as set forth in Section 4 of this Election Policy.

6) **Land Leased, Estate for Years, or Under Contract.** A person requesting a ballot for land which is leased, held under an estate for years, or held under contract, shall furnish written confirmation from the deed holder that a voting agreement has been reached which authorizes the tenant or contract holder to vote, specifying at least one eligible tract of land on which the agreement has been reached. A tenant or contract holder can cast only one vote regardless of the number of such agreements. Notice of voting under this section must be sent to the District in advance of the vote as set forth in Section 4 of this Election Policy.

7) **Water User – Proof.** Any person requesting a ballot based on water use in excess of one acre-foot of non-permitted water use, shall furnish written confirmation of such use consisting of either:

- a) energy and pumping records from the previous calendar year substantiating such use; or
- b) other documentation sufficient to support such use within the previous calendar year.

Notice of voting under this section must be sent to the District in advance of the vote as set forth in Section 4 of this Election Policy.

- 8) **Recordkeeping; Future Use.** Any documents provided in Sections 4-7 above may be kept by the District for future use. Any person requesting a vote who has previously provided any documentation to the District may reference those documents in subsequent voter registration documents. In that event, the Election Officer may reference and incorporate those documents into voter eligibility determinations. The District provides no guarantees or warranties that it will retain any documents provided, but does represent that it will keep any retained records secure and not open for public dissemination.
  
- 9) **Voting Procedures and Proof of Identity.** At any election or other vote called by the District, only the following shall be allowed to vote:
  - a) an individual who complies with Sections 2 or 4 above, and has been approved by the Election Officer; AND
  - b) is physically present at the voting location on the date and time the election or other vote is called by the District.If the Election Officer has any concern about a voter's identity, he or she may ask for proof of the voter's identity by means of photo identification, or any substantially similar proof. By appearing to vote, each voter consents to submit to any request for photo identification by the Election Officer. Mail-in ballots shall not be allowed.
  
- 10) **Vote Canvass.** In the event of any problem, conflict, or dispute regarding the results of any election or other vote, the Election Officer shall inform the Board of Directors, who may call a special meeting to discuss the problem, conflict, or dispute at issue. Such meeting and notice of the same shall occur as soon as is practicable, but shall not exceed thirty days from the date of the voting event which gave rise to the problem, conflict, or dispute.
  
- 11) **Severability.** If any part of this resolution is for any reason held to be unenforceable, the rest of it remains fully enforceable.

**BE IT FINALLY RESOLVED THAT** this resolution was adopted and shall become effective this 2 day of January, 2023, and remain in effect until amended or rescinded.

  
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Board Secretary