


2. The carry-forward provision itself is inconsistent with the laws and policies of the State of Kansas and constitutional principles for the same reasons set forth in paragraph 1 above.
3. The provision of the LEMA Plan providing an unlimited timeframe for allocation appeals to be submitted renders it impossible to determine what the total allocation of the LEMA will be until the LEMA term is essentially complete and therefore renders it impossible to determine whether the corrective controls proposed in the LEMA plan are adequate to address the conditions set forth in K.S.A. 82a-1036(a)-(d) and identified as existing within the boundary of the proposed LEMA.

Pursuant to K.S.A. 82a-1041(d)(3), GMD1 shall have 90 days from the date of the issuance of this Order of Decision to resubmit a revised plan for public hearing. Upon resubmission of the revised plan, the Chief Engineer will notify GMD1 of receipt of the revised plan and a public hearing regarding the same will be scheduled, or, if no revised plan is submitted before the expiration of the 90-day timeframe provided for in this Order, a subsequent Order of Decision will be issued pursuant to K.S.A. 82a-1041.

The effective date of this Order of Decision is March 10, 2026.



Earl D. Lewis Jr., P.E.
Chief Engineer
Kansas Department of Agriculture,
Division of Water Resources