

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: PU WORKSHEET**

1. File Number: <b>17248</b>	2. Status Change Date: <b>7/1/2019</b>	3. Change Num: <b>C2</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>15-APR-2019</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>CHESTER A &amp; MILDRED E CLINE LIVING TR ROGER CLINE 661 LILAC DRIVE LIBERAL KS 67901-2023</b>		Person ID <u><b>36170</b></u> Add Seq# <u><b>1</b></u>	8c. Landowner(s) New to system <input type="checkbox"/>  <b>CLINE LAND CO LLC ROGER CLINE 661 LILAC DRIVE LIBERAL KS 67901-2023</b>	
8b. Landowner(s) New to system <input type="checkbox"/>  <b>CHESTER A &amp; MILDRED E CLINE LIVING TR ROGER CLINE 661 LILAC DRIVE LIBERAL KS 67901-2023</b>		Person ID <u><b>36170</b></u> Add Seq# <u><b>1</b></u>	8d. WUC New to system <input type="checkbox"/>  <b>NO CHANGE</b>  <b>CHESTER A &amp; MILDRED E CLINE LIVING TR ROGER CLINE 661 LILAC DRIVE LIBERAL KS 67901-2023</b>	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
Date Prepared: <b>6/19/19</b> By: <b>RAK</b> Date Entered: <b>7/18/2019</b> By: <b>UM</b>				

File No **17248**      11. County: **SV**      Basin: **CIMARRON RIVER**      Stream:      Formation Code: **211**      Special Use:

12. Points of Diversion      Rate and Quantity  
 CHK      Authorized      Additional  
 MOD      Rate      Quantity      Rate      Quantity  
 DEL      PDIV      S      T      R      ID      'N      'W      Comment (AKA Line)      gpm/cfs      af/mgy      gpm/cfs      af/mgy      Overlap PD Files  
 ENT      Qualifier

✓ **85997 SE¼ SE¼ SW¼ 12 33S 35W 5 711 2716**      **1280 g.p.m. 520 AF 1280 g.p.m. 520 AF NONE**

13. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation:      Allocation Type \_\_\_\_\_      Start Year \_\_\_\_\_      5 YR Amount \_\_\_\_\_      Amount Unit \_\_\_\_\_      Base Acres \_\_\_\_\_      Comment \_\_\_\_\_

16. Place of Use CHK MOD DEL ENT      PUSE      S      T      R      ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
ENT 21430 1 33S 35W 1	30.00	30.00	30.00	30.00												30.00	30.00	30.00	30.00	240.00	8C NO	47248; 23101; 23872; 39356 & 50238
ENT 69377 11 33S 35W 2																28.50	28.50	28.50	28.50	114.00	8B NO	47248; 23101; 23872; 39356 & 50238
MOD 40000 12 33S 35W 1	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	488.00	8B NO	47248; 23101; 23872; 39356 & 50238

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments:

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** June 19, 2019

**FROM:** Richelle A. Krueger

**RE:** Water Right  
File Nos. 17,248; 23,101;  
23,872 and 39,356

Roger Cline, on behalf of Chester A. and Mildred E. Cline Living Trust, water right owner, filed applications for approval to change the authorized place of use for File Nos. 17,248; 23,101; 23,872 and 39,356, authorized groundwater for irrigation use in the Cimarron River drainage basin. The referenced change application was filed in conjunction with Application, File No. 50,238 processed by Austin McCullough, Assistant Water Commissioner of the Garden City Field Office.

The above referenced files do not appear abandoned as per K.S.A. 82a-718.

File Nos. 17,248; 23,101 and 39,356 have no current overlaps in point of diversion and are authorized a limited total of 1,054 acre-feet of groundwater for irrigation of the same 572.5 acres in Section 12, Township 33 South, Range 35 West, Stevens County. File No. 23,872 has no overlaps in the point of diversion or place of use and is authorized 520 acre-feet for irrigation of 260 acres in the East Half (E½) of Section 1 of the aforementioned township and range. The referenced change applications propose to create an exact overlap in place of use along with File No. 50,238, dropping and adding new acres for a total of 842 acres in Sections 1, 11 and 12 of the aforementioned township and range. The new application was filed for additional rate only on the well authorized by File No. 39,356. Base acres are 832 acres as indicated on the applications, so the application complies with K.A.R. 5-5-11

The total authorized quantity under the referenced file numbers, 1,574 acre-feet, can irrigate the proposed 842 acres with 1.87 acre-feet per acre, which appears reasonable since the maximum acre-feet per acre allowed in Stevens County is 2.0 acre-feet per acre.

No nearby well owners were notified since the applications create an exact overlap in place of use.


The same local source of supply will not change.

In a letter dated May 6, 2019, Jason Norquest, Assistant Manager of Southwest Kansas Groundwater Management District No. 3, recommended approval of the applications at this time.

Mike Meyer, Water Commissioner of the Garden City Field Office, recommended approval of the applications in a June 19, 2019 e-mail.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended the change applications be approved.

  
Richelle A. Krueger  
Environmental Scientist

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

CHESTER A & MILDRED E CLINE LIVING TR July 10, 2019  
CLINE LAND CO LLC  
ROGER CLINE  
661 LILAC DRIVE  
LIBERAL KS 67901-2023

FILE COPY

RE: Water Right, File Nos. 17,248; 23,101; 23,872 and 39,356

Dear Mr. Cline:

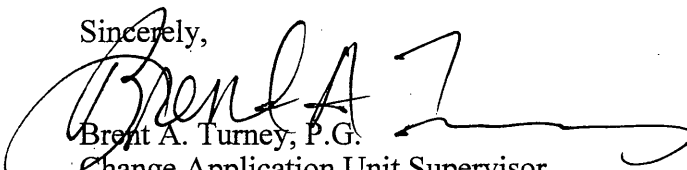
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Since the orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

  
Brent A. Turney, P.G.  
Change Application Unit Supervisor  
Water Appropriation Program

BAT:rak

pc: Garden City Field Office  
Groundwater Management District No. 3

THE STATE OF KANSAS



**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN PLACE OF USE  
WATER RIGHT  
FILE NO. 17,248**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Roger Cline, on behalf of Chester A. and Mildred E. Cline Living Trust, and Cline Land Company, L.L.C., 661 Lilac Drive, Liberal, Kansas 67901-2023, received in this office on April 15, 2019, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated February 27, 2017, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the irrigation place of use shall be:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	33S	35W	30.00	30.00	30.00	30.00									30.00	30.00	30.00	30.00	240.00
11	33S	35W													28.50	28.50	28.50	28.50	114.00
12	33S	35W	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	30.50	488.00

a total of 842.00 acres in Township 33 South, Range 35 West, Stevens County, Kansas, located substantially as shown on the map accompanying the application to change the place of use.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 17,248, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated July 9, 2001, as modified and amended by the aforementioned order.

#### **RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 1<sup>st</sup> day of July, 2019, in Manhattan, Riley County, Kansas.

Lane P. Letourneau  
Lane P. Letourneau, P.G.  
Program Manager  
Water Appropriation Program  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 1<sup>st</sup> day of July, 2019, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
Notary Public

**CERTIFICATE OF SERVICE**

On this 1<sup>st</sup> day of July, 2019, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 17,248, dated July 1<sup>st</sup>, 2019 was mailed postage prepaid, first class, US mail to the following:

CHESTER A & MILDRED E CLINE LIVING TR  
CLINE LAND CO LLC  
ROGER CLINE  
661 LILAC DRIVE  
LIBERAL KS 67901-2023

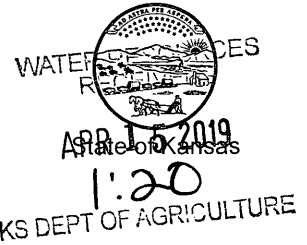
With photocopies to:

Garden City Field Office  
Groundwater Management District No. 3

Danielle Wilson  
Division of Water Resources

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT



**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

Place of Use

(Check one or more)  Point of Diversion

Use Made of Water

File No. 17248

2. Name of applicant: CHESTER A & MILDRED E CLINE LIVING TR - ROGER CLINE

Address: 661 LILAC DRIVE

City, State and Zip: LIBERAL KS 67901-2023

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: SAME AS ABOVE

Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): CREATE A COMPLETE OVERLAP WITH WR FILE NOS. 23101; 23872; 39356 AND A NEW APPLICATION WHICH IS BEING FILED CONCURRENTLY

The change(s) (was) (will be) completed by 12/31/2019

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G/S County SV By DAW Date 4/15/19  
Code CAU Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 4-10-19 Check # 1632

APPLICATION COMPLETE

5/6/19  
Reviewer RAK

SCANNED 4/16/2019 ULM



4. The presently authorized place of use is:

Owner of Land — NAME: CHESTER A & MILDRED E CLINE LIVING TR - ROGER CLINE

ADDRESS: 661 LILAC DRIVE LIBERAL KS 67901-2023

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12	33S	35W	32.5	32.5	40	32.5	32.5	32.5	40	40	32.5	40	40	32.5	40	40	32.5	572.5	

List any other water rights that cover this place of use. 23101 AND 39356

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: CHESTER A & MILDRED E CLINE LIVING TR - ROGER CLINE

ADDRESS: 661 LILAC DRIVE LIBERAL KS 67901-2023

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12	33S	35W	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	488	
11	33S	35W												28.5	28.5	28.5	28.5	114	

List any other water rights that cover this place of use. 23101; 23872; 39356 AND NEW APP \* 50238

Owner of Land — NAME: CLINE LAND CO LLC - ROGER CLINE

ADDRESS: 661 LILAC DRIVE LIBERAL KS 67901-2023

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	33S	35W	30	30	30	30								30	30	30	30	240	

List any other water rights that cover this place of use. 23101; 23872; 39356 AND NEW APP \* 50238

\* RAIL/APP 6/19/17

6. The presently authorized point(s) of diversion is ONE (1) WELL  
(Provide description and number of points)

7. The proposed point(s) of diversion is ONE (1) WELL  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
One in the SE Quarter of the SE Quarter of the SW Quarter of Section 12, Township 33 South, Range 35 (W), in STEVENS County, Kansas, 711 feet North 2716 feet West of Southeast corner of section.  
Authorized Rate 1280 GPM Authorized Quantity 520 AF  
(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

10. **Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed     This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

12. The presently authorized use of water is for IRR purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

17248; 23101; 23872 AND 39356 COMBINED BASE ACRES = 832 ACRES \*MM/GCFO REVIEWED

INCREASE IN 10 ACRES TO 842 ACRES PER K.A.R. 5-5-11(b)

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGE IN LOCAL SOURCE OF SUPPLY

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

WATER RESOURCES  
RECEIVED

APR 15 2019

KS DEPT OF AGRICULTURE  
SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Garden City, Kansas, this 10<sup>th</sup> day of April, 20 19.

Signature lines for Roger Cline (Owner) and Spouse, with corresponding 'Please Print' lines for both.

State of Kansas }  
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10<sup>th</sup> day of April, 20 19.



Signature of Julie Jones, Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
(2) Application to change a point of diversion more than 300 feet \$200
(3) Application to change the place of use \$200
(4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES RECEIVED

APR 15 2019

**Krueger, Richelle [KDA]**

---

**From:** Meyer, Mike [KDA]  
**Sent:** Wednesday, June 19, 2019 6:30 AM  
**To:** Krueger, Richelle [KDA]; McColloch, Austin [KDA]  
**Subject:** RE: Recommendation New Application File No 50238

Approve  
thanks

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Tuesday, June 18, 2019 4:38 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>; McColloch, Austin [KDA] <Austin.McColloch@ks.gov>  
**Subject:** RE: Recommendation New Application File No 50238

Hi Mike,  
Attached is a revised draft memo for the referenced change, do you recommend approval?

Also, Austin I wonder if we should change all the ownership to Roger W. Cline Rev Trust since that's what Stevens ORKA shows?

Thanks,  
Richelle

---

**From:** Meyer, Mike [KDA]  
**Sent:** Monday, June 17, 2019 5:08 PM  
**To:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>  
**Subject:** RE: Recommendation New Application File No 50238

I recommend approval. Not sure why GMD3 contacted neighbors over one half mile when there were no effects in their mind...

*Mike*

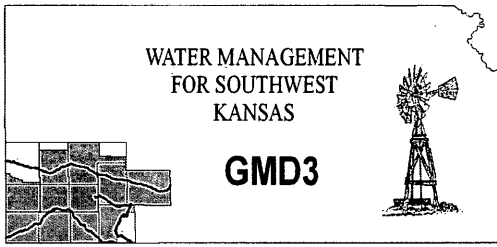
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**From:** McColloch, Austin [KDA]  
**Sent:** Monday, June 17, 2019 2:39 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Recommendation New Application File No 50238

Mike,

Attached is my draft memo for the above referenced file. This is for rate only overlapping WR 39536 for 15%. HQ change apps have also been filed to overlap all place of use (see Richelle rec request on 5/9 that is still pending I think). Also attached is the GMD rec. Let me know if you have any questions.

Thanks,



**Southwest Kansas**  
**Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

May 6, 2019

Richelle A. Krueger  
Kansas Department of Ag  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

RE: Change Applications  
Water Right, File Nos. 17248, 23101, 23872 & 39356

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b). The proposal will bring in 114 acres of ground currently not authorized by eliminating acres that are currently authorized and increasing by 10 acres over the base acres. It is therefore recommended that applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

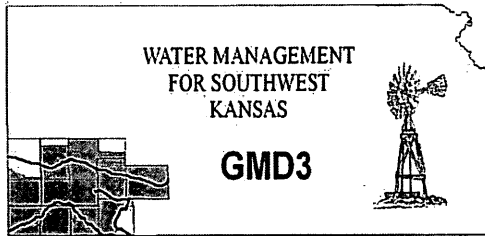
Sincerely,

Jason L. Norquest  
Assistant Manager

WATER RESOURCES  
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MAY 09 2019

KS DEPT OF AGRICULTURE



**Southwest Kansas  
Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

May 6, 2019

Richelle A. Krueger  
Kansas Department of Ag  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

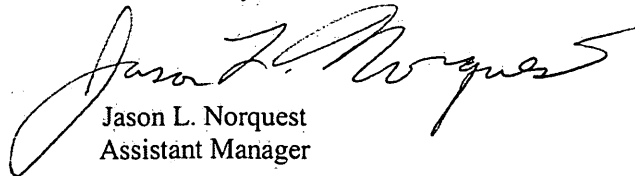
RE: Change Applications  
Water Right, File Nos. 17248, 23101, 23872 & 39356

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b). The proposal will bring in 114 acres of ground currently not authorized by eliminating acres that are currently authorized and increasing by 10 acres over the base acres. It is therefore recommended that applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager

Water Resources  
Received  
MAY 06 2019  
KS Dept Of Agriculture

## GMD3 Change Review

File No(s): 17248, 23101, 23872 & 39356.

DWR office: HQ.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Chester & Mildred Cline Living Trust.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Yes.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s)    being changed.

	ft. North	ft. West				
Authorized PD						
Proposed PD						
Difference	0	0				
a2 + b2 = c2	0	0	0			

GPS for proposed PD: Lat:    Long:   .

Is proposed PD stacking on existing WRs?   .

Is Proposed PU overlapping existing WRs? Making a complete overlap on all the WRs involved.

Land Owner(s) notified:   .

Name    Name   .

Address    Address   .

Zip    Zip   .

Neighboring certified well(s) notified:   .

Name    Name   .

Address    Address   .

Zip    Zip   .

Domestic well(s) notified:   .

Name    Name   .

Address    Address   .

Zip    Zip   .

Base Acres: 832 combined.

Perfected Acres:   .

Irr. Return-Flow   %

**Reducing acres on the current IRR in Sections 12 and 1 so that a pivot can be placed in the SE of 11-33-35.**

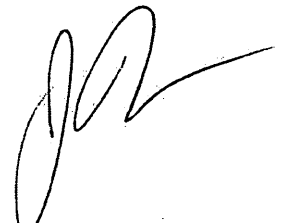
**Current authorized acres combined is 832.2.**

**Proposed acres is 842, which is within the 10 acres or 10% whichever is less rules.**

Is a waiver needed: Proposal meets the current area rules.

Recommendation: New acres are being proposed along with a complete overlap and meets criteria in KAR 5-5-11. Staff therefore recommends approval of the applications.

Water Resources  
 Received  
**MAY 06 2019**  
 KS Dept Of Agriculture





## Krueger, Richelle [KDA]

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**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Monday, May 6, 2019 4:01 PM  
**To:** Krueger, Richelle [KDA]  
**Subject:** Cline Changes  
**Attachments:** 2019\_May6\_ReviewMat\_PU.pdf

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good afternoon Richelle, hope you had a good weekend. I got caught out mowing last night when we got a little storm. Only lasted 30 minutes or more and gave us a half inch at my place. In town barely got a drop. Sounds like more storms tonight scattered around.

Attached is the review for this change in place of use for you. If you have questions, just let me know. I will put the signed cover in the mail to you.

Have a good day.

*Jason Norquest*  
Assistant Manager, GMD3  
Cell: 620-271-1289  
Office: 620-275-7147  
www.gmd3.org

Water Resources  
Received  
MAY 06 2019  
KS Dept Of Agriculture

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

SOUTHWEST KANSAS GROUNDWATER April 26, 2019  
MANAGEMENT DISTRICT NO 3  
ATTN JASON NORQUEST  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

**FILE COPY**

Re: Water Right, File Nos. 17,248; 23,101; 23,872 and 39,356


Dear Jason:

We are enclosing copies of the applications to change the place of use for the referenced file numbers.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

  
Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Garden City Field Office

SCANNED

1320 Research Park Drive  
Manhattan, KS 66502  
785-564-6700  
www. agriculture.ks.gov



900 SW Jackson, Room 456  
Topeka, KS 66612  
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

ROGER CLINE  
661 LILAC DRIVE  
LIBERAL, KS 67901

April 17, 2019

RE: File No 17248

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

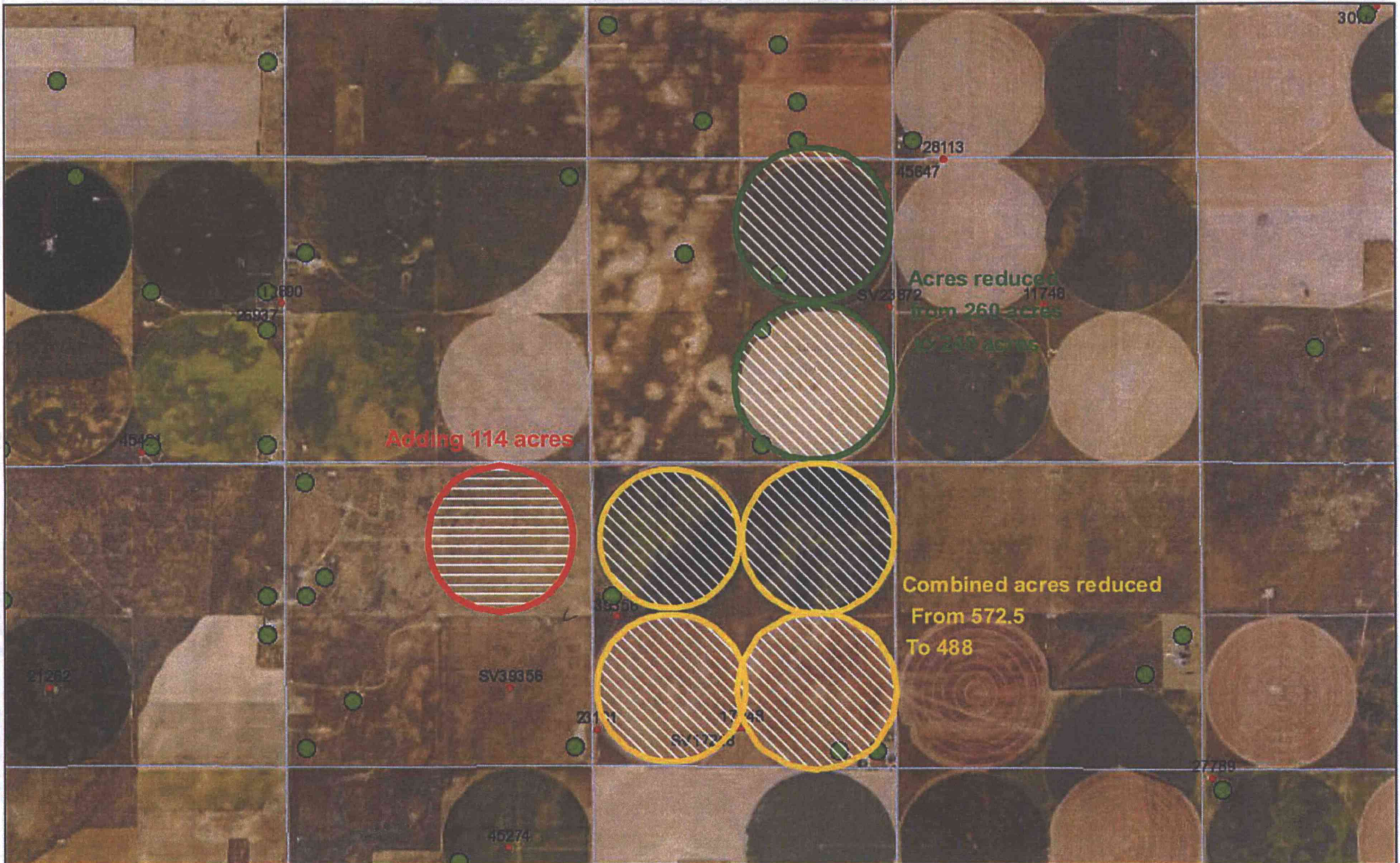
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW3

SCANNED

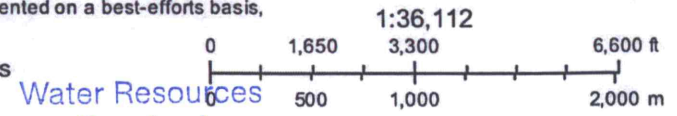


May 6, 2019  
13:52 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

- Wells**
- |   |       |   |     |   |     |   |     |   |                 |
|---|-------|---|-----|---|-----|---|-----|---|-----------------|
| + | CON   | ■ | FPR | ▲ | MUN | ⚡ | THX |   |                 |
| ? | Other | ⊠ | DEW | + | HYD | ⚑ | REC | ? | Empty           |
| • | IRR   | ▲ | DOM | ★ | IND | ⊙ | STK | ● | WWC5 WELLS GMD3 |

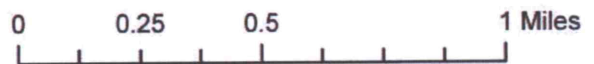
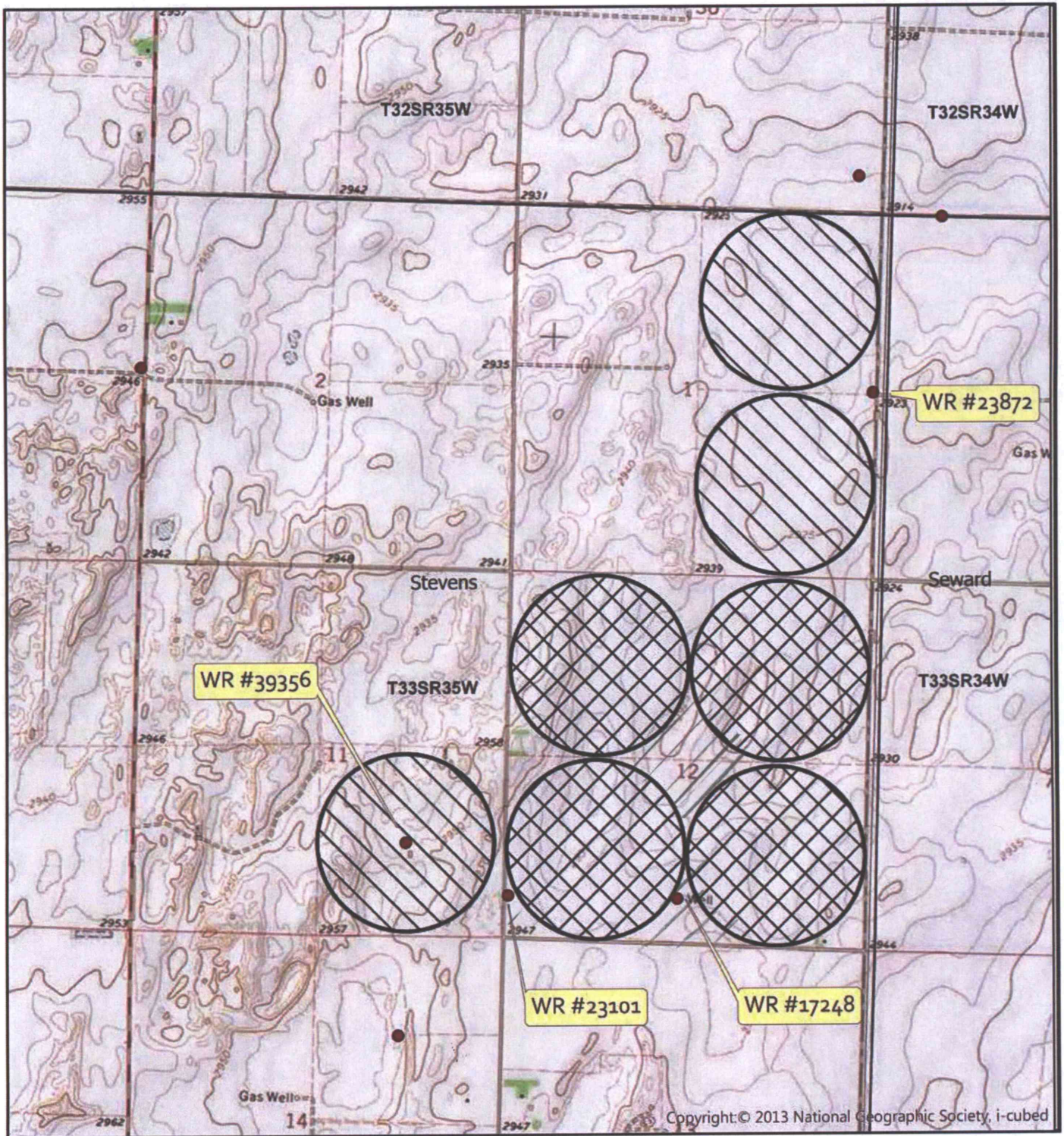
□ Sections



Water Resources  
Received

MAY 06 2019

WR FILE NOS. 17248, 23101 AND 39356  
CHANGE IN PLACE OF USE



- POINT OF DIVERSION
- ▨ AUTHORIZED PLACE OF USE
- ▩ PROPOSED PLACE OF USE

*\* Modified per par 4*

*\* Wick/own*

WATER RESOURCES RECEIVED

APR 15 2019



KS DEPT OF AGRICULTURE

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Created By: AM/GCFO