

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

1. File Number: <b>28365</b>	2. Status Change Date: <b>8/9/2019</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>01</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>20-MAR-2019</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>BLANE F &amp; KASSANDRA F KLEYMANN 412 GRAY HORSE CIRCLE WOODLAND PARK CO 80863</b>		Person ID <u><b>25160</b></u> Add Seq# <u><b>1</b></u>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>BLANE F &amp; KASSANDRA F KLEYMANN 412 GRAY HORSE CIRCLE WOODLAND PARK CO 80863</b>  <u><b>ADDRESS CHANGE ONLY</b></u>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>NO CHANGE</b>  <b>TONY HANSON 2428 RD J TRIBUNE KS 67879</b>		
8d. WUC New to system <input type="checkbox"/>  <b>NO CHANGE</b>		Person ID <u><b>64179</b></u> Add Seq# <u><b>1</b></u>		
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>7/23/19</b> By: <b>RAK</b> Date Entered: <span style="border: 1px solid blue; padding: 2px;"><b>8/15/2019</b></span> By: <b>LMoody</b>				

File No **28365**      11. County: **GL**      Basin: **WHITEWOMAN CREEK**      Stream:      Formation Code: **211**      Special Use:

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

√ **1494**

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	39231	14	17S	39W	2													34.00	34.00	34.00	34.00	136.00	8B	NO	4412; 28365; & 29427
ENT	11089	22	17S	39W	2	40.00	40.00	40.00	40.00													160.00	8B	NO	4412; 28365; & 29427
ENT	36954	23	7S	39W	1					40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00					320.00	8B	NO	4412; 28365; & 29427
DEL	22254	23	17S	39W	2									40.00	40.00	40.00	40.00					160.00			

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments:

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:  
 Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.  
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 28365

RECEIVED  
 8:01 AM  
 MAR 15 2019

Garden City Field Office  
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: BLANE F & KASSANDRA F KLEYMANN

1312 280TH AVE. HAYS KS 67601-9753 412 Gray Horse Cir, Woodland Park, CO. 80863

Phone Number: (785) 628-1296 259-6680 Email address: blkleyman@gmail.com

Name and address of Water Use Correspondent: Same

Phone Number: (     )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land --- NAME: Same

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

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
23	17	39									40	40	40	40					160

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land --- NAME: Same

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

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
23	17	39									40	40	40	40					160
14	17	39													34	34	34	34	136
22	17	39	40	40	40	40													160

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 3-15-19 Check # 1736

DWR 1-121 (Revised 04/5/2018)

APPLICATION COMPLETE  
6/28/19  
 Reviewer RAK

WATER RESOURCES  
 RECEIVED

MAR 20 2019

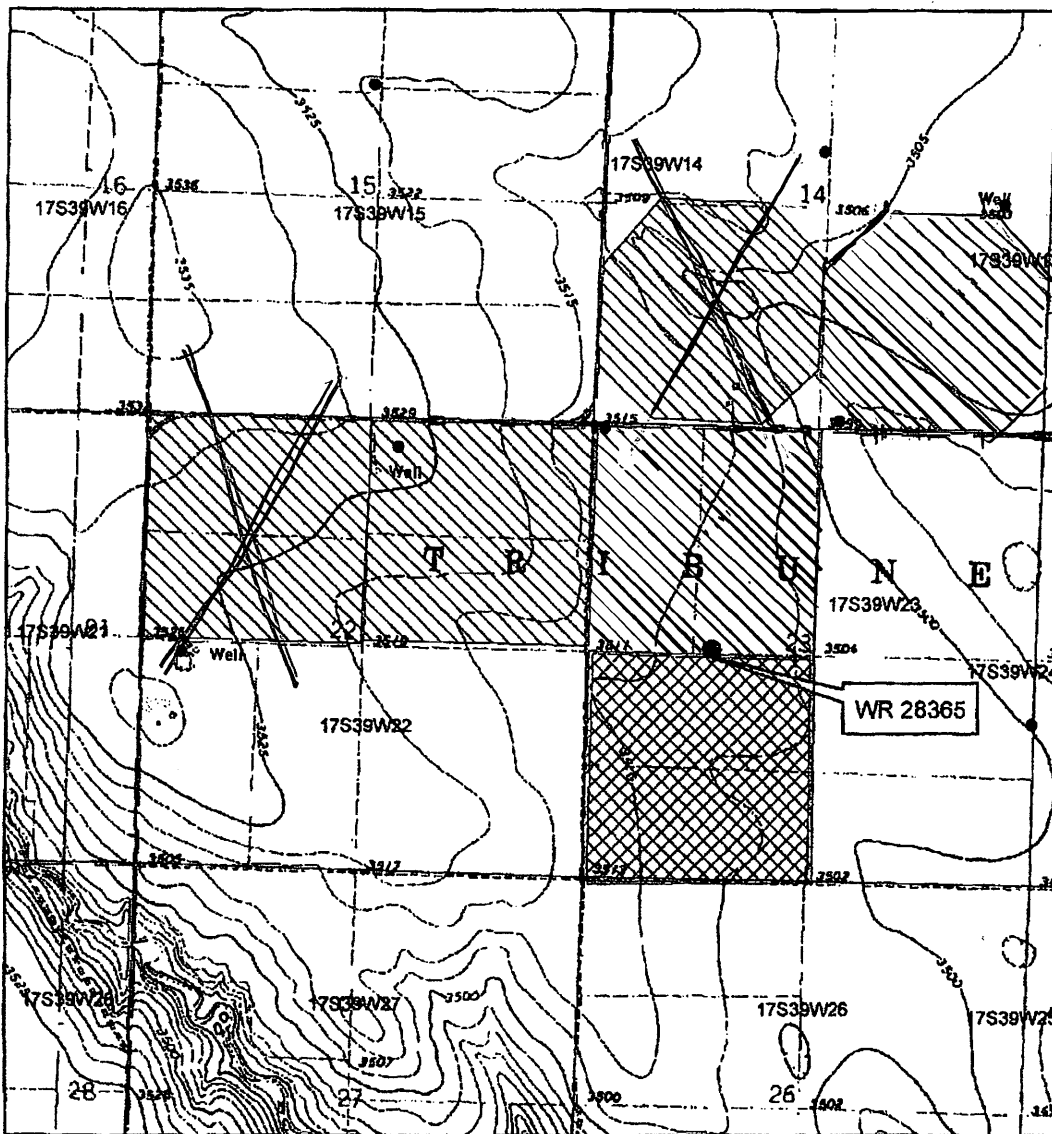
File No. 28365

3/25/2019 UM

KS DEPT. OF AGRICULTURE

SCANNED

# Change in Place of Use for Water Right 28365 Township 17 South, Range 39 West, Greeley County

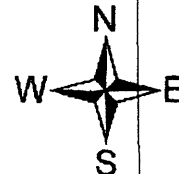
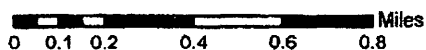


**Authorized Place of Use**

\*



**Proposed Place of Use**



*\* PV modified per Map 4412 + 29427 + 5/22/19 email Mitch French GCFO*

**All wells within 1/2 miles are on this map.**

MAR 20 2019

X \_\_\_\_\_

DEPT. OF AGRICULTURE  
\* Max/Don 5/22/19

SCANNED

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 28365  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:  
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	

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	

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	

4. *Continued:* If this application is for a change in place of use, it is proposed that the place of use be changed to:  
Owner of Land --- NAME: Same  
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	
23	17	39					40	40	40	40									160

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	

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	

WATER RESOURCES  
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5. **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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 \_\_\_\_\_

8. If a well, is the test hole log attached?  Yes  No

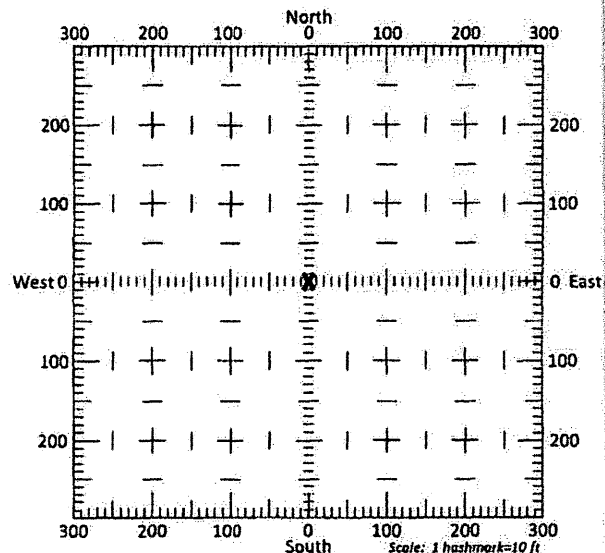
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by mf/GCFO \_\_\_\_\_

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

WATER RESOURCES  
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MAR 20 2019

File No. 28365

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at \_\_\_\_\_, Kansas, this 11 day of March, 2019.

Blane F. Kleyman  
 \_\_\_\_\_  
 (Owner)

Blane F. Kleyman  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)

Kassandra F. Kleyman  
 \_\_\_\_\_  
 (Spouse)

Kassandra F. Kleyman  
 \_\_\_\_\_  
 (Please Print)

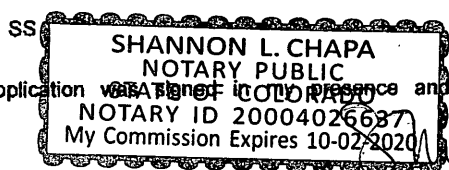
\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

State of Kansas  
County of Teller



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 11 day of March, 2019.

Shannon L. Chapa  
 \_\_\_\_\_  
 Notary Public

My Commission Expires \_\_\_\_\_

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(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

WATER RESOURCES RECEIVED

MAR 20 2019

File No. 28365





## Krueger, Richelle [KDA]

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Tuesday, July 23, 2019 10:27 AM  
**To:** McColloch, Austin [KDA]  
**Subject:** RE: Request for Recommendation Blaine Kleymann Changes in PU File Nos. 4421; 28365 and 29427

No problem, I will proceed with the change apps, thanks!

---

**From:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>  
**Sent:** Tuesday, July 23, 2019 10:16 AM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** RE: Request for Recommendation Blaine Kleymann Changes in PU File Nos. 4421; 28365 and 29427

I sent the vol. dismissal to Kristen on 6/28/2019. Attached is the email. Sorry for not including you in that email. Not sure where it is on Kristens desk.

Austin McColloch  
Ph: (620) 276-2901

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Tuesday, July 23, 2019 10:08 AM  
**To:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>  
**Subject:** RE: Request for Recommendation Blaine Kleymann Changes in PU File Nos. 4421; 28365 and 29427

Hi again Austin, just following up on this, have you heard anything else from Mr. Kleymann on dismissing the MFYAs?

---

**From:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>  
**Sent:** Thursday, June 27, 2019 4:43 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>; Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Cc:** Turney, Brent [KDA] <Brent.Turney@ks.gov>  
**Subject:** RE: Request for Recommendation Blaine Kleymann Changes in PU File Nos. 4421; 28365 and 29427

Just waiting on a call from Mr. Kleymann to tell me if he wants to get rid of them or not. Said he will call back soon.

Austin McColloch  
Ph: (620) 276-2901

---

**From:** Meyer, Mike [KDA]  
**Sent:** Thursday, June 27, 2019 4:23 PM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Cc:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>  
**Subject:** RE: Request for Recommendation Blaine Kleymann Changes in PU File Nos. 4421; 28365 and 29427

I recommend approval but want to wait to further process until we know exactly what is the status of the myfas. Austin let us know once you finalize a plan on the status of the myfas

*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Thursday, June 27, 2019 12:03 PM  
**To:** Meyer, Mike [KDA] <[Mike.Meyer@ks.gov](mailto:Mike.Meyer@ks.gov)>  
**Cc:** McColloch, Austin [KDA] <[Austin.McColloch@ks.gov](mailto:Austin.McColloch@ks.gov)>; Turney, Brent [KDA] <[Brent.Turney@ks.gov](mailto:Brent.Turney@ks.gov)>  
**Subject:** Request for Recommendation Blaine Kleymann Changes in PU File Nos. 4421; 28365 and 29427

Hi Mike,

Attached is a draft memo for the referenced changes, WRIS shows the wells under File No. 29427 are overlapped by pending MFYAS 905 AF for 20197013MF and 20197014MF 830 MF 456 acres? Docuware shows a voluntary dismissal filed for 3/12/19 on 20197013MF but not 20197014MF? I am not familiar with the MYFAS.....I think maybe Austin has these?

Do you recommend approval of the referenced changes in pu for File Nos. 4421; 28365 and 29427 ?

Thanks,

Richelle

## Krueger, Richelle [KDA]

---

**From:** Meyer, Mike [KDA]  
**Sent:** Wednesday, June 19, 2019 8:57 AM  
**To:** Krueger, Richelle [KDA]; Meyer, Mike [KDA]  
**Cc:** McColloch, Austin [KDA]  
**Subject:** Re: 29427

Gmd1 is reviewing but when you get their recommendation hold until we confirm status of myfas with Austin  
Thank you

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** "Krueger, Richelle [KDA]" <Richelle.Krueger@ks.gov>  
**Date:** 6/19/19 8:46 AM (GMT-06:00)  
**To:** "Meyer, Mike [KDA]" <Mike.Meyer@ks.gov>  
**Subject:** RE: 29427

From just WRIS the MFYAS are only showing 456 acres and 905 AF for 20197013MF and 20197014MF 830 MF? Docuware shows a voluntary dismissal filed for 3/12/19 on 20197013MF but not 20197014MF? I am not familiar with the MYFAS.....

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Wednesday, June 19, 2019 8:37 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** RE: 29427

Based on WRIS - File No. 4412 640 AF - File No. 28365 320 AF - File No. 29427 2 wells multi year limitation of 316 AF within the file & overall limited to 783 AF w/c File No. 4412 so 1103 AF on 616 proposed acres =1.79 AF /ac Greeley 50%NIR 1.23/.85 = 1.45 af/ac so appears so....I haven't looked at the MYFAS so not sure about them...

---

**From:** Meyer, Mike [KDA]  
**Sent:** Wednesday, June 19, 2019 8:21 AM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** Re: 29427

Proposed quantities make sense?

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** "Krueger, Richelle [KDA]" <Richelle.Krueger@ks.gov>  
**Date:** 6/19/19 8:18 AM (GMT-06:00)  
**To:** "Meyer, Mike [KDA]" <Mike.Meyer@ks.gov>

Subject: RE: 29427

Hi Mike,

WRIS Shows File Nos. 20197013MF and 20197014MF pending initial review. The new apps spreadsheet shows that Austin has those....

Richelle

---

**From:** Meyer, Mike [KDA]

**Sent:** Wednesday, June 19, 2019 8:13 AM

**To:** Krueger, Richelle [KDA] <[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov)>

**Subject:** 29427

**Importance:** High

Richelle is there pending myfas with these overlaps?

Sent from my Verizon, Samsung Galaxy smartphone



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WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

June 19, 2019

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program  
1320 Research Park Drive  
Manhattan, KS 66502

RE: Water Right, File Nos. 4412, 28,365, and 29,427

Dear Ms. Krueger,

At the June 19, 2019 board meeting, the Western Kansas Groundwater Management District #1 Board of Directors reviewed the referenced change of Place of Use applications and voted unanimously to recommend approval of the applications.

Sincerely,

Kyle Spencer  
District Manager

WATER RESOURCES  
RECEIVED

JUN 26 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

WESTERN KANSAS GROUNDWATER    May 29, 2019  
MANAGEMENT DISTRICT NO 1  
ATTN KYLE SPENCER  
PO BOX 604  
SCOTT CITY KS 67871

FILE COPY

Re: Water Right, File Nos. 4,412; 28,365 and 29,427

Dear Mr. Spencer:

In accordance with your letter dated May 24, 2019, the Chief Engineer has extended until June 25, 2019 the time in which to submit your recommendations concerning the applications to change the place of use for File Nos. 4,412; 28,365 and 29,427.

If you have any questions, please contact me at (785) 564-6635. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Garden City Field Office

SCANNED



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WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

May 24, 2019

Ms. Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program  
1320 Research Park Drive  
Manhattan, Kansas 66502

RE: Change Applications for Water Right, File Nos. 4,412; 28,365; and 29,427

Dear Ms. Krueger:

We are requesting an extension to submit recommendations for the referenced applications until after our next Board Meeting, scheduled to be held on June 19<sup>th</sup>.

Thanks for your consideration of this request.

Sincerely,

Kyle Spencer  
District Manager

WATER RESOURCES  
RECEIVED

MAY 28 2019

KS DEPT OF AGRICULTURE

## Krueger, Richelle [KDA]

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**From:** Krueger, Richelle [KDA]  
**Sent:** Wednesday, May 22, 2019 9:19 AM  
**To:** gmd1@wbsnet.org  
**Subject:** Blane Kleymann changes in place of use File Nos. 4412; 28365 and 29427  
**Attachments:** 28365revisedmap.pdf

Good Morning Kyle,

I checked with Mitch on the place of use and all of the files should form an exact overlap in place of use. The written description on File No. 28365 is correct, the map is in error. I have attached the revised map, let me know if you need anything else. Thanks for catching that, have a good one!

Richelle

Richelle Krueger, Environmental Scientist  
Kansas Department of Agriculture  
Water Appropriation Program  
(785) 564-6635  
[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov) (please note e-mail address change)  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)



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

WESTERN KANSAS GROUNDWATER May 14, 2019  
MANAGEMENT DISTRICT NO 1  
ATTN KYLE SPENCER  
PO BOX 604  
SCOTT CITY KS 67871

FILE COPY

Re: Water Right, File Nos. 4,412; 28,365 and 29,427

Dear Mr. Spencer:

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

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www. agriculture.ks.gov



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Topeka, KS 66612  
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

BLANE F & KASSANDRA F KLEYMANN  
412 GRAY HORSE CIR  
WOODLAND PARK, CO 80863

March 25, 2019

RE: File No 28365

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: DLW1

SCANNED

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

**TO:** Files

**DATE:** July 30, 2019

**FROM:** Richelle A. Krueger

**RE:** Water Right  
File Nos. 4,412, 28,365 and  
29,427

Blaine F. and Cassandra F. Kleymann, water right owners, filed applications for approval to change the authorized place of use for the referenced file numbers, authorized for irrigation use in the Whitewoman Creek Basin.

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

File Nos. 4,412 and 29,427 are authorized a combined limited quantity of 783 acre-feet for irrigation of the same 456 acres in Sections 14, 22 and 23, Township 17 South, Range 39 West, Greeley County. File No. 28,365 has no overlaps and is authorized 320 acre-feet for 160 acres in the aforementioned Section 23. File No. 29,427 has an additional multiyear limitation of 316 acre-feet. The two wells authorized by File No. 29,427 are overlapped by MYFA Application, File Nos. 20197013MF and 20197014MF, however the MYFA applications are pending dismissal.

The applicants propose to create an exact overlap in the place of use between File Nos. 4,412/29,427 and File No. 28,365 for a total of 616 acres pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. There will be no net increase in authorized acres and no new acres will be irrigated. The total quantity of water to be authorized for the proposed place of use, 1,103 acre-feet, will irrigate the 616 acres with 1.79 acre-feet per acre. The 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Greeley County is 1.45 acre-feet per acre, so the proposal appears reasonable.


The same local source of supply will not change, previously determined to be Ogallala Formation (211).

Western Kansas Groundwater Management District No. 1 recommended approval of the referenced applications in a letter dated June 19, 2019 from Kyle Spencer, District Manager.

In an e-mail dated June 27, 2019 Mike Meyer, Water Commissioner of the Garden City Field Office, indicated that he recommends approval but wanted to wait to further process until the status of the MYFAs was determined. In an e-mail dated July 23, 2019, Austin McCullough, Assistant Water Commissioner, indicated that the voluntary dismissal for the MYFAs was filed.

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 is 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

BLANE F & KASSANDRA F KLEYMANN  
412 GRAY HORSE CIRCLE  
WOODLAND PARK CO 80863

August 20, 2019

**FILE COPY**

RE: Water Right, File Nos. 4,412; 28,365 and 29,427

Dear Mr. and Mrs. Kleymann:

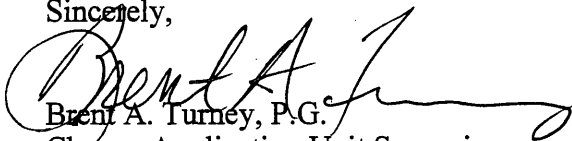
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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 an acceptable water flow meter 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.

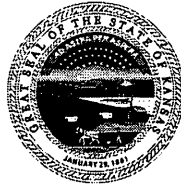
Sincerely,

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

BAT:rak

pc: Garden City Field Office  
Groundwater Management District No. 1  
Tony Hanson

# 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. 28,365

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Blane F. and Kassandra F. Kleymann, 412 Gray Horse Circle, Woodland Park, Colorado 80863, received in this office on March 20, 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, 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					
14	17S	39W																	34.00	34.00	34.00	34.00	136.00
22	17S	39W	40.00	40.00	40.00	40.00																	160.00
23	17S	39W					40.00	40.00	40.00	40.00	40.00	40.00	40.00									320.00	

a total of 616.00 acres in Township 17 South, Range 39 West, Greeley 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. 28,365, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated August 27, 1985.

**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 9th day of August, 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 9th day of August, 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**

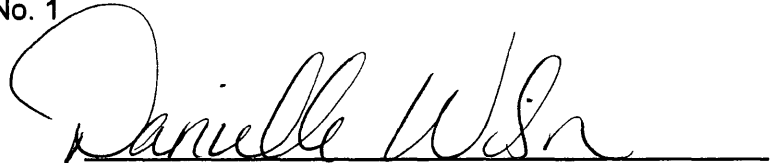
On this <sup>20<sup>th</sup></sup> day of *August*, 2019, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 28,365, dated *August 9<sup>th</sup>*, 2019 was mailed postage prepaid, first class, US mail to the following:

BLANE F & KASSANDRA F KLEYMANN  
412 GRAY HORSE CIRCLE  
WOODLAND PARK CO 80863

With photocopies to:

TONY HANSON  
2428 RD J  
TRIBUNE KS 67879

Groundwater Management District No. 1  
Garden City Field Office

  
Division of Water Resources