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

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
4412	8/9/2019	C1	04	01
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 20-MAR-2019
8a. Applicant(s) New to system □	Person ID <u>25160</u> Add Seq# <u>1</u>	8c. Landown New to sy		Person ID Add Seq#
BLANE F & KASSANDRA 412 GRAY HORSE CIRC WOODLAND PARK CO	LE			
8b. Landowner(s) New to system □	Person ID 25160 Add Seq# 1	8d. WUC New to sy		Person ID
BLANE F & KASSANDRA 412 GRAY HORSE CIRCI WOODLAND PARK CO ADDRESS CHANGE ONI	LE 80863	2428 RI	IANSON	
9. Documents and Enclosure(s): X DV	VR Meter(s) Date to Comp	ly:	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter	Sea <u>l</u> ⊠ Check Valve	□ N & P Form	☐ Water Tube ☐ □	riller Copy
☐ Conservation Plan Date Requir	ed: Da	ate Approved:	Date to	Comply:
10. Use Made of Water From:		To		
				19 By: RAK 5/2019 By: body

File No 4412		11. Cou	inty: GL	В	asin: V	VHITE	EWON	/AN	CRE	EK	St	ream:							Fo	rmation Cod	de: 211	Special Use:
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√ 26523			1																			
13. Storage: Rate			NF	Quar	ntity				a	c/ft	Addi	tional I	Rate _					NF	Addition	al Quantity		ac/ft
14. Limitation:							pm (cfs	s) wher	n comt	oined w	ith file	numbe	er(s)						
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16. Place of Use CHK				NF	E1/4			NV	N ¹ / ₄			SV	N 1/4			SE	1/4		Total	Owner	Chg?	Overlap Files
MOD DEL ENT PUSE S	T R	ID	NE 1/4	NW ¼	SW 1/4	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE 1/4	NW ¼	SW 1/4	SE ¼	NE 1⁄4	NW 1/4	SW ¼	SE 1/4				
MOD 39231 14	17S 39V	V 2													34.00	34.00	34.00	34.00	136.00	8B	NO	4412 ; 28365; & 29427
11089 22	17S 39V	V 2	40.00	40.00	40.00	40.00													160.00	8B	NO	4412 ; 28365; & 29427
MOD 36954 23	17S 39V	V 1					40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00					320.00	8B	NO	441 2 ; 28365; & 29427
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Base Acres: Comments:	Year:		Minimum	ı Reas	onable	Quanti	iity:															

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

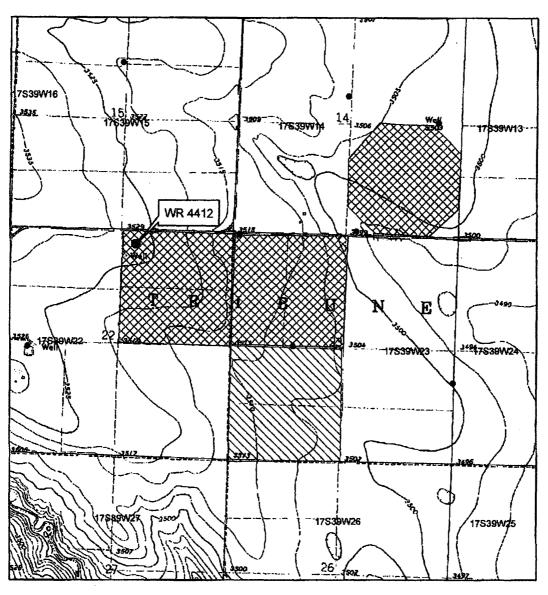


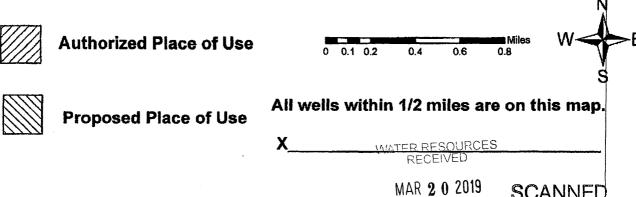
STATE OF KANSAS

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.

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Change in Place of Use for Water Right 4412 Township 17 South, Range 39 West, Greeley County





SCANNED

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 4412 MAKE ADDITIONAL COPIES AS NECESSARY

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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 f	North	feet West of	Southeast comer of	section
	Authorized Rate Authorized Qua	ntity		Depth of well	(feet)	
	(DWK use only: Computer ID No.	GPS		feet North	feet West)	į
	☐This point will not be changed ☐This point will be c					
	Proposed point of diversion: (Complete only if c	<u>hange is re</u>	quested	or if existing point is	s better described b	y GPS)
	One in the Quarter of the			Quarter of the		_ Quarter
	of Section, Township			South, Range		_ (E/W0,
	in County, Kansas,	feet N	North	feet West of	Southeast corner of	section.
	Proposed Rate Proposed Quan	tity		_ Proposed well depth	(feet)	
	This point is: Additional Well Geo Center	List other wa	iter rights	that will use this poin		<u> </u>
. 1	Presently authorized point of diversion:					<u>f.</u>
6.				O		
	One in the Quarter of the			Quarter of the		_ Quarter
	of Section, Township in County, Kansas,	foot N	lorth	South, Range	Capthonaction	(E/VV),
l	Authorized Rate Authorized Quar	ieet iv	NOI (II	Dooth of well	Southeast corner of	section.
l	Authorized Rate Authorized Quar (DWR use only: Computer ID No	GPS		feet North	(leet)	y dispersion of the second
	☐This point will not be changed ☐This point will be cl	hanged as foll	lows A	loct North	lescribed with GPS as i	allaum
	Proposed point of diversion: (Complete only if c					
	One in the Quarter of the					
	of Section, Township			South Range		/EAAA
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ŀ	Proposed Rate Proposed Quant	itv		Proposed well death	(feet)	
	This point is: Additional Well Geo Center L	ist other wat	ter rights	that will use this point	***************************************	
			<u> </u>			
7.	The changes herein are desired for the following re-					100
	(please be specific)		300	200 100 North	100 200 3	100
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8.	If a well, is the test hole log attached? Yes N	0	200E-1	+ + + + =	1 + 1 + 1	200
9.	The change(s) (was)(will be) completed by?		E '			
J.	The change(a) (was)(will be) completed by?		E.	++++=	.	1
			100 [+ + =	1 + 1 + 1-	100
10.	If the point of diversion is a well:		<u> </u>	=		1
	(a) What are you going to do with the old well?	w	est O Hill	ավավավավալ <mark>ա</mark> ն	որովագրակացու <mark>մ</mark>	O East
	(ii) a same property desired to the transfer of the transfer o		Ē	· · · · · · · · · · · · · · · · · · ·		
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	(b) When will this be done?		100 [- - - - - - - - -	1 + 1 + 1-	100
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11.	Groundwater Management District recommendation atta	ached?	200 = 1	+ 1 + 1 =	1 + 1 + 1-	200
	☐ Yes 🖾 No		E	<u> </u>		1
10	Assisted by mf/GCFO		Ent	ահանահահանու	ahaadaaahaadaaataa	
14:	Assisted by Im/GCFO		300	200 100 0		00
13a	If the proposed point of diversion will be relocated more t	han 300		South	Scole: 1 hashmark=10 f	. [
	feet but within 2,640 feet of the existing point of diversion a topographic map or aerial photograph. For grou	n, allach 13b ndwater	of the pro	posed point of diversion xisting point of diversi	n will be relocated with	in 300 feet
	sources, show all wells (including domestic) within one-	half mile	diagram	shown above in rel	ation to the existing	point of
	of the proposed point of diversion and the names and addresses of the owners. For surface water sources, s	mailing how the		n. (PLEASE NOTE: represents the pre		
	names and addresses of the landowner(s) one-hi	alf mile	diversio			
	downstream and one-half mile upstream from your lines	property				given and an artist of the second
				MATER RECOURAGE	· S	
DWF	R 1-121 (Revised 04/5/2018)	Page 2	//	VATER RESOURCE RECEIVED	File No. 4	412
				to the time that the time to		
	,			MAR 2 0 2019	COANI	NIEM
				-	SCAN	INCL

14. If the proposed groundwater point of diversion is 300 or fewer feet from	n the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applica	ized place(s) of use identified in this application?
 (b) Will the ownership interest of any owner of the currently authorize 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 subs ☐ Yes ☐ No (If no, all owners must sign this application)	
If the application proposes a surface water change in point of diversion, a gor a change in place of use, the application must be signed by all owners of agent (attach notarized statement authorizing representation).	roundwater change in point of diversion greater than 300 feet, f the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmating and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this application are true, correct and complete.	ed agent of the owner(s) to make this application on ication pertains. I further verify that the statements
Dated at Kansas, this	1/th day of March , 20/9.
00 1 10	11
(Owner)	Kassur J My (Spouse)
Blane F. Kleymann	fassandra L. Klayman
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas CO	
County of Teller SS	1.
I hereby certify that the foregoing application was signed in my of, 20_10	presence and sworn to before me this 11 day
SHANNON L. CHAPA	Mum Cox
NOTARY PUBLIC — NOTARY PUBLIC — NOTARY PUBLIC —	Notary Public
My Commission Expires STATE OF COLORADO NOTARY 1D 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STORE COMPLETE, all for accurate information; maps, if necessary, multiple; included supratures of all the app	37 1020 The applicable portions of the application form must be completed with
My Commission Expires STATE OF COLORADO NOTARY ID 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STONE COMPLETE APPLICATION COMPLE	37 3020 The applicable portions of the application form must be completed with optiate owners' must be affixed to the application and notarized; and
My Commission Expires STATE OF COLORADO NOTARY ID 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STONE COMPLETE APPLICATION OF A STONE COMPLETE APPLICATIONS WILL BE PROCESSED STONE COMPLETE APPLICATION OF A STONE CO	37 2020 The applicable portions of the application form must be completed with optifate owners' must be affixed to the application and notarized; and E this section shall be accompanied by the application fee set
My Commission Expires STATE OF COLORADO NOTARY ID 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STORE COMPLETE, all or accurate information; maps, if necessary, multiperfected signatures of all the appropriate fee must be paid. FEE SCHEDUL Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet .	37 2020 The applicable portions of the application form must be completed with opplicate owners' must be affixed to the application and notarized; and Ethis section shall be accompanied by the application fee set at of Agriculture \$100 \$200
My Commission Expires STATE OF COLORADO NOTARY ID 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STOPE COMPLETE, all for accurate information; maps, if necessary, multiperformation to ensure the appropriate fee must be paid. FEE SCHEDUL Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Department (1) Application to change a point of diversion 300 feet or less	37 2020 The applicable portions of the application form must be completed with opplicate owners' must be affixed to the application and notarized; and Ethis section shall be accompanied by the application fee set at of Agriculture \$100 \$200
My Commission Expires STATE OF COLORADO NOTARY ID 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STORE COMPLETE, all or accurate information; maps, if necessary, multiperfected signatures of all the appropriate fee must be paid. FEE SCHEDUL Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet .	1020 The applicable portions of the application form must be completed with opplicate owners' must be affixed to the application and notarized; and Ethis section shall be accompanied by the application fee set at of Agriculture \$100 \$200
My Commission Expires STATE OF COLORADO NOTARY ID 200040266 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED STORE COMPLETE, all or accurate information; maps, if necessary, multiperfected signatures of all the appropriate fee must be paid. FEE SCHEDUL Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet .	37 3020 The applicable portions of the application form must be completed with opplicate owners' must be affixed to the application and notarized; and Ethis section shall be accompanied by the application fee set at of Agriculture \$100 \$200 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wil	s Summary Order is issued under authority of K.S.A. 82a visions of the <i>Kansas Water Appropriation Law, K.S.A. 8</i> 3 th the exception of those conditions expressly contained he itations of File No. 4412	2a-701 et. sec	 and rules and regula 	itions promulgated thereunder	r.
1.	A change application was received on diversion authorized under the above-referenced file no	umber be char	requesting that the	place of use and / or point of application.	f
2.	On and after the effective date of this summary order, the the topographic map accompanying the application to o	authorized pla change the pla	ace(s) of use shall be loc ace of use. Applic	ated substantially as shown or able Not Applicable	n
3.	The change in point of diversion shall not impair existing a previously authorized. The point of diversion authorize radius of the authorized point(s) of diversion. Application	d by this sumi	ll be limited to the same mary order shall be loca lot Applicable	source or sources of water a ted within afoot	S
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	tively correcte	ed to be more accurate able Not Applicable	ly described using the Globa	ı
5.	The point(s) of diversion authorized herein shall not actua authorized point(s) of diversion. ☐ Applicable ☒	lly be located Not Applicab	more thanle	feet from the previously	y
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurer K.A.R. 5-6-13. Applicable Not Applicable	ments shall be	iversion rate of 100 galle installed, operated and	ons per minute or more, a tube maintained in accordance with	e h
7	The owner of the authorized place(s) of use shall December 31, 2019, or before the first use of water, whi and maintained in accordance with K.A.R. 5-1-4 throug 5-3-5e, the owner shall maintain records and report the rannually to the Chief Engineer by March 1 following the ☐ Not Applicable ☐ Not Applicable	ichever occurs in 5-1-12. As reading of the	first. The water flow me required by K.S.A. 82a water flow meter and the	eter shall be installed, operated -732, as amended, and K.A.R	d
8.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 2019 the ap for diversion has been completed, on the form provided ☐ Not Applicable ☐ Not Applicable	plicant shall n	otify the Chief Engineer	that construction of the works	/ 5
9.	The completed well log shall be submitted with the red	quired notice		Not Applicable	
10.	All diversion works into which any type of chemical or other with an in-line, automatic; quick-closing check valve can check valve(s) shall be installed, operated and maintained.	pable of preve	enting pollution of the so	urce of the water supply. The	9
11.	Additional Conditions are attached. ☐ Yes ☐ No			· ·	
12.	In accordance with K.S.A. 82a-708a, as amended, and K water appropriated under the above-referenced file null limitations, as amended and/or supplemented by this S Appropriation Law and the Rules and Regulations progresult in civil penalties pursuant to K.S.A. 82a-737, as a water or appropriation right or any other enforcement according to the contract of the cont	mber are respondent numery Order mulgated ther amended, and	ponsible for compliance or, and with applicable p eunder. Fallure to com Nor the suspension or re	with its terms, conditions and rovisions of the Kansas Water ply with these provisions may	1
4	Administrative Appeal and Effective Date of Order		FOR OFFICE U	and the first term of the second seco	
fvc	u are aggrieved by this order, pursuant to K.S.A. 82a-1901,		APPLICATION AP		
	may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of		SUMMARY OR	DEK 1990ED	
Agri	culture. A request for hearing by the Chief Engineer must be	Ву:	D. L. A. W. J. J. D. J.		
adm	within 15 days of service of this Order and a request for inistrative review by the Secretary must be filed within 30	(D-1-		ee of the Chief Engineer	
	s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Prin Divi:	t Name):sion of Water Resources - K	ansas Department of Agriculture	
-ile	any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS	Date of Is	ssuance:	100	
665	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of I)) SS	
	For Use by Register of Deeds	County o	f	_)	
			edged before me on		
		Signatu	ro.	A very consideration of	
		Olginata	, C.	lotary Public	
		My com	mission expires:	and the second second	
		, 00111	mission expires:	(Notary Seal)	
OWI	R 1-121 (Revised 04/5/2018)	Page # 5	WATER RESOURCE RECEIVED	S File No. <u>44/2</u>	
			MAR 2 0 2019	SCANNED	
31724337		ageneral terretarios de la companya			1

Kansas Department of Agriculture / Division of Water Resources <u>Garden City</u> Field Office

TO: <u>HEADQUARTERS</u>	Brent Turner
RE Vested Right; Water Right; File No(s). 4/12, 28/6,	
Enclosed are the following checked items	•
	☐ Partial Inspection ☐ Return to Field Office
☐ A Compliance Check Inspection on	Chg App Otherliance, why
☐ An application and judgment sheet wi☐ A memorandum dated	h recommendation.
A request for an extension of time to	perfect or complete.
A verified report.	WATER RESOURCES RECEIVED
☐ A closure request.☐ A field investigation report.	MAR 2 0 2019
☐ Notice of Non-Compliance	
An ownership change (name(s) and a	• • •
A water use report for A letter dated	
	e ☐ place of use and/or ☐ point of diversion,
.An Advanced <u>copy</u> of a change app office.	lication and the filing fee, to be processed at the field
An original field office change appli review and further processing.	cation and the filing fee needing headquarters office
More a type fre	1/19 due to our physical
Marker I fin	3-15-19
Water Complissioner	Date

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] < <u>Austin.McColloch@ks.gov</u>>; Turney, Brent [KDA] < <u>Brent.Turney@ks.gov</u>> 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 >

Cc: McColloch, Austin [KDA] < <u>Austin.McColloch@ks.gov</u>>; Turney, Brent [KDA] < <u>Brent.Turney@ks.gov</u>> 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 Al	M	•
To:	Krueger, Richelle [KDA]; Meyer, M		
Cc:	McColloch, Austin [KDA]		
Subject:	Re: 29427		
•			
Gmd1 is reviewing _but_wh Thank you	en you get their recommendation hold u	ntil we confirm status of m	yfas with Austin
mank you			
			•
Sent from my Verizon, Samsun	g Galaxy smartphone		•
Original massage			
Original message			
Date: 6/19/19 8:46 AM (G	(DA]" <richelle.krueger@ks.gov></richelle.krueger@ks.gov>		
To: "Meyer, Mike [KDA]" <	· · · · · · · · · · · · · · · · · · ·		
Subject: RE: 29427	NATING TALE ACT OF US. POAS		
From just WRIS the MFYAS	S are only showing 456 acres and 905 AF f	for 20197013MF and 20197	7014MF 830
MF? Docuware shows a ve	oluntary dismissal filed for 3/12/19 on 20	197013MF but not 201970	14MF? I am not familiar
with the MYFAS			
From: Krueger, Richelle [K	DA]		
Sent: Wednesday, June 19	, 2019 8:37 AM		•
To: Meyer, Mike [KDA] <n< td=""><td>like.Meyer@ks.gov></td><td></td><td></td></n<>	like.Meyer@ks.gov>		
Subject: RE: 29427			
the state of the s	412 <u>640 AF</u> - File No. 28365 <u>320 AF</u> - File		
	nited to 783 AF w/c File No. 4412 so 11		
50%(VIK 1.25/.65 = 1.45 dl)	/ac so appears soI haven't looked at the	E IVITEAS SO HOL SUITE ADOUL	mem
From: Meyer, Mike [KDA]			
Sent: Wednesday, June 19	2019 8·21 ΔM		
• • • • • • • • • • • • • • • • • • • •	<richelle.krueger@ks.gov></richelle.krueger@ks.gov>		
Subject: Re: 29427	Nichelie. Ni deger @ Ks.gov		•
Proposed quantities make	sense?		
		•	
	•		v .
Sent from my Verizon, Samsun	g Galaxy smartphone	•	
	,		
Out -11			
Original message			
	(DA)" < <u>Richelle.Krueger@ks.gov</u> >		
Date: 6/19/19 8:18 AM (G			
To: "Meyer, Mike [KDA]" <	IVIIKE.IVIEYEI @KS.KOV>		

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>

Subject: 29427 Importance: High

Richelle is there pending myfas with these overlaps?

Sent from my Verizon, Samsung Galaxy smartphone



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 2 6 2019

M H

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 M MANAGEMENT DISTRICT NO 1 ATTN KYLE SPENCER PO BOX 604 SCOTT CITY KS 67871

May 29, 2019
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



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 19th.

Thanks for your consideration of this request.

Sincerely,

Kyle Spencer District Manager

> WATER RESOURCES RECEIVED

> > MAY 2 8 2019

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



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

Rill a. Kn

Water Appropriation Program

Enclosures

pc: Garden City Field Office

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

BLANE F & KASSANDRA F KLEYMANN 412 GRAY HORSE CIR WOODLAND PARK, CO 80863 March 25, 2019

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:

RE: File No 4412

☐ 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

ont A. Juney

Water Appropriation Program

BAT: DLW1

KANSAS DEPARTMENT OF AGRICULTURE **Division of Water Resources**

<u>MEMORANDUM</u>

FROM: Richelle A. Krueger **RE:** Water Right

TO: Files

File Nos. 4,412, 28,365 and

29,427

DATE: July 30, 2019

Blaine F. and Kassandra 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 acrefeet 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 multivear 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

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.

Sincepely,

Change Application Unit Supervisor

Water Appropriation Program

BAT:rak

pc: Garden City Field Office

Groundwater Management District No. 1

Tony Hanson

KANSAS DEPARTMENT OF AGRICULTURE

Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCESDavid W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 4,412

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, as modified and amended by the Findings and Order of the Chief Engineer dated August 28, 1981, establishing the ten acre tract upon which the point of diversion is located, and by the Order of the Chief Engineer dated February 11, 2000, approving the application to change the place of 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:

			NE1/4				NW¼			SW¼				SE¼				TOTAL	
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	ACRES
14		39W																	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	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. 4,412, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated April 24, 1972, as modified and amended by the aforementioned orders.

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.

Rever Release Research

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 day of http://www.commons.com/day.com

DANIELLE WILSON My Appointment Expires August 23, 2020

Notary Public

CERTIFICATE OF SERVICE

On this day of August , 2019, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 4,412, dated for the 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