

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: UMW, PD, PU WORKSHEET

1. File Number: 25753	2. Status Change Date:	3. Change Num: C1	4. Field Office: 02	5. GMD: 03
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 9/8/2022
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	
CITY OF DODGE CITY COREY KELLER PUBLIC WORKS DIRECTOR PO BOX 880 DODGE CITY, KS 67801-0880				
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 4207 Add Seq# _____	8d. WUC New to system <input type="checkbox"/>	
CITY OF DODGE CITY PO BOX 880 DODGE CITY, KS 67801-0880			CITY OF DODGE CITY PO BOX 880 DODGE CITY, KS 67801-0880	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/24 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/24				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" 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: IRR To: MUN				
Date Prepared: 11/2/2023 By: LI Date Reviewed: 12/26/2023 By: KAK Date Entered: By:				

File No. **25753** 11. County: **FO** Basin: **BUCKNER CREEK** Stream: **NA** Formation Code: **221** Special Use: **NA**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity af/mgy	Rate gpm	Quantity AF/MGY	
DEL	19827	NC E3 SW SW		11	26	25W	1	660	4170	IRR USE		490	180 AF	00	180 AF	20263
ENT		NE SW SW		11	26	25W		722	4345	WELL NO 32		490	52.436 MGY	00	52.436 MGY	20236

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **490GPM COM/W #20236/CERT (NO CHANGE)**
 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																		Total	Owner	Chg?	Overlap Files								
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼								
ENT									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	18094	26	26	25W	2																					8b	NO	***	
ENT	51120	13	26	24W	2																					8b	NO	***	
DEL	20253	11	26	25W	1					40	40	36			312	8b	NO	20236											

Base Acres: Year: Minimum Reasonable Quantity:

Comments: ***** FO 2, FO 69, 5864, 6604, 9044, 10170, 10517, 13424, 17089, 17295, 17329, 18641, 19165, 20235, 21222, 21223, 21703, 21704, 23132, 23133, 23134, 25270, 25753, 25293, 25699, 28369, 30186, 33158, 34040, 34536, 35210, 37634, 20708-D2**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 20, 2023

FROM: Leslie Ireland

RE: Water Right,
File Nos. 20,236 & 25,753

Nickolaus J. Hernandez, City Manager for the City of Dodge City, owner of the referenced water rights authorized for municipal use filed applications for approval to change the use made of water, place of use and point of diversion authorized under each of the referenced files located in the Buckner Creek Basin and Southwest Kansas Groundwater Management District No. 3 (GMD3). The applications which to proposed to drill new wells were received on September 8, 2022. Daniel Clement, P.G., Burns & McDonnell, P.A., Wichita, Kansas assisted with the applications.

The referenced water rights appear to be not to be abandoned as per K.S.A 82a-718, as they have been owned by the City for many years and the proposed housing development has been in the planning stages. The rights appear to be in compliance with K.S.A 82a-732. Notice per K.S.A 82a-1906 does not appear to be needed as there are no wells within one-half (½) mile of the proposed point of diversion.

The referenced files have a complete overlap as developed for irrigation use. The City proposes to change them from irrigation to municipal use, with a new well and neighborhood identified as the Iron Flats Phase I.

Water Right, File No. 20,236, is authorized 100 acre-feet (AF) at 490 gallons per minute (GPM) for irrigation use on 242 acres in the West half of Section 11, Township 26, Range 25 West (11-26-25W), Ford County from a well located approximately 660 feet North and 4,170 feet West of the Southeast corner described as being near the center of the E½ SW¼ SW¼ of 11-26-25W, Ford County. It has no additional limitations or conditions and is not located within a special use area.

Water Right, File No. 25,753, is authorized 180 acre-feet (AF) at 490 gallons per minute (GPM) with the rate limited to 490 GPM with File No. 20,236 from the same point of diversion, for irrigation use on 312 acres resulting in a place of use incomplete overlap with File No. 20,236, as the junior file authorizes 70 acres for the pivot corners.

The referenced files authorize a combined total of 280 acre-feet of water for irrigation use that is being requested to change to municipal use by K.A.R. 5-5-9, *Criteria for the approval of an application for change in use made of water from irrigation to any other type of beneficial use of water*, A 89.4% consumptive use factor is utilized for Ford County.

File No. 20,236: 100 AF x 89.4%= 89.40 AF or 29.131 million gallons

File No. 25,753: 188 AF x 89.4% = 168.072 AF or 54.766 million gallons

A total quantity of 257.47AF (83.907 million gallons) will be changed to municipal use. The new use should not substantially increase the consumptive use as the applications show the permanent reduction was requested, thus meeting K.A.R. 5-3-5, *Change in consumptive use*.

The justification for the additional quantity was obtained from City information on file. This indicates in the year 2050, a total of 15,198,400 gallons per day or 5,547.939 mgy (17,026 AF) could be utilized by residential and commercial users. The information indicates the quantities have been justified and reasonable for the projected growth and new housing development.

The proposed place of use for File Nos. 20,236 & 25,753 is in the South Half of the South Half (S $\frac{1}{2}$ S $\frac{1}{2}$) of Section 11, Township 26 South, Range 25 West, Ford County and is contiguous to the North side of the authorized place of use. As this is located within one-half ($\frac{1}{2}$) mile of the authorized place of use it would be considered as the immediate vicinity and will make a complete overlap with what is currently authorized by the City of Dodge City and the Wright Improvement District to overlap with the existing water rights.

All of the 312 irrigated acres in the West Half of Section 11, Township 26, Range 25 West will no longer be authorized. The changes comply with K.A.R. 5-3-5n, *Authorized place of use*.

The proposed change in point of diversion is to construct a municipal use well approximately 185 feet Northwest of the authorized point of diversion. The source of supply of the currently authorized well has not been determined. A review of area well logs and information in the KGS Bulletin No. 43 indicates the source of supply for the authorized and proposed well is the Ogallala formation (Code 211). The proposed change will remain in the same local source of supply. There appears to be no alluvium aquifer in this area therefor K.A.R. 5-5-13, *Relocation of alluvial wells* is not applicable to the requested change.

The old authorized irrigation well located approximately 660 feet North and 4,170 West of the Southeast corner of Section 11 will be plugged. A new well proposed to be constructed 722 feet North and 4,345 West of the Southeast corner of Section 11, described as being in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$), of Section 11, Township 26 South, Range 25 West, Ford County, to authorize the diversion of 257.47AF (83.907 million gallons) at a maximum 490 gallons per minute.

Located within the boundaries of GMD 3 the proposed new well complies with part(b) of K.A.R. 5-23-3, *Minimum well spacing requirements: high plains aquifer*, as the approvals will move the well under these rights less than 2,640 feet. Part (a) of the regulation requires the minimum well spacing requirement to other non-temporary and nondomestic wells based on the quantity that will be pumped by the proposed and nearby wells. Review found no wells of any kind located within the required well to well spacing distance.

A letter dated October 16, 2023, Jason Norquest, Assistant Manager of GMD 3, recommended the approval of the proposed changes as they comply with their regulations.

Jeff Lanterman, Water commissioner of the Stafford Field Office recommended approval by an email dated December 18, 2023.

The new well will be required to have a water level measurement tube and a well log submitted. A water flowmeter, check valve (if any chemical or foreign substance will be injected into the water through the diversion works) will also be required. The transmittal will remind them to properly plug any nonauthorized wells. Corey Keller, Public Works Director for the City indicated by email the well will be referenced by the City as Well No. 32 for the annual WU comment.

Based on the above discussion, that the changes are reasonable, that consumptive use will not increase, that impairment to existing water rights is unlikely and that no change in the source of supply will occur, it is recommended that the applications for change be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

Ireland, Leslie [KDA]

From: Lanterman, Jeff [KDA]
Sent: Monday, December 18, 2023 2:44 PM
To: Ireland, Leslie [KDA]
Cc: Conant, Cameron [KDA]
Subject: RE: City of Dodge City Changes File Nos. 20236 & 25753

Sorry Leslie. I didn't see this email.

I don't have any objection to the approval of these change applications for the new addition.

Thanks
Jeff

From: Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>
Sent: Monday, September 18, 2023 12:02 PM
To: Baum, Kristen [KDA] <Kristen.Baum@ks.gov>; Kopp, Kenneth [KDA] <Kenneth.Kopp@ks.gov>
Cc: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: City of Dodge City Changes File Nos. 20236 & 25753

Jeff, Kristen & Ken:

Have you guys had any meetings or discussions about the expansion to Dodge City for the PU on these chgs?? Know some CU was discussed.. They are doing a new development "Flat Iron" not steak.. but... If their UMW was STK they'd have to file PU changes for all the other files.. but given the immediate vicinity of 0.5 mile is afforded MUN... has it been determined they don't need to file if they keep the new PU to SE/4.. actually looks to be smaller.. but am wanting to confirm PU with Daniel ad Burns & Mac.. but want to get our side lined-out first. 0.5 would afford them the SE/4 right??? Guess that ? too.. but recall that was the std.

Know when we did the last PU chgs the new casino was just getting talked about and it was within 0.5 mile so we left it out of the map and went without it.. Interesting enough the PU on the change apps is blank.... so wonder if they know and really didn't want to know or not.....

It the PU has to be modified for the City files it would be PU chgs for 32 files.. the WRIGHT District is separate and has its large PU... but all of the 32 files serve it and the city proper. This is a WRIS thing too. How would we add it to just those files or show it as such... I added the most jr change and a WRIS report for one of the City Files.

You guys might need to talk about this if you haven't.. and let me know your thoughts and plan... other cities and what we have done....

These haven't formally been sent to the GMD they just got a question about the public notice....

Let me know....

Thanks,
Leslie Ireland
Environmental Scientist
Change Application Unit
Division of Water Resources



WATER RESOURCES
RECEIVED

SEPT 08 2022

re 11.42
KANSAS DEPARTMENT OF AGRICULTURE



State of Kansas

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. 25753

2. Name of applicant: City of Dodge City

Address: 806 N. 2nd Avenue

City, State and Zip: Dodge City, Kansas 67801

Phone Number: (620) 225 8170 E-mail address: coreyk@dodgecity.org

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

Name of water use correspondent: _____

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): _____

Change use made of water to municipal use, change the point of diversion to a new City Well

Change in place of use to form a complete overlap with current Dodge City municipal water rights

The change(s) (was) (will be) completed by _____ 12/31/2022
(Date)

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>3</u>	Meets K.A.R. 5-5-1	(YES / NO)	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>FO</u>	By	<u>ALB</u>	Date	<u>9/9/22</u>
Code	<u>C-3</u>	Fee \$	<u>100</u>	TR #		Receipt Date	<u>9/15/22</u>	Check #	<u>2209</u>						

\$600 PY00045081

9/15/2022
LMoody

9/15/2022

4. 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													
11	26S	25W					40	40	40	40	40	40	36	36					312

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

Owner of Land — NAME: _____
 ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			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: City of Dodge City Municipal Water Supply Distribution System
 ADDRESS: 806 N. 2nd Avenue Dodge City, Kansas 67801

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	
26	26	25W	CITY OF DODGE CITY & IMMEDIATE VICINITY*																
16	26	24W	WRIGHT IMPROVEMENT DISTRICT & IMMEDIATE VICINITY*																

List any other water rights that cover this place of use. FO 002 FO 069 5864 6604 9044 10170 10517 13424 17089 17295 18641 19165 20235 20236 21222 21223 21703 21704 23132 23133 23134 25270 25293 25699 28369 30108 30186 33158 34040 34536 35210 37634 & 20708 D2 *

Owner of Land — NAME: No other changes to place of use
 ADDRESS: _____

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

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* ll/dwr from WRIS and maps.



6. The presently authorized point(s) of diversion (is) (are) One Irrigation Well
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) One Municipal Well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**

Irrigation Well: One in the NC/E2 Quarter of the SW Quarter of the SW Quarter of Section 11, Township 26 South, Range 25W (E/W), in Ford County, Kansas, 660 feet North 4170 feet West of Southeast corner of section. Authorized Rate 490 gpm Authorized Quantity 180 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:

Municipal Well: **Proposed point of diversion: (Complete only if change is requested)** Identified as Well No. 32 *
One in the NE Quarter of the SW Quarter of the SW Quarter of Section 11, Township 26 South, Range 25W (E/W), in Ford County, Kansas, ~~695~~ ⁷²² feet North ~~4205~~ ⁴³⁴⁵ feet West of Southeast corner of section. Proposed Rate 490 gpm Proposed Quantity 160.92
Footages based on attached map and letter. (KAK/DWR)
This point is: Additional Well Geo Center List other water rights that will use this point 20236

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. _____
The irrigation well will be plugged and abandoned according to KDHE standards

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* 10/31/2023 from
email of C.Keller
li/dwr

WATER RESOURCES
RECORD

SEP 08 2022

KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for Irrigation purposes.
It is proposed that the use be changed to Municipal purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
The reduction in quantity from irrigation to municipal accounts for consumptive use

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to _____ 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). 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.

See attached cover letter and maps

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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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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 _____, Kansas, this _____ day of _____, 20_____.

_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)

State of Kansas)
 County of _____) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 20_____.

My Commission Expires _____

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.**

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 KS DEPT OF AGRICULTURE



Proposed Point of Diversion
 NE SW SW of 11-26S-25W
 722' N and 4345' W of SE Sec. Corner

Existing Point of Diversion
 NC/E1/2 SW SW of 11-26S-25W

Legend

-  Existing Groundwater Rights
-  PLSS Sections
-  KGS Domestic Wells

N

0 0.25 0.5 Miles

1:24,000

BURNS MCDONNELL

WATER RESOURCES RECEIVED

SEP 08 2022

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Proposed Point of Diversion
 NE SW SW of 11-26S-25W
 722' N and 4345' W of SE Sec. Corner

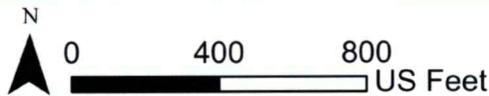
20236
 25753

Existing Point of Diversion
 NC/E1/2 SW SW of 11-26S-25W

Scale 1:6,000

Legend

-  Existing Groundwater Rights
-  PLSS Sections
-  KGS Domestic Wells



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WATER RESOURCES
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August 26, 2022

Earl Lewis
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

Re: Change Application for Water Rights 20236 and 25753

Dear Mr. Lewis:

The City of Dodge City acquired water rights 20236 and 25753 which currently authorize the withdrawal groundwater for irrigation use from a well near the center of the east half of the southwest quarter of the southwest quarter of Section 11, Township 26 south, Range 25W.

The City is filing the enclosed change in point of diversion, place of use, and use made of water application for water rights 20236 and 25753 to relocate the consumptive use quantity of water from the existing irrigation well to a new municipal well located approximately 35 feet north and 35 feet west of the existing irrigation well. The new well will be located near the center of Lot 6 of Block 8 of the Iron Flats housing development. According to a query of KDHE water well construction records, there are no known groundwater wells within 1/2 mile of the proposed point of diversion.

Sincerely,

Daniel Clement, P.G.
Senior Hydrogeologist

DWC/dwc

Enclosure – 25753 and 20236 Change Applications

cc: Corey Keller, City of Dodge City, Public Works Director
Ray Slattery, City of Didge City, Director of Engineering Services

SCANNED

8/21/2023

Water Resources
Received

File No. 25753

KS Dept Of Agriculture

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.

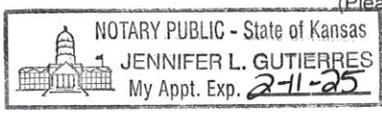
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 City of Dodge City, Kansas, this 21st day of August, 2023.

<u>Nicholas J. Hernandez</u> (Owner)	_____	(Spouse)
<u>Nickolous J. Hernandez</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Ford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21st day of August, 2023.

My Commission Expires 2-11-25

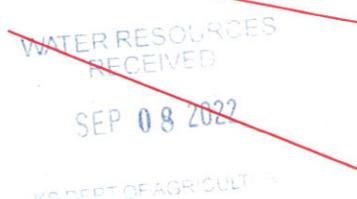
Jennifer L. Gutierrez
Notary Public

FEE SCHEDULE Fee has been submitted

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.



From: Corey Keller
Sent: Tue 10/31/2023 2:58 PM
To: Ireland, Leslie [KDA]
Subject: RE: Water Right File Nos. 20236 & 25753 well identification

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.

Leslie,

This well will be called Well No. 32 and yes, we will want it listed as that on the water use report.

Thank you for reaching out.

COREY KELLER
PUBLIC WORKS DIRECTOR
coreyk@dodgecity.org

CITY OF DODGE CITY

806 N. 2ND Ave.
Dodge City Kansas 67801
620.225.8170



***Hearing and/or speech-impaired persons using a TDD/TTY may contact City Staff through the Kansas Relay Center at 711 or 1-800-766-3777.

— ★ —
KANSAS

From: Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>
Sent: Monday, October 30, 2023 2:45 PM
To: Corey Keller <coreyk@dodgecity.org>
Subject: Water Right File Nos. 20236 & 25753 well identification

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Corey,

Does the City want to have a well identification number for the annual water use report? Usually goes where the **HHHH** is listed and on then also on the WUR as a comment.

Looks like there is a history of the wells having City Well No. xxx identification in our records.

This is the well that will be in the Iron Flats housing development.

Daniel has it further described as “near the center of Lot 6 of Block 8 of the Iron Flats housing development”, but not sure if that is actually part of the legal description for your register of deeds and if that needs to be incorporated in the Order?? Or what I have listed is OK for the City?

one (1) well **HHHH** located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ W $\frac{1}{4}$) of Section 11, more particularly described as being near a point 722 feet North and 4,345 feet West of the Southeast corner of said section, in Township 26 South, Range 25 West, Ford County, Kansas,

Leslie Ireland
Environmental Scientist
Change Application Unit
Division of Water Resources



Table 2. Population Projections for Dodge City

Year	City-Wide Population
Current	27,106
2010	29,927
2015	33,042
2020	36,481
2025	40,278
2030	44,470
2035	49,099
2040	54,209
2045	59,851
2050	66,080

Historic City water use records indicate an average daily demand of 230 gpcd (gallons per capita day). Table 3 shows the projected water supply needs through the year 2050 by applying this usage rate to the projected population.

Table 3. Water Usage Projections for Dodge City

Year	Water Usage (gpd)	Water Usage (ac-ft/yr)
2010	6,883,210	7,711
2015	7,599,660	8,513
2020	8,390,630	9,399
2025	9,263,940	10,378
2030	10,228,100	11,458
2035	11,292,770	12,650
2040	12,468,070	13,967
2045	13,765,730	15,421
2050	15,198,400	17,026

SCANNED

RECEIVED

JUN 11 2009

STAFFORDVILLE OFFICE
DIVISION OF WATER RESOURCES

The City will also be adding a Casino development to the potable water system by the end of 2011, with an Events Center anticipated as well within the next 5 to 10 years. The water supply required by these entities is not included in the projected needs shown in Table 3, which accounts primarily for residential and commercial development. The Casio development and Events Center will require additional demands, projected to be 250,000 gpd and 370,000 gpd respectively. Based on the projected water needs of the City, Casino development, and Events Center, the City will require a total of 12,150 ac-ft/yr of water supply by the year 2030 and 17,718 by the year 2050.

WATER RESOURCES
RECEIVED

CASINO: $250,000 \text{ gpd} \times 365 \text{ d/yr} \div 325851 = 280.0 \text{ AF}$
 EVENT CENTER: $370,000 \times \frac{365 \text{ d/yr}}{2} \div 325851 = 207.2 \text{ AF}$
 487.2 AF
 FEB 10 2009
 KS DEPT OF AGRICULTURE

AFFIDAVIT OF PUBLICATION

Water Resources

Received

KS Dept Of Agriculture

Published in Dodge City Daily Globe Aug 24, 26, 29, 31, Sep 2, 5, 7, 2023

The State of Kansas
S.S
County of Ford

I, Lori Sibley, being of lawful age, make oath and say that: I am Newspaper Operations Manager for Cherry Road Media in the state of Kansas.

Dodge City Daily Globe is a publication that is a "legal newspaper" as that phrase is defined for the City of Dodge City, for the County of Ford, in the State of Kansas. This affidavit is page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates.

PUBLICATION DATES:
24 Aug 2023, 26 Aug 2023, 29 Aug 2023, 31 Aug 2023, 2 Sep 2023, 5 Sep 2023, 7 Sep 2023

Notice ID: Vh9tFm14OxzAcCcUOdb2
Publisher ID: 1391300
Notice Name: Division of Water Resources

PUBLICATION FEE: \$265.65

Lori Sibley

Lori Sibley, Newspaper Operations Manager, Cherry Road Media

VERIFICATION

STATE OF KANSAS
COUNTY OF FORD

Signed or attested before me on this

13 day of September A.D. 2023

Rhonda Zinn

Rhonda, Zinn / Notary Public



My Commission Expires: June 6, 2026

PUBLIC NOTICE
The City of Dodge City has filed with the Division of Water Resources, Kansas Department of Agriculture, an application to change the points of diversion authorized for municipal use under Water Right, File No. 17,329, to reallocate the operational parameters of quantity and rate between existing water wells located in Township 26 South, Range 25 West, Ford County, Kansas. The applications are posted at: [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation /notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notifications) under the directory of the Stafford Field Office, 2022 and the file number listed above. The application is also available for public inspection in the office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502. Any interested party is invited to submit to this office on or before, September 27, 2023, written comments regarding the proposed application. Submissions should reference File No. 17,329 and may be made to the Chief Engineer at the mailing address listed above or to the email address of KDA.WaterRights@ks.gov.

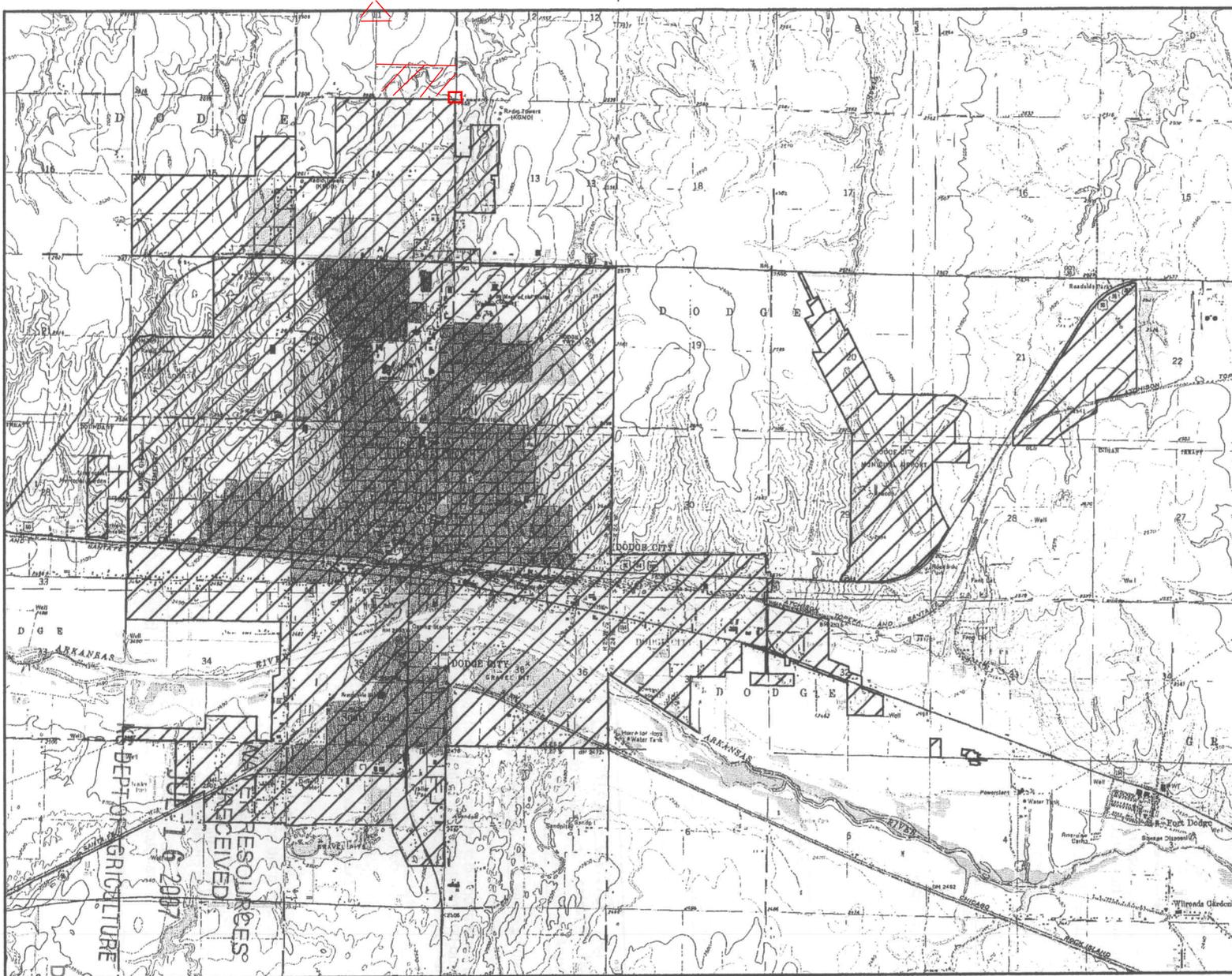
1391300

CITY OF
DODGE CITY, KANSAS
WATER RIGHT NO. F02

LEGEND
[Hatched Box] AUTHORIZED
PLACE OF USE
(CITY BOUNDARY)

SCALE: 1" = 5,000 FT.

T 28S
T 27S



SCANNED

DEPT. OF AGRICULTURE
RECEIVED
JUL 16 2007
WATER RESOURCES

SCANNED

Stafford Field Office
Division of Water Resour

FEB 17 2011

RECEIVED

li/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

January 5, 2024

NICKOLAUS J HERNANDEZ
CITY OF DODGE CITY
PO BOX 880
DODGE CITY KS 67801-0880

RE: Water Right
File Nos. 20,236 and 25,753

Dear Mr. Hernandez:

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 files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in each approval for change. A condition of all the approvals is that a currently acceptable water flowmeter must be installed on the diversion works authorized. Please complete and return the required notification of completion of the diversion works and/or installation of the required meter prior to December 31, 2024, or any approved extension. Forms may be found on our website at: <https://agriculture.ks.gov/dwr>.

The water right owner shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a- 1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

Since these orders modify the original certificates of appropriation for the above referenced water rights, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions regarding the enclosed documents, please contact our office at 785-564-6640. For inquiries about the metering requirements, please contact our staff at the Stafford Field Office, 620-234-5311. If you contact us to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application and Change Unit Supervisor
Water Appropriation Program

KAB:kak:li

Enclosures

pc: Safford Field Office
Southwest Kansas GMD No. 3

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 request an evidentiary hearing before the Chief Engineer or 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: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, 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 hearing 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: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, 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.

CERTIFICATE OF SERVICE

On this 5 day of January, 2024, I hereby certify that the attached Approval of Applications for Change, under Water Right, File Nos. 20,236 and 25,753, dated December 27, 2023, were mailed postage prepaid, first class, US mail to the following:

Nickolaus J. Hernandez
City of Dodge City
PO Box 880
Dodge City, KS 67801-0880

With a photocopy to:

KDA-DWR Stafford Field Office
Southwest Kansas GMD No. 3


Staff