



File No. **RN 38**      11. County: **RN**      Basin: **LITTLE ARKANSAS RIVER**      Stream: **NA**      Formation Code: **190**      Special Use: **NA**

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af/mgy	Rate gpm	Quantity af/mgy	Overlap PD Files
ENT	REC			83053 NW NW SW	35	22	5W	31	2180	4915	GEO CTR B_ID 1748	720**	1.0 mgy	360 gpm	1.0 mgy	45097 IND 8247 REC 8274
ENT	REC			41258 SW NW SW	35	22	5W	8	2238	4837	WELL #14 - BATT 1 OF 3 WELLS B_ID 1748					45097 IND 8247 REC 8274
ENT	REC			77799 NW NW SW	35	22	5W	23	1929	4972	WELL #12 - BATT 1 OF 3 WELLS B_ID 1748					45097 IND 8247 REC 8274
ENT	REC			81966 NW NW SW	35	22	5W	29	2373	4935	WELL #16 THERMO BATT 1 OF 3 WELLS B_ID 1748					45097 IND 8247 REC 8274
MOD	IRR			3032 SE SW NW	35	22	5W	4	3141	4371	WELL #10 GPS UPDATE	720 gpm	89 af	360 gpm	89 af	8274 IRR
MOD	IRR			4836 SE SW NW	35	22	5W	3	2843	4454	WELL #9 GPS UPDATE					8274 IRR
MOD	IRR			52237 SE SW NW	35	22	5W	5	3167	4549	WELL #11 GPS UPDATE					8274 IRR
MOD	IRR			50672 SE SW NW NW NW SW	35	22	5W	27	2555	4854	WELL #7 GPS UPDATE					8174 IRR
IRR use has blanket Q & R																

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

14. Limitation: \_\_\_\_\_ af/yr at **720** gpm (**1.6** cfs) when combined with file number(s) **720GPM COMBINED UNDER ANY USE 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 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				
<b>NO CHANGE</b>																									

Base Acres:      Year:      Minimum Reasonable Quantity:      \* li./DWR  
 Comments: RATE OF **720 GPM IS BLANKET RATE** FOR FILE NO RN 038 MODIFYING ADDITIONAL RATE MAKES THIS LTM CLEARER

**QTY STORED BY UMW**

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

**M E M O R A N D U M**

**TO:** Files

**DATE:** September 13, 2023

**FROM:** Leslie Ireland

**RE:** Vested Right, File No. RN 038  
Water Right, File No. 8,274

Jeremia "Jay" Johnson and Cory Griess on behalf of the Prairie Dunes Country Club owner of the referenced files have submitted applications for approval to change the points of diversion. The referenced files are located in the Little Arkansas River Basin, Reno County. The applications were received on November 22, 2021. No new wells are proposed to be drilled.

The applications for change appear to comply with K.A.R. 5-5-2a, *Complete change application*, and are in compliance with K.S.A. 82a-732.

The referenced files are authorized for both irrigation and recreational uses. They overlap in the place of use and four points of diversion except File No. 8,274 authorizes two separate irrigation wells. The overlapping wells authorized for recreational use at the clubhouse facility is proposed to change to authorize an existing battery of three (3) wells currently authorized under File No. 45,097. The irrigation wells are not changing but updated location data that will be unitized. It appears the wells have operated as proposed for the clubhouse swimming pool since 2013. At the time of filing the certification work-up for File No. 45,097 had been completed and the certificate is proposed with the changes. It appears the changes in point of diversion are all less than 300 feet and per K.S.A. 82a-1906 no notification will be required.

File No. RN 038 authorizes four (4) wells for irrigation use to divert 89 acre-feet (AF) per year and one (1) well for recreational use to divert 1 million gallons (3.07 acre-feet) per year. It was vested for six (6) wells. The rate is authorized 720 gallons per minute (gpm) by either use. All of the wells overlap with File No. 8,274 and the recreational well is authorized by File No. 45,097.

File No. 8,274 authorizes six (6) wells for irrigation use with an assigned quantity and rate per point of diversion and a recreational use well authorized 2.28 acre-feet to be diverted at 50 gpm. All of the wells are limited to 720 gpm and 215.4 AF for irrigation and recreational use when combined with Vested Right, File No. RN-38.

The change is only to the recreational well under both files to move to the existing battery authorized as industrial use by File No. 45,097. The geographic center is located in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 35, more particularly described as being near a point 2,180 feet North and 4,915 feet West with the actual feet distances of 1,929'N and 4,972'W of the Southeast corner of said section, in Township 22 South, Range 5 West, Reno County, Kansas. The battery of wells will represent three (3) wells all authorized by File Nos. RN 038 and 8,274 for recreational use with a total of 1.743 million gallons and File No. 45,097, proposed to perfect 15.872 million gallons as industrial use. The industrial use is used for heating and cooling at the Prairie Dunes Country Club facilities and has been considered to be consumptive. It appears the changes will result in a combined total of 17.615 million gallons from the battery of three (3) wells with File Nos. RN 038 and 8,274 authorized as recreational use at the swimming pool and File No. 45,097 as industrial use. The source of supply has been determined to be Equus Beds (Code 190). The existing wells under File No 45,097 were reported to be completed to depths of approximately 100 feet. The logs indicate these wells with a depth of 90 to 100 feet. The historical static water level has been 55 feet. The currently authorized wells under File Nos. RN 038 & 8,274 have a reported depth of 80 to 100 feet. The KGS well logs and proximity indicate the local source of supply will remain unchanged.

There are five wells authorized under File No. RN 038. The geographic center of the proposed battery of wells will not increase the reported points of diversion due to the overlap and historically this vested right indicated six wells. File No. 8,274 was certified for eight wells and is currently authorized seven wells will remain six wells for irrigation and a battery of three wells for recreational use with one of the proposed well of the battery to be authorized for irrigation, (CIN #8 PD#14). It does not appear the number of wells will be increasing beyond what was certified and K.A.R. 5-5-16 *Additional wells* is not applicable.

Review of the K.A.R. 5-2-3, *Battery of wells* would indicate a **waiver of K.A.R. 5-2-3** will be needed as the referenced files propose a battery, but both files authorized multiple wells that would have meet the definition of K.A.R. 5-1-1, Definitions, (n) *Battery of wells*, but they predate this definition and regulation, however a waiver will be prepared.

The overlap of the files to the battery of the three (3) wells currently under File No. 45,097 will move the quantities less than 300 feet (maximum approximate 257 feet). The changes in point of diversion complies with K.A.R. 5-22-8, *Change applications*, specifically a move less than 2,640 feet.

**Proposed Recreational Points of Diversion File Nos. RN 038; 8,274 (REC) & 45,097 (IND)**

Well Location Authorized SEC 35 TWN 22 RNG 5 E	CIN#	PD #	Authorized/Actual	
			Feet North	Feet West
GEO Center NW NW SW	31		2180	4915
NW NW SW	8	14	2238	4837
SW NW SW	23	12	1929	4972
NW NW SW	29	16	2373	4935

There are ten (10) non-domestic wells and four (4) domestic wells located within one-half (1/2) mile of the proposed existing new geographic center. Currently the wells authorized do not meet spacing to each other and nearby wells. The proposed change does not comply with non-domestic well to well spacing of 1,620 feet, to seven (7) wells and the required 960 feet to two (2) domestic wells as required by K.A.R. 5-22-2(b), *Well Spacing*. A waiver of well to well spacing is not needed as the proposed changes comply with part (e) of K.A.R. 5-22-2 as moving less than 300 feet. There is no physical increase in the number of wells actually in the area. All of the non-domestic wells are owned by the applicant. The domestic well owners have completed the *Domestic Water Well Owner Water Well Spacing Consent Form* K.A.R. 5-22-2(e)(4).

The rate of diversion under File Nos. RN 038 ( 720 gpm any use) and 8,274, limited to 720 gpm with RN 038 and File No. 45,097 perfecting 70 gpm, their total of 790 gallons per minute is less than the required maximum of 800 gpm for a battery of wells.

The approvals will update the well locations per the 2021 Compliant Investigations. All appear to comply with K.A.R. 5-5-6, *Failure to construct diversion works at authorized location*, Table **Irrigation Points of Diversion File Nos. RN 038 \* & 8,274 (All) GPS updates**

Well Location Authorized SEC 35 TWN 22 RNG 5 E	CIN#	PD #	Authorized		Actual	
			Feet North	Feet West	Feet North	Feet West
NW NW SW *	27	7	2562	4836	2555	4854
SE SW NW *	3	9	2835	4419	2843	4454
SE SW NW *	4	10	3133	4337	3141	4371
SE SW NW *	5	11	3147	4511	3167	4549
SW SW NW	26	13	2943	4904	2941	4944
NW NW SW	8	14	2233	4799	2238	4837

The changes will not alter the irrigation use well overlaps or the applicants well names (PD#).



The applications were submitted to the Equus Beds Management District No. 2 in February 2023, with an extension to comment granted through April 6, 2023. No comment regarding the applications was supplied.

The application was reviewed by Stafford Field Office staff, Cameron Conant, Assistant Water Commissioner and Jeff Lanterman, Water Commissioner, their review the proposal recommend approval of the referenced applications by e-mail dated September 13, 2023.

A condition of the approvals will be the requirement of a flowmeter pursuant to K.S.A. 82a-706c. The recent Compliance Investigations indicate the points of diversion are metered and except for Wells # 12 & 14 that were not in compliance due to the multiple uses. The approval will have the standard meter wording. Check valves will be required if chemigation occurs. Water level measurement tubes and well logs will not be conditions of the approvals. The transmittal will contain the wording that any abandoned wells need to be plugged.

Based on the above discussion, that the requested waiver is supported, the changes are reasonable, impairment of existing water rights unlikely, that no change in the local source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

## Ireland, Leslie [KDA]

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**From:** Lanterman, Jeff [KDA]  
**Sent:** Wednesday, September 13, 2023 2:15 PM  
**To:** Ireland, Leslie [KDA]  
**Cc:** Conant, Cameron [KDA]; Fitch, Elizabeth [KDA]  
**Subject:** FW: Review & Recommendation for Change in PD File Nos. RN 038 & 8,274  
**Attachments:** RN 038\_8274 \_MEMO battry chg pd\_2\_2.docx; RN 38 AMT STAT PROP REC GEO RPT.pdf

Leslie, See the discussion below.

I think this change can and should be approved. Im ok doing it without a GMD recommendation.

We have discussed with Kristen moving files on without a GMD recommendation if they don't get us one in a timely manner.

Thanks  
Jeff

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**From:** Conant, Cameron [KDA] <Cameron.Conant@ks.gov>  
**Sent:** Wednesday, September 13, 2023 2:08 PM  
**To:** Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Fitch, Elizabeth [KDA] <Elizabeth.Fitch@ks.gov>  
**Subject:** FW: Review & Recommendation for Change in PD File Nos. RN 038 & 8,274

Jeff, you and I and Elizabeth discussed this application in the conference room on Friday. Recall that it is fixing the water rights to match how the wells are actually being operated (and have been operated for some time now). You were planning to pass along a recommendation of approval.

We have no GMD recommendation on this and I'm comfortable moving on without it at this point.

If we do need to waive spacing we could do easily because this change isn't allowing anything that hasn't been done in the past and isn't changing the use of water from a practical standpoint. The changes are to reflect the actual operation at the course. Please pass on to Leslie if you agree.

*Cameron*

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**From:** Ireland, Leslie [KDA] <[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)>  
**Sent:** Monday, August 21, 2023 2:57 PM  
**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>; Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>  
**Subject:** FW: Review & Recommendation for Change in PD File Nos. RN 038 & 8,274

Good Afternoon,

Got a call about another golf course and it reminded me of this project.

Leslie

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**From:** Ireland, Leslie [KDA]  
**Sent:** Thursday, July 13, 2023 11:51 AM

**To:** Lanterman, Jeff [KDA] <[Jeff.Lanterman@ks.gov](mailto:Jeff.Lanterman@ks.gov)>; Conant, Cameron [KDA] <[Cameron.Conant@ks.gov](mailto:Cameron.Conant@ks.gov)>

**Subject:** Review & Recommendation for Change in PD File Nos. RN 038 & 8,274

Jeff,

Please let me know if you'd recommend these changes without a recommendation from GMD2. It appears the changes meet their rule,, but state conversion to a battery waiver appears needed.

As always comments and concerns are welcome.

Leslie Ireland  
Environmental Scientist  
Change Application Unit  
Division of Water Resources





Kansas Department of Agriculture  
 Division of Water Resources  
**WAIVER REQUEST & WAIVER RULE WORKSHEET**

File Number: **RN 038**

FO: **2**

GMD: **2**

**WAIVER REQUEST:**

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
<b>REC</b>	<b>10/4/22</b>	<b>50</b>	<b>Statewide</b>	<b>Battery of Wells</b>	<b>Conversion to a Battery</b>
Rule Number	Date Granted	Date Denied	Justification:	The existing three (3) wells meet the regulatory description of a battery. No new wells will be drilled. The assignment of the quantity and rate to a geographic center represents the historical blanket quantity and rate. The notifications resulted in no comments and nearby well owners granted consent of well to well spacing as allowed in the Equus Beds Groundwater Management District No. 2	
<b>K.A.R. 5-2-3</b>	<b>9/25/2023</b>				

**WAIVER RULE:**

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared **9/16/23** By **LI**

Date Entered \_\_\_\_\_ By \_\_\_\_\_

9/25/2023  
LMoody

# THE STATE OF KANSAS



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

**DIVISION OF WATER RESOURCES**  
Earl D. Lewis Jr., Chief Engineer

## **APPROVAL OF APPLICATION FOR CHANGE IN POINT OF DIVERSION VESTED RIGHT FILE NO. RN 038**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jeremia "Jay" Johnson and Cory Griess, on behalf of the Prairie Dunes Country Club, 4812 East 30th Avenue, Hutchinson, Kansas, 67502, received in this office on November 22, 2022, for approval of a change in the authorized point of diversion under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 6238, Reno County, now identified as Vested Right, File No. RN 038, as modified and amended by the Correctional Order of the Chief Engineer dated May 26, 1978, to correct an error in the quantity of water authorized and the use made of the water, by the Findings and Order dated September 29, 1978, to establish a more precise tract of land on which the point of diversion is located; by the Order of the Chief Engineer dated December 23, 1983, approving the application to change the place of use; by the Orders of the Chief Engineer dated May 3, 2010, July 2, 2012 and October 5, 2021, approving applications to change the points of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The authorized rate of diversion approved under this order will remain limited to a maximum diversion rate not in excess of 720 gallons per minute (1.60 c.f.s.).

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the maximum authorized quantity shall not to exceed 1.0 million gallons for recreational use from the point of diversion authorized as:

a battery of three (3) wells with a geographic center located Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 35, more particularly described as being near a point 2,180 feet North and 4,915 feet West of the Southeast corner of said section,

and the maximum authorized quantity shall not to exceed 89.0 acre-feet for irrigation use from the points of diversion authorized as:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) more particularly described as being near a point 2,555 feet North and 4,854 feet West of the Southeast corner of said section, further identified in the office of the Chief Engineer as Well No. 7,

one (1) well located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) more particularly described as being near a point 2,843 feet North and 4,454 feet West of the Southeast corner of said section, further identified in the office of the Chief Engineer as Well No. 9,

one (1) well located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE¼ SW¼ NW¼) more particularly described as being near a point 3,141 feet North and 4,371 feet West of the Southeast corner of said section, further identified in the office of the Chief Engineer as Well No. 10,

one (1) well located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE¼ SW¼ NW¼) more particularly described as being near a point 3,167 feet North and 4,549 feet West of the Southeast corner of said section, further identified in the office of the Chief Engineer as Well No. 11,

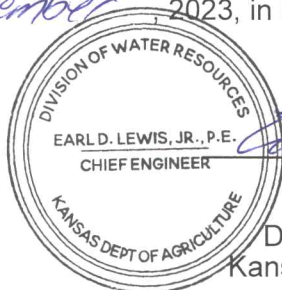
all in Township 22 South, Range 5 West, Reno County, Kansas, located substantially as shown on the topographic map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2023, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

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 vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. RN 038, is as stated and set forth in the vested right order executed by the Chief Engineer on June 9, 1954, as modified and amended by the aforementioned orders.

Ordered this 25<sup>th</sup> day of September, 2023, in Manhattan, Riley County, Kansas.



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

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of September, 2023, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Melinda Jennings*  
Notary Public

THE STATE  OF KANSAS

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

**DIVISION OF WATER RESOURCES**  
Earl D. Lewis Jr., Chief Engineer

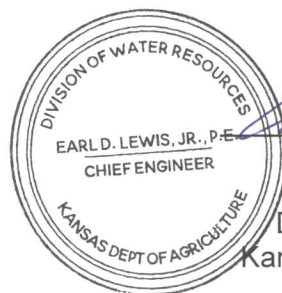
**WAIVER OF REGULATION**  
**K.A.R. 5-2-3 Battery of Wells**

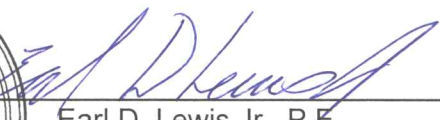
Date: September 25, 2023

RE: Vested Right, File No. RN 038

1. That K.A.R. 5-2-3 states that once the time to complete the diversion works has expired, a change in point of diversion to create a battery of wells must meet the criteria for a new application to appropriate water, such as safe yield, allowable appropriation, or similar regulation, for a new well at that location or a specific regulation applicable to batteries of wells.
2. That the change in the point of diversion has been requested under the referenced file to authorize a battery of three (3) existing wells meeting the physical definition of a battery, to divert 1.0 million gallons (3.07 acre-feet ) at a limited 720 gallons per minute for recreational use. The battery is also proposed to be authorized by File No. 8274, for recreational use for a swimming pool and was developed under File No. 45,097 for industrial use as cooling.
3. No adverse comments were received.
4. That a battery of wells represents the actual use of the wells as it had authorized the wells with a blanket quantity and rate. There will be no increase in the quantity of water or rate of diversion.
5. The local source of supply will remain unchanged.
6. The change to a battery of three (3) wells will not impair existing water rights nor adversely affect the public interest.

Comments:



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

September 27, 2023

CORY GRIESS  
PRAIRIE DUNES COUNTRY CLUB  
4812 E 30TH AVE  
HUTCHINSON KS 67502

RE: Vested Right, File No. RN 038  
Water Right, File No. 8,274

Dear Mr. Griess:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that acceptable water flowmeters must be installed on the diversion works authorized. Please return the required, Notification of the Completion of the Diversion Works, prior to December 31, 2023, for the installation of the required metering for the battery of wells.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate. The additional existing limitations on the referenced files remain as stated.

If you have any questions regarding the enclosed documents, please contact us at 785-564-6640. Should your question be in regard to the installation of the required meters please contact our staff at the Stafford Field Office at 620-234-5311. If you wish 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: Stafford Field Office  
Equus Beds GMD No. 2

## 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 Division, 1320 Research Park Drive, Manhattan, Kansas 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 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: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 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

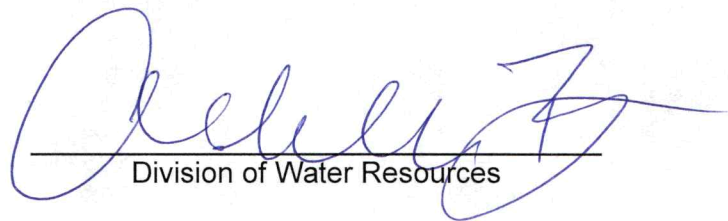
On this 27 day of September, 2023, I hereby certify that the attached approvals for the Applications for Change in Point of Diversion, under Vested Right, File No. RN 038, and Water Right, File No. 8,274, dated 25 September, 2023, were mailed postage prepaid, first class, US mail to the following:

PRAIRIE DUNES COUNTRY CLUB  
4812 E 30TH AVE  
HUTCHINSON KS 67502

With a Photocopy to:

KDA-DWR Stafford Field Office

Equus Beds GMD No. 2

  
\_\_\_\_\_  
Division of Water Resources