

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

1. File Number: <b>20236</b>	2. Status Change Date: <b>12/27/2023</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>02</b>	5. GMD: <b>03</b>
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: <b>9/8/2022</b>
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>
<b>CITY OF DODGE CITY</b> <del>COREY KELLER PUBLIC WORKS DIRECTOR</del> <b>PO BOX 880</b> <b>DODGE CITY, KS 67801-0880</b>				
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <b>4207</b> Add Seq# _____		8d. WUC New to system <input type="checkbox"/>
<b>CITY OF DODGE CITY</b> <b>PO BOX 880</b> <b>DODGE CITY, KS 67801-0880</b>		<b>CITY OF DODGE CITY</b> <b>PO BOX 880</b> <b>DODGE CITY, KS 67801-0880</b>		<b>CITY OF DODGE CITY</b> <b>PO BOX 880</b> <b>DODGE CITY, KS 67801-0880</b>
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/24</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/24</b>				
<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: <b>IRR</b> To: <b>MUN</b>				
Date Prepared: 11/2/2023    By: LI Date Reviewed: 12/26/2023    By: KAK Date Entered: <b>12/27/2023</b> By: <b>KAnderson</b>				

File No. **20236**      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)	Rate gpm	Quantity af	Rate gpm	Quantity AF/MGY	Overlap PD Files
DEL	19827	NC E3 SW SW		11	26	25W	1	660	4170	IRR USE	490	100 AF	490	100 AF	25753	
ENT	90712	NE SW SW		11	26	25W	2	722	4345	WELL NO 32	490	29.131 MGY	490	29.131 MGY	25753	

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) **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				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files					
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	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				32	32	32	32	32	32	25	25									242	8b	NO	25753

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]

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**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

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**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



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SEP 08 2022

11:41

KS DEPT 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. 20236

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>MUN</u>	Source	<u>G/S</u>	County	<u>FO</u>	By	<u>ALB</u>	Date	<u>9/9/22</u>
Code	<u>GLT</u>	Fee \$	<u>100</u>	TR #		Receipt Date	<u>9/8/22</u>	Check #	<u>2209</u>						

C-3

\$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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11	26S	25W					32	32	32	32	32	32	25	25					242

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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

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

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

Owner of Land — NAME: 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 *																
13	26	24W	WRIGHT IMPROVEMENT DISTRICT & IMMEDIATE VICINITY*																

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

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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	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**

\* LI/DWR from WRIS & MUN USE DEFINITION



FO 002 FO 069 5864 6604 9044 10170 10517 13424 17089 17295 18641  
 19165 20235 21222 21223 21703 21704 23132 23133 23134 25270 25293  
 25699 25758 28369 30108 30186 33158 34040 34536 35210 37634 & 20708 D2



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 100 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)** \* 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, 722 feet North 4345 feet West of Southeast corner of section. Proposed Rate 490 gpm Proposed Quantity 89.4 AF  
This point is:  Additional Well  Geo Center List other water rights that will use this point 25753

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

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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](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

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

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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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.

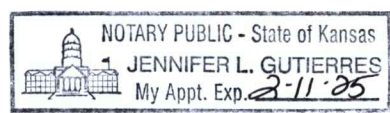
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 Dodge City, Kansas, this 6th day of September, 2022.

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

State of Kansas }  
County of Gard } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6th day of September, 2022.

Jennifer L. Gutierrez  
Notary Public

My Commission Expires 2-11-25

**FEE SCHEDULE**

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

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

Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES  
RECEIVED  
SEP 08 2022  
KS DEPT OF AGRICULTURE



**Legend**

- ▲ Existing Groundwater Rights
- PLSS Sections
- KGS Domestic Wells

N

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Miles

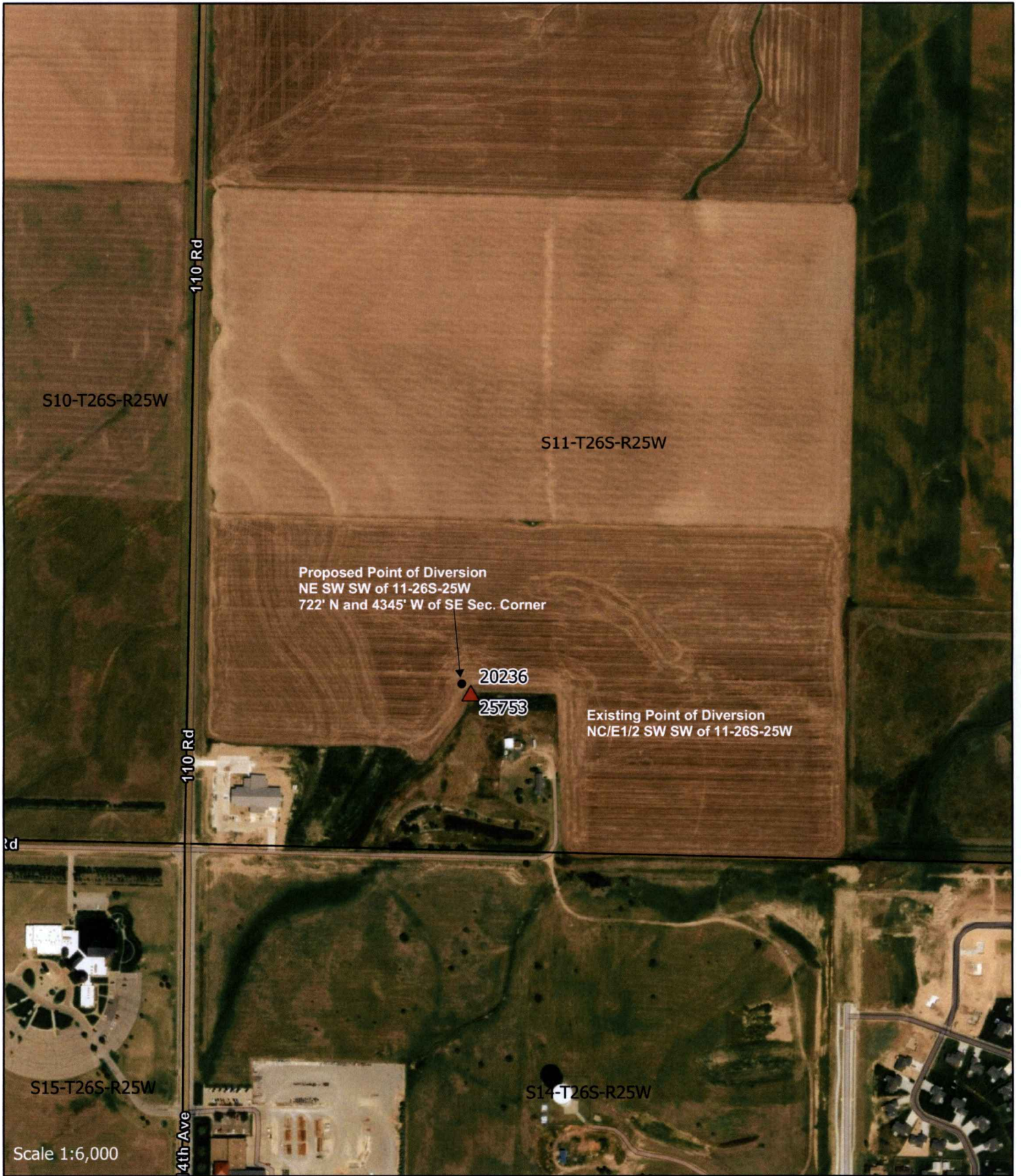
1:24,000

**BURNS** **MCDONNELL**

WATER RESOURCES  
RECEIVED

SEP 08 2022

KS DEPT OF AGRICULTURE



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

N

0 400 800 US Feet

**BURNS MCDONNELL**

WATER RESOURCES  
 RECEIVED

SEP 08 2022

KS DEPT OF AGRICULTURE



WATER RESOURCES  
RECEIVED

SEP 08 2022

KS DEPT OF AGRICULTURE

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 ½ mile of the proposed point of diversion.

Sincerely,

Daniel Clement, P.G.  
Senior Hydrogeologist

DWC/dwc

Enclosure – 25753 and 20236 Change Applications

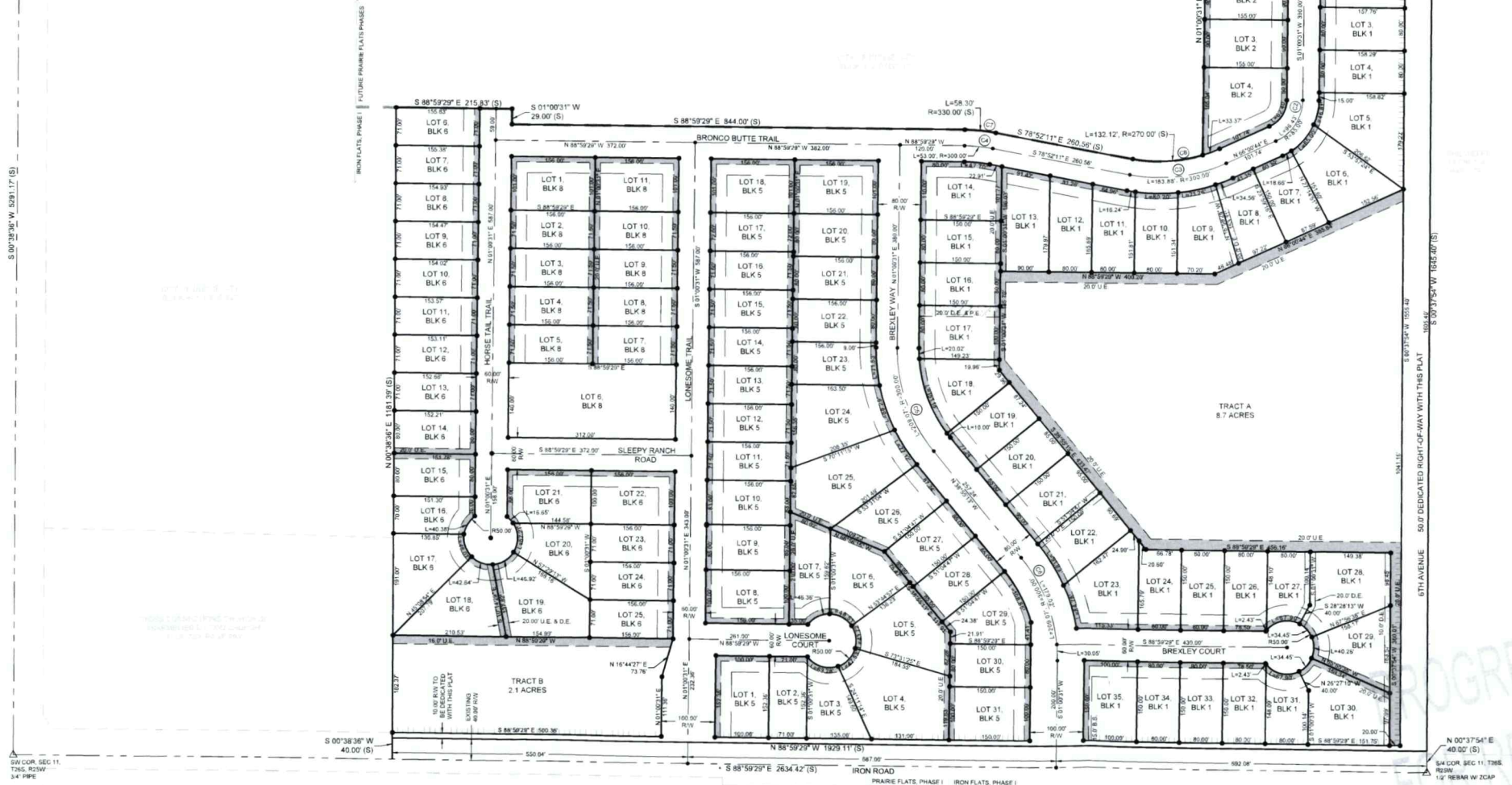
cc: Corey Keller, City of Dodge City, Public Works Director  
Ray Slattery, City of Didge City, Director of Engineering Services

Block 1 Lot Data		Block 1 Lot Data		Block 2 Lot Data		Block 5 Lot Data		Block 5 Lot Data		Block 6 Lot Data		Block 8 Lot Data	
LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)	LOT #	AREA (S.F.)
1	14900	21	14250	1	17185	1	15238	21	12480	6	11048	1	15756
2	12287	22	13974	2	13850	2	12018	22	12480	7	11016	2	11154
3	12642	23	18186	3	13850	3	12721	23	12687	8	10984	3	11154
4	12684	24	12104	4	20087	4	20902	24	21885	9	10861	4	11154
5	19750	25	12000			5	19103	25	24313	10	10919	5	11154
6	17960	26	11989			6	16880	26	16076	11	10887	6	43680
7	12501	27	10431			7	14052	27	12750	12	10855	7	11154
8	13020	28	19950			8	15600	28	12750	13	10823	8	11154
9	14702	29	14701			9	13280	29	14641	14	12156	9	11154
10	11998	30	20128			10	12048	30	12009	15	12132	10	11154
11	12988	31	10431			11	11154	31	15000	16	10130	11	15756
12	13629	32	11989			12	11154			17	16482		
13	16620	33	12000			13	11154			18	16017		
14	15284	34	12000			14	11154			19	20158		
15	12000	35	15000			15	11154			20	13800		
16	12000					16	11154			21	15324		
17	14995					17	11232			22	15600		
18	14655					18	15796			23	11075		
19	13085					19	15796			24	11075		
20	12750					20	12480			25	11075		

CENTERLINE CURVE DATA					
CURVE #	RADIUS	ARC	CHORD	DELTA	TANGENT BEARING
C1	300.00	65.52	65.39	12°30'48"	32.89 S 82°44'05" E
C2	85.00	96.43	91.35	65°00'13"	54.15 N 33°30'28" E
C3	300.00	183.88	181.01	35°07'05"	84.93 N 83°54'17" E
C4	300.00	53.00	52.93	10°07'18"	26.57 N 83°55'50" W
C5	300.00	209.07	204.86	38°56'44"	108.98 S 18°57'21" E
C6	300.00	209.07	204.86	38°56'44"	108.98 N 18°57'21" W

PROPERTY LINE CURVE DATA					
CURVE #	RADIUS	ARC	CHORD	DELTA	TANGENT BEARING
C7	330.00	58.30	58.22	10°07'18"	29.22 S 83°55'50" E
C8	270.00	132.12	130.81	28°02'14"	67.41 N 87°36'42" E
C9	260.00	65.70	65.52	14°28'39"	33.02 S 81°40'09" E



N 44 COR. SEC 11  
T 265. R 23W  
34" IRON P. 8" DEEP

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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 28, 2022

CITY OF DODGE CITY  
806 N. 2ND AVENUE  
DODGE CITY KS 67801

RE: File No(s). **20236**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen Baum  
New Applications and Changes Supervisor  
Water Appropriation Program

**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](mailto:coreyk@dodgecity.org)

CITY OF DODGE CITY

806 N. 2<sup>ND</sup> 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

DODGE CITY DAILY GLOBE

AFFIDAVIT OF PUBLICATION

9/28/2023

Water Resources  
Received

This page should be  
removed as it is for  
File No. 17329 not his  
file li/dwr

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, 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 / Notary Public



My Commission Expires: June 6, 2026

**PUBLIC NOTICE**  
The City of Dodge City has  
filed with the Division of Wa-  
ter Resources, Kansas De-  
partment of Agriculture, an ap-  
plication to change the points  
of diversion authorized for mu-  
nicipal use under Water Right,  
File No. 17,329, to reallocate  
the operational parameters of  
quantity and rate between ex-  
isting water wells located in  
Township 26 South, Range 25  
West, Ford County, Kansas.  
The applications are posted at:  
[www.agriculture.ks.gov/divi-  
sions-programs/dwr/water- ap-  
propriation /notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notifications) under the  
directory of the Stafford Field  
Office, 2022 and the file num-  
ber listed above. The applica-  
tion is also available for pub-  
lic inspection in the office of  
the Chief Engineer, Division of  
Water Resources, Kansas De-  
partment of Agriculture, 1320  
Research Park Drive, Manhat-  
tan, Kansas 66502. Any inter-  
ested party is invited to sub-  
mit to this office on or before,  
September 27, 2023, written  
comments regarding the pro-  
posed application. Submis-  
sions should reference File No.  
17,329 and may be made to  
the Chief Engineer at the mail-  
ing address listed above or to  
the email address of [KDA.Wa-  
terRights@ks.gov](mailto:KDA.WaterRights@ks.gov).

1391300



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 USE MADE OF WATER,  
PLACE OF USE AND POINT OF DIVERSION  
WATER RIGHT  
FILE NO. 20,236**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Nickolaus J. Hernandez, City Manager for the City of Dodge City, Post Office Box 880, Dodge City, Kansas, 67801-0880, received in the office of the Chief Engineer, on September 8, 2022, for approval of a change in the use made of water, and the locations of the point of diversion and place of use, under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity of water to 29.131 million gallons of water (89.4 acre-feet) per calendar year.

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

Municipal Use,

and the authorized place of use shall be:

within the City of Dodge City, Kansas, and immediate vicinity, and within the Wright Improvement District and immediate vicinity,

and the authorized location of the point of diversion shall be:

one (1) well located 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, 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,

located substantially as shown on the topographic map accompanying the application to change the use made of water, place of use and point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2024, 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 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.

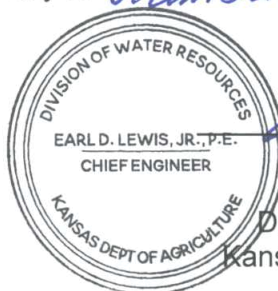
All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the 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. 20,236, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated October 31, 1994.

Ordered this 27<sup>th</sup> day of December, 2023, in Manhattan, Riley County, Kansas.



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 27<sup>th</sup> day of December, 2023, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



KATIE N. ANDERSON  
 My Appointment Expires  
 March 12, 2027

Katie N. Anderson  
 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

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN USE MADE OF WATER,  
PLACE OF USE AND POINT OF DIVERSION  
WATER RIGHT  
FILE NO. 25,753**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Nickolaus J. Hernandez, City Manager for the City of Dodge City, Post Office Box 880, Dodge City, Kansas, 67801-0880, received in the office of the Chief Engineer on September 8, 2022, for approval of a change in the use made of water, and the locations of the point of diversion and place of use, under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity of water to 52.436 million gallons of water (160.92 acre-feet) per calendar year.

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

Municipal Use,

and the authorized place of use shall be:

within the City of Dodge City, Kansas, and immediate vicinity, and within the Wright Improvement District and immediate vicinity,

and the authorized location of the point of diversion shall be:

one (1) well located 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, 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,

located substantially as shown on the topographic map accompanying the application to change the use made of water, place of use and point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2024, 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 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.

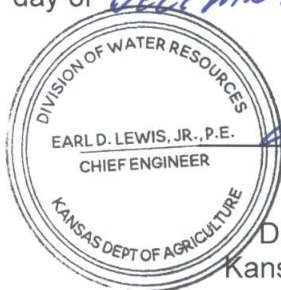
All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the 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. 25,753, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated October 31, 1994.

Ordered this 27<sup>th</sup> day of December, 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 27<sup>th</sup> day of December, 2023, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Katie N. Anderson*  
Notary Public

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