

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET**

1. File Number: <b>23709</b>	2. Status Change Date: <b>9/17/2018</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>03</b>	5. GMD: <b>04</b>
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>02-JUL-2018</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>DOUGLAS WAYNE MARTIN 10210 POLFER LN KANSAS CITY MO 66109-4066</b>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>8A</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>8A</b>		8d. WUC New to system <input type="checkbox"/>  <b>8A</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
Date Prepared: <b>8/28/18</b> By: <b>RAK</b> Date Entered: <b>9/17/2018</b> By: <b>WM</b>				

File No. **23709**      11. County: **SD**      Basin: **Saline River**      Stream:      Formation Code:      Special Use:

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

**NO CHANGES**

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) \_\_\_\_\_  
 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	17183	32	10	26W	2					21.00	39.00	15.00	25.00	30.00	19.30	29.10	16.00					40.00	40.00	40.00	40.00	354.4	8B	NO	see above				
DEL	35916	32	10	26W	3									30.00	19.30	29.10	16.00									94.40	8B	NO	15153				

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments:

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

**TO:** Files  
**FROM:** Richelle A. Krueger

**DATE:** September 10, 2018  
**RE:** Water Right  
File Nos. 12,074; 15,153; 15,620;  
19,627; 23,709 and 31,036

Douglas Wayne Martin filed applications for approval to change the authorized place of use for Water Right, File Nos. 12,074; 15,153; 15,620; 19,627; 23,709 and 31,036 all authorized groundwater in the Saline River Basin. The referenced change applications were filed in conjunction with a Voluntary Waiver of Hearing and Dismissal of Water Right, File No. 242, authorized surface water from the Saline River.

File Nos. 12,074; 15,153; 15,620; 19,627; 23,709 and 31,036 do not appear abandoned as per K.S.A. 82a-718.

None of the referenced files have overlaps in their authorized points of diversion but File Nos. 242; 12,074 and 31,036 incompletely overlap in their irrigation place of use; File Nos. 15,153 and 23,709 overlap in their irrigation place of use and File Nos. 15,620 and 19,627 overlap each other. File No. 31,036 is also authorized for industrial use within a fifteen (15) mile radius of the point of diversion authorized for industrial use. The referenced change applications propose to create a complete overlap in the irrigation place of use for a total of 354.40 acres to be irrigated in Section 32, Township 10 South, Range 26 West, Sheridan County. File No. 242 will be dismissed.

The total limited quantity to be authorized for irrigation use by File Nos. 12,074; 15,153; 15,620; 19,627; 23,709 and 31,036 will provide 513.8 acre-feet total for 354.40 acres or 1.45 acre-feet per acre, which appears reasonable.

The 140 acre-feet quantity limitation under File No. 31,036 will be modified to delete File No. 242 since that file will be dismissed. In addition, the 102 acre-feet and 770 gallons per minute limitation on File No. 31,036 added by a December 6, 1985 change approval will be removed and the authorized quantities and diversion rates for each use will be corrected and described.

No notifications were sent since the applications form an exact overlap in the authorized place of use.

The authorized wells for File Nos. 15,620 and 19,627 will be better described with g.p.s. feet distances as per May 13, 2008 compliance investigations.

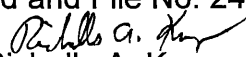
The same local source of supply will not change, previously determined to be either Main Stem Alluvium (113) or Terrace (115).

In an e-mail dated August 23, 2018, Ray Luhman, Manager of the Northwest Kansas Groundwater Management District No. 4, recommended approval of the change applications.

Kelly Stewart, Water Commissioner of the Stockton Field Office, recommended approval of the applications and dismissal of File No. 242 in an August 24, 2018 e-mail.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended the change applications be approved and File No. 242 be dismissed.

  
Richelle A. Krueger  
Environmental Scientist

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

DOUGLAS WAYNE MARTIN  
10210 POLFER LN  
KANSAS CITY MO 66109-4066

September 19, 2018

FILE COPY

RE: Water Right, File Nos. 12,074; 15,153; 15,620; 19,627; 23,709 and 31,036

Dear Mr. Martin:

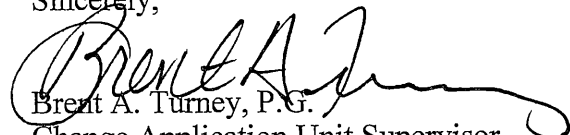
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Since these orders modify the original document referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

BAT:rak

pc: Stockton Field Office  
Groundwater Management District No. 4



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN PLACE OF USE  
WATER RIGHT  
FILE NO. 23,709**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Douglas Martin, 10210 Polfer Lane, Kansas City, Missouri 66109-4066, received in this office on July 2, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated November 4, 1997, correcting the authorized quantity of water, and by the Order of the Chief Engineer dated May 23, 2001, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
32	10S	26W	21.00	39.00	15.00	25.00	30.00	19.30	29.10	16.00					40.00	40.00	40.00	40.00	354.40

a total of 354.40 acres in Township 10 South, Range 26 West, Sheridan County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 23,709, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 4, 1996, as modified and amended by the aforementioned orders.

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 17<sup>th</sup> day of September, 2018, in Topeka, Shawnee County, Kansas.



Lane P. Letourneau, P.G.

Program Manager

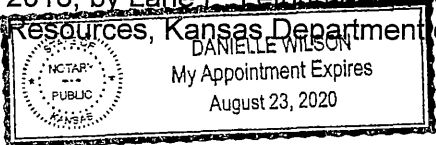
Water Appropriation Program

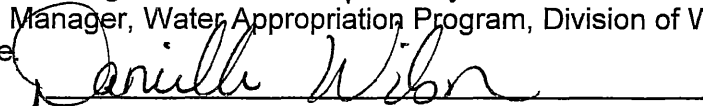
Division of Water Resources

Kansas Department of Agriculture

State of Kansas        )  
                                   ) SS  
 County of Riley        )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of September, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.





Notary Public

**CERTIFICATE OF SERVICE**

On this *17<sup>th</sup>* day of *September*, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 23,709, dated *September 17, 2018* was mailed postage prepaid, first class, US mail to the following:

DOUGLAS WAYNE MARTIN  
10210 POLFER LN  
KANSAS CITY MO 66109-4066

With photocopies sent to:

Stockton Field Office  
Groundwater Management District No. 4

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

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502  
[www.ksda.gov/dwr](http://www.ksda.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**



State of Kansas

**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
- (Check one or more)  Place of Use  
 Point of Diversion  
 Use Made of Water

Water Resources  
Received

JUL 02 2018

1:27  
KS Dept Of Agriculture

File No. 23,709

RECEIVED  
10:30 AM  
JUN 29 2018  
Stockton Field Office  
Division of Water Resources

2. Name of applicant: Douglas Wayne Martin

Address: 10210 Polfer LN

City, State and Zip: Kansas City, MO 66109-4066

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

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

Name of water use correspondent: Douglas Wayne Martin

Address: 10210 Polfer LN

City, State and Zip: Kansas City, MO 66109-4066

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): To completely overlap the place use between file nos. 12074, 15153, 15620, 19627, 23709, and 31036. File no. 242 will be voluntarily dismissed to allow for the approval of this overlap due to non-use issues.

The change(s) (was) (will be) completed by 12/31/18.

(Date)

For Office Use Only:		F.O. <u>3</u> GMD <u>4</u> Meets K.A.R. 5-5-1 (YES/NO) Use <u>DRU</u> Source <u>G</u> S County <u>SD</u> By <u>AW</u> Date <u>7/2/18</u>	
Code <u>CPU</u>	Fee \$ <u>300</u>	TR # _____	Receipt Date <u>7/2/18</u> Check # <u>1524</u>

APPLICATION COMPLETE  
8/23/18  
Reviewer RAK

7/18/18 RAK



4. The presently authorized place of use is:

Owner of Land — NAME: Douglas Wayne Martin

ADDRESS: 10210 Polfer LN Kansas City, MO 66109-4066

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	
32	10	26 W					30	19.3	29.1	16								94.4	

List any other water rights that cover this place of use. 15153

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: Douglas Wayne Martin

ADDRESS: 10210 Polfer LN Kansas City, MO 66109-4066

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	
32	10	26 W	21	39	15	25	30	19.3	29.1	16					40	40	40	40	354.4

List any other water rights that cover this place of use. 12074, 15153, 15620, 19627, 31036

Owner of Land — NAME: \_\_\_\_\_

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

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

Water Resources  
Received  
JUL 02 2018

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

KS Dept Of Agriculture

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SCANNED

RECEIVED  
JUN 29 2018  
Stockton Field Office  
Division of Water Resources

6. The presently authorized point(s) of diversion is one well  
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) no change requested.  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_

9. **Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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. \_\_\_\_\_

12. The presently authorized use of water is for irrigation \_\_\_\_\_ purposes.  
It is proposed that the use be changed to no change requested \_\_\_\_\_ purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
The consumptive use will not be increased because we are creating a complete overlap between the water rights involved.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to n/a \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to n/a \_\_\_\_\_ 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.

No change to source of supply; no impairment will occur.

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.

All regs met.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

Water Resources  
Received

**JUL 02 2018**

KS Dept. Of Agriculture  
SCANNED

RECEIVED  
JUN 29 2018

Stockton Field Office  
Division of Water Resources  
(acre-feet or million gallons)

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.

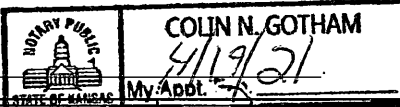
Dated at Shawnee, Kansas, this 26<sup>th</sup> day of June, 2018.

<u>Douglas Martin</u> (Owner)	_____	(Spouse)
<u>Douglas Martin</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(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 26<sup>th</sup> day of June, 2018.

My Commission Expires



[Signature]  
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.**

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)

*[Signature]*  
(Spouse)

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

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

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

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

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

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

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

**Water Resources  
Received**

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

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

**AUG 15 2018**

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

State of Kansas }  
County of \_\_\_\_\_ }

SS **KS Dept Of Agriculture**

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

\_\_\_\_\_  
Notary Public

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

**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.**

## Krueger, Richelle [KDA]

---

**From:** Stewart, Kelly [KDA]  
**Sent:** Friday, August 24, 2018 11:24 AM  
**To:** Krueger, Richelle [KDA]  
**Cc:** Billinger, Mark [KDA]; Hageman, Rebecca [KDA]  
**Subject:** RE: Request for Recommendation Change in PU File Nos. 12074,15153,15620, 19627,23709,31036 Vol Dismissal File No. 242 Doug Martin

Richelle,

I recommend approval of the change application. Yes, file no. 242 needs to be dismissed. It has a significant non-use period and is likely abandoned. The owner agreed it should be abandoned and he didn't want this file to interfere with the approval of these change applications.

Kelly

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Thursday, August 23, 2018 4:28 PM  
**To:** Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>  
**Cc:** Billinger, Mark [KDA] <Mark.Billinger@ks.gov>  
**Subject:** Request for Recommendation Change in PU File Nos. 12074,15153,15620, 19627,23709,31036 Vol Dismissal File No. 242 Doug Martin

Hi Kelly,  
Attached is a draft memo for the referenced change applications. I also want to confirm that the File No. 242 surface water right, September 15, 1947 priority date should be dismissed?

Do you recommend approval of the referenced change applications and dismissal of File No. 242?

Thanks,  
Richelle



**NORTHWEST KANSAS  
GROUNDWATER MANAGEMENT  
DISTRICT NO. 4**

---

1290 West 4th Street  
P.O. Box 905  
Colby, Kansas 67701-0905

---

August 23, 2018

Richelle Krueger  
Division of Water Resources  
1320 Research Park Drive  
Manhattan KS 66502

RE: Applications 12,074; 15,153; 15,620;  
19,627; 23,709; & 31,036  
Douglas Martin

Dear Richelle,

The Northwest Kansas Groundwater Management District has reviewed the above referenced applications and based on our records and the information supplied by the applicant, we have determined that the following recommendations be made to the Chief Engineer:  
If you have any questions, please contact this office.

Approve applications for Place of Use

Sincerely,

Ray Luhman  
Manager

RPL: jem

WATER RESOURCES  
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AUG 23 2018

KS DEPT OF AGRICULTURE

SCANNED

**Krueger, Richelle [KDA]**

---

**From:** Jody McCain <jmccain@gmd4.org>  
**Sent:** Thursday, August 23, 2018 3:01 PM  
**To:** Krueger, Richelle [KDA]  
**Subject:** Recommendations for WR #12,704; 15,153; 15,620; 19,627; 23,709; & 31,036  
**Attachments:** 20180823154226732.pdf

**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.

Richelle,

I have attached a copy of Ray's recommendations for the above referenced WR files.

Jody McCain  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
jmccain@gmd4.org

WATER RESOURCES  
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AUG 23 2018  
KS DEPT OF AGRICULTURE



# STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

NORTHWEST KANSAS GROUNDWATER      August 21, 2018  
MANAGEMENT DISTRICT NO 4  
ATTN RAY LUHMAN  
PO BOX 905  
COLBY KS 67701-0905

FILE COPY

RE: Water Right, File Nos. 242; 12,074; 15,153; 15,620; 19,627; 23,709; and 31,036

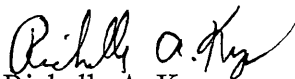
Dear Mr. Luhman:

We are enclosing copies of the voluntary dismissal for File No. 242 and the applications to change the place of use for the other referenced file numbers.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

  
Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

Enclosures

pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

FILE COPY

DOUGLAS WAYNE MARTIN  
10210 POLFER LN  
KANSAS CITY MO 66109-4066

August 3, 2018

Re: Water Right, File Nos. 242; 12,074; 15,153; 15,620; 19,627; 23,709 and 31,036

Dear Mr. Martin:

Reference is made to the applications for approval of the Chief Engineer to change the place of use under Water Right, File Nos. 12,074; 15,153; 15,620; 19,627; 23,709 and 31,036 and the voluntary dismissal form for Water Right, File No. 242. Upon review of the applications and dismissal form, we find that additional information is needed.

Please note that the applications and dismissal form must be signed by each landowner and their spouse in the presence of a notary. I am enclosing copies of the applications and dismissal form and additional signature pages so that you may obtain the original notarized signature of Amanda S. Martin. Also, please sign and date the application maps.

Please return the forms with the original notarized signatures and signed maps to the Manhattan address above at your earliest convenience so that I may continue with processing your applications and dismissal form.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

RAK  
Enclosures

pc: Stockton Field Office  
Groundwater Management District No. 4

SCANNED

# STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

DOUGLAS WAYNE MARTIN  
10210 POLFER LN  
KANSAS CITY, MO 66109

July 3, 2018

RE: File No 23709

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

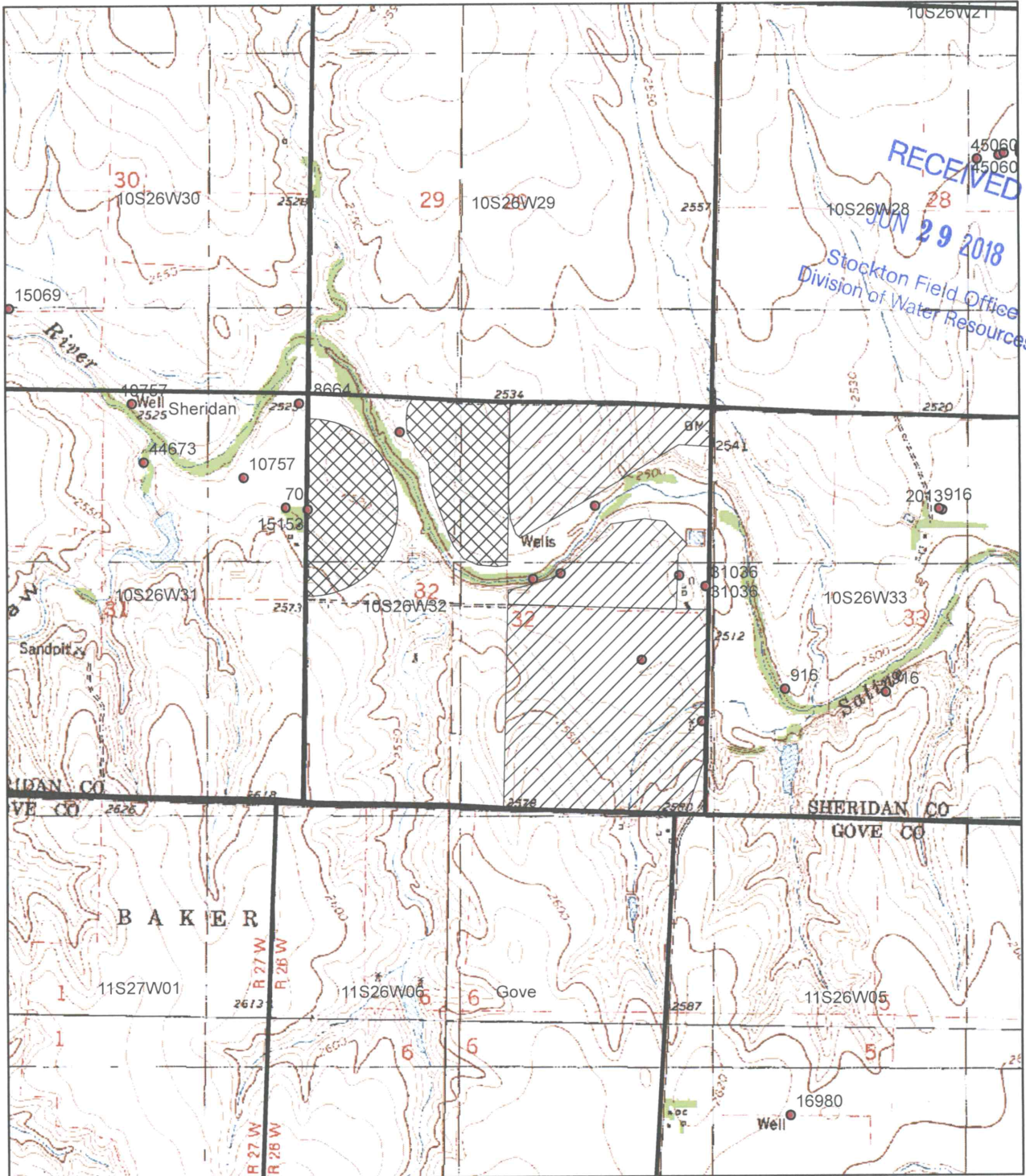
Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: STOCKTON Field Office GMD4



SCANNED

# Application to Change the Place of Use

## Water Right File No. 23,709



RECEIVED  
 JUN 29 2018  
 Stockton Field Office  
 Division of Water Resources

-  Currently Authorized Place of Use
-  Proposed Place of Use

Signature \_\_\_\_\_

Water Resources  
 Received  
 JUL 02 2018

