

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

1. File Number: <b>31036</b>	2. Status Change Date: <b>9/17/18</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>9/10/18</b> By: <b>RAK</b> Date Entered: <b>9/18/18</b> By: <b>UM</b>				

File No. **31036**      11. County: **SD**      Basin: **Saline River**      Stream:      Formation Code: **113**      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		Overlap PD Files
ENT												Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
IRR	52083	MOD	NC	NE¼	32	10	26W	9	3840	1320		480 g.p.m.(1.07 c.f.s.)	60 AF	480 g.p.m.(1.07 c.f.s.)	57 AF	NO
IRR	42110	MOD	SE¼	SE¼ NE¼	32	10	26W	10	3100	380		110 g.p.m. (0..25 c.f.s.)	13 AF	110 g.p.m. (0..25 c.f.s.)	12 AF	NO
IRR	41737	MOD	SE¼	SE¼ NE¼	32	10	26W	11	2970	20	* remove comment line	180 g.p.m. (0.40 c.f.s.)	18 AF	180 g.p.m. (0.40 c.f.s.)	17 AF	NO
IND	41737	MOD	SE¼	SE¼ NE¼	32	10	26W	11	2970	20		180 g.p.m. (0.40 c.f.s.)	1.63 m.g.y. (5 AF)	0 g.p.m.	1.63 m.g.y. (5 AF)	NO

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

14. MODIFY Limitation: **140** af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **12074 on land described in cert**  
 ADD Limitation: \_\_\_\_\_ af/yr at **180** gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **for irr/ind use combined from common well**

15. 5YR Allocation: Allocation Type \_\_\_\_\_ Start Year \_\_\_\_\_ 5 YR Amount \_\_\_\_\_ Amount Unit \_\_\_\_\_ Base Acres \_\_\_\_\_ Comment \_\_\_\_\_

16. Place of Use																		Owner	Chg?	Overlap Files								
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total			
									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				
IRR	MOD				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
IND					32	10	26W	6	WITHIN 15 MI RADIUS OF WELL LOCATED 2970'N & 20'W SE CR																8B	NO	NONE	

Base Acres:      Year:      Minimum Reasonable Quantity:      Comments: **DATA ENTRY PLEASE REMOVE MAINT ACTION TRAIL ENTRY 03-DEC-2013 CORR O: P/U (was a database correction only)**

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**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-foot 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.

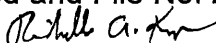
The same local source of supply will not change, previously determined to be either Main Stem Alluvium (113) or Terrace (115).

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:

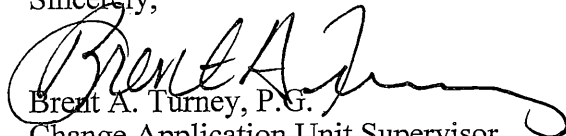
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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

THE STATE OF KANSAS



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 AND  
ORDER CORRECTING THE AUTHORIZED QUANTITY  
AND MODIFYING ADDITIONAL QUANTITY AND RATE LIMITATIONS  
WATER RIGHT  
FILE NO. 31,036**

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 Order of the Chief Engineer dated December 6, 1985, approving the application to change the place of use, point of diversion and use made of water, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

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, and the authorized place of use for industrial use shall remain:

within a fifteen (15) mile radius of the point of diversion authorized for such use.

This order modifies the additional limitation on the authorized quantity as set forth in the Certificate of Appropriation dated September 25, 1985 as follows:

This appropriation right is further limited to a quantity which when combined with the water right set forth in the Certificate of Appropriation issued pursuant to File No. 12,074, will provide a quantity not to exceed 140 acre-feet per calendar year for irrigation use on the land described herein,

and removes the additional limitation on the authorized quantity and diversion rate as set forth in the Approval of Application for Change in Point of Diversion, Place of Use and Use Made of Water, Application to Appropriate Water, File No. 31,036, approved December 6, 1985, described as follows:

The application, therefore, is approved subject to the condition that the appropriation shall be limited to a total quantity not to exceed 102 acre-feet for any calendar year with a total maximum diversion rate not in excess of 770 gallons per minute (1.71 c.f.s.).

This order also corrects and better describes the authorized quantities and diversion rates for irrigation use as follows:

one(1) well located near the center of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 32, more particularly described as being near a point 3,840 feet North and 1,320 feet West of the Southeast corner of said section, in a quantity not to exceed 60 acre-feet of water per calendar year at a diversion rate not to exceed 480 gallons per minute (1.07 c.f.s.);

one(1) well located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 32, more particularly described as being near a point 3,100 feet North and 380 feet West of the Southeast corner of said section, in a quantity not to exceed 13 acre-feet of water per calendar year at a diversion rate not to exceed 110 gallons per minute (0.25 c.f.s.); and

one(1) well located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 32, more particularly described as being near a point 2,970 feet North and 20 feet West of the Southeast corner of said section, in a quantity not to exceed 18 acre-feet of water per calendar year at a diversion rate not to exceed 180 gallons per minute (0.40 c.f.s.);

all in Township 10 South, Range 26 West, Sheridan County, Kansas,

and describes the authorized quantity and diversion rate for industrial use from the authorized well as follows:

one(1) well located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 32, more particularly described as being near a point 2,970 feet North and 20 feet West of the Southeast corner of said section, in a quantity not to exceed 1.63 million gallons (5 acre-feet) of water per calendar year at a diversion rate not to exceed 180 gallons per minute (0.40 c.f.s.), in Township 10 South, Range 26 West, Sheridan County, Kansas, and;

the rate of diversion from the well located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 32, more particularly described as being near a point 2,970 feet North and 20 feet West of the Southeast corner of said section, in Township 10 South, Range 26 West, Sheridan County, Kansas, is further limited to a rate of diversion not to exceed 180 gallons per minute (0.40 c.f.s.) for irrigation and industrial uses combined.

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. 31,036, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 25, 1985, as modified and amended by the aforementioned order.

**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.

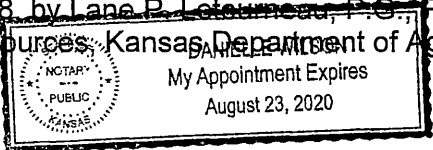
Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

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

Lane P. Letourneau  
 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.



Danielle Wilson  
 Notary Public

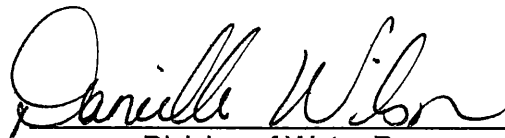
**CERTIFICATE OF SERVICE**

On this *19th* day of *September*, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 31,036, dated *September 17th, 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

1:28

KS Dept Of Agriculture

File No. 31,036

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 industrial portion of this right will remain unchanged.

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

(Date)

For Office Use Only:		Meets K.A.R. 5-5-1 (YES / NO) Use <u>IPR</u> Source <u>G/S</u> County <u>SD</u> By <u>AW</u> Date <u>7/2/18</u>	
F.O. <u>3</u>	GMD <u>1</u>	Fee \$ <u>200</u>	TR # _____
Code <u>CPU</u>		Receipt Date <u>7/2/18</u>	Check # <u>1524</u>

APPLICATION COM NO. 8/23/18

RECOVER PAIS

7/5/18 DAW

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	21	39	15	25													100

List any other water rights that cover this place of use. 242, 12074

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.)

**RECEIVED**  
**JUN 29 2018**  
Stockton Field Office  
Division of Water Resources

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, 23709

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. \_\_\_\_\_

**Water Resources Received**  
**JUL 02 2018**

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

6. The presently authorized point(s) of diversion is three (3) wells  
(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. \_\_\_\_\_

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

12. The presently authorized use of water is for irrigation/industrial 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.

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JUN 29 2018

Stockton Field Office  
Division of Water Resources  
(acre-feet or million gallons)  
(C.F.S.)

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to n/a

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.

Water Resources

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

JUL 02 2018

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 SLAUNDE, Kansas, this 26<sup>th</sup> day of June, 2018.

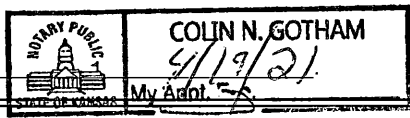
<u>Douglas Martin</u> (Owner)	_____	(Spouse)
<u>Douglas Martin</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }  
County of Johnson } 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.

[Signature]  
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.**

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) *X* NO \_\_\_\_\_ (Spouse) Spouse

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

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

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

\_\_\_\_\_ (Owner) **Water Resources Received** \_\_\_\_\_ (Please Print)

\_\_\_\_\_ (Please Print) **AUG 15 2018** \_\_\_\_\_ (Spouse)

\_\_\_\_\_ (Please Print) **KS Dept Of Agriculture** \_\_\_\_\_ (Please Print)

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

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

\_\_\_\_\_ 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.**

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
STOCKTON FIELD OFFICE  
820 S. WALNUT  
STOCKTON, KS 67669-0192



PHONE: (785) 425-6787  
FAX: (785) 425-6842  
www.agriculture.ks.gov

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

June 7, 2018

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

Re: Water Right, File Nos. 242, 12074, 15153, 15620, 19627, 23709, & 31036

Dear Mr. Martin:

After discussions between our office and your tenant, Kevin Broeckelman, it was determined that changes in place of use are needed to completely overlap all of the acres collectively covered by the above referenced water rights.

I have completed all of changes for you, however, your notarized signature (and your spouse, if applicable) are required on the back of each application.

In addition, there is a voluntary dismissal form for file no. 242 that must be signed, notarized, and returned with the change applications. This file has a long history of non-use and is likely to be deemed abandoned. We cannot approve the proposed changes unless you agree to dismiss file no. 242 due to its non-use issues.

Once you have reviewed and completed the paperwork, please return all the applications, maps, and the voluntary dismissal form to the Manhattan address shown on the top left corner of each application. Please be sure to include a check for the application processing fees in the amount of \$1,200.00 (\$200 per application). The check should be payable to the Kansas Department of Agriculture.

If you have any questions, please feel free to contact me at this office.

Sincerely,

David L. Means  
Environmental Scientist

DLM  
pc: GMD4

Water Resources  
Received  
AUG 15 2018

KS Dept Of Agriculture

Water Resources  
Received

JUL 02 2018

KS Dept Of Agriculture

RECEIVED

JUN 29 2018

Stockton Field Office  
Division of Water Resources

SCANNED

## Krueger, Richelle [KDA]

---

**From:** Means, David [KDA]  
**Sent:** Friday, September 7, 2018 8:06 AM  
**To:** Krueger, Richelle [KDA]  
**Subject:** RE: 31036puapprovirrev2

Hey Richelle, sorry for the late reply; been out sick since Tuesday afternoon. I agree with the revisions, thanks.

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Tuesday, September 4, 2018 2:57 PM  
**To:** Means, David [KDA] <David.Means@ks.gov>  
**Cc:** Turney, Brent [KDA] <Brent.Turney@ks.gov>  
**Subject:** FW: 31036puapprovirrev2

David,  
Brent recommended the highlighted revisions on the rate issue, which I am fine with, what do you think?

---

**From:** Turney, Brent [KDA]  
**Sent:** Tuesday, September 4, 2018 2:38 PM  
**To:** Krueger, Richelle [KDA] <[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov)>  
**Subject:** 31036puapprovirrev2



## Krueger, Richelle [KDA]

---

**From:** Means, David [KDA]  
**Sent:** Friday, August 31, 2018 11:36 AM  
**To:** Krueger, Richelle [KDA]  
**Subject:** RE: Doug Martin Changes in PU File No. 31036 etal  
**Attachments:** 31036 supplement to change the place of use.docx

Hey Richelle, please see the attached document. I hope this clears some of the issues up. I spoke with Mr. Martin on the phone today and he was agreeable to reducing the IRR portion of well ID11 to 18 AF and keeping the IND portion at 5 AF. Kelly was in agreement that the rate and quantity limitation should go away on 31036. Let me know if you have any other questions, thanks.

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Thursday, August 30, 2018 10:06 AM  
**To:** Means, David [KDA] <David.Means@ks.gov>  
**Subject:** RE: Doug Martin Changes in PU File No. 31036 etal

I think fall is just around the corner, it was cool here Tuesday also!

---

**From:** Means, David [KDA]  
**Sent:** Thursday, August 30, 2018 10:03 AM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Subject:** RE: Doug Martin Changes in PU File No. 31036 etal

The weather was great yesterday. On Tuesday, it was actually pretty chilly! Cloudy, 63 degrees and a solid 30mph wind. This was out south of Colby. It was like 98 the day before that lol

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Thursday, August 30, 2018 9:49 AM  
**To:** Means, David [KDA] <David.Means@ks.gov>  
**Subject:** RE: Doug Martin Changes in PU File No. 31036 etal

No problem! I hope the weather was nice when you were out in the field! Did you guys get any rain this morning, we sure did.

---

**From:** Means, David [KDA]  
**Sent:** Thursday, August 30, 2018 9:47 AM  
**To:** Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>  
**Cc:** Turney, Brent [KDA] <Brent.Turney@ks.gov>  
**Subject:** RE: Doug Martin Changes in PU File No. 31036 etal

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AUG 31 2018

KS DEPT OF AGRICULTURE

Hey Richelle, I've been out in the field the past two days so I am just seeing this. I'll try to get to it today or tomorrow and let you know what I find. Thanks!

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Tuesday, August 28, 2018 2:08 PM  
**To:** Means, David [KDA] <David.Means@ks.gov>  
**Cc:** Turney, Brent [KDA] <Brent.Turney@ks.gov>  
**Subject:** Doug Martin Changes in PU File No. 31036 etal

Hi Dave,

Hope things are well in Stockton today, kinda hot and muggy here today, it's supposed to rain but we will see.....

Hey I have been drafting up approval documents for the Doug Martin change in pu applications and it seems like we cleaned up some errors in the database on the place of use on File No. 31036 back in 2013 but I think there were some errors in the authorized quantities that we have not addressed. We did not do an actual correction order at that time, just a database correction (I need to get that entry removed from main action trail).

I can't totally figure out what happened, the microfilm is in bad shape, but it looks to me like there are some quantity discrepancies in the certificate and/or certificate worksheet and change in pu pd umw approval for File No. 31036 both approved back in 1985.

It looks like the worksheet for the certificate shows a different quantity (29AF) for the well 2970N 20W than what is shown on the certificate(23 AF), can you tell which one is wrong either the worksheet or the certificate?

The 102 acre-feet and 770 g.p.m. limitation on File No. 31036 (not shown in WRIS) – the quantity limitation does not make sense to me, does it make sense to you? Should it be removed and maybe we somehow limit the rate for the industrial and irrigation use and get rid of the 770 g.p.m. limitation?

I am planning to modify the 140 acre-feet limitation shown on the certificate to just when combined with File No. 12074 since we are dismissing File No. 242, does that make sense to you?

Maybe I can fix any errors with quantities etc. in my change approval document if you can help me identify what needs to be corrected and which documents are in error? Or if you want to handle it some other way that would be fine, just let me know.

Thanks, as always, for your help and any info on this one!

Richelle

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KS DEPT OF AGRICULTURE  
AUG 31 2018  
KS DEPT OF AGRICULTURE

Supplement to Change the Place of Use Under Water Right, File No. 31,036

**File No. 31,036** was certified for irrigation use and authorized three (3) wells, (1) well located in the NE¼ of the SW¼ of the NE¼ of Section 32, more particularly described as being near a point 3,860 feet North and 1,540 feet West (Computer ID 9) authorized for a total of 60 AF at 480 gpm, one (1) well located in the SE¼ of the SE¼ of NE¼ of Section 32, more particularly described as being near a point 3,100 feet North and 380 feet West (Computer ID 10) authorized for a total of 13 AF at 110 gpm, and one (1) well located in the SE¼ of the SE¼ of the NE¼ of Section 32, more particularly described as being near a point 2,970 feet North and 20 feet West (Computer ID 11) authorized for a total of **23** AF at 180 gpm, all in Township 10 South, Range 26 West, Sheridan County, Kansas. It was limited to a total of 140 AF when combined with file nos. 242 and 12074 on land which was commonly shared (the 70 acres certified by 31036) between the files which at the time limited the shared land to 2 AF/AC.

A change in place of use, point of diversion, and use made of water was approved on 12/6/85. After this change, the quantities, locations, and use made of water under the authorized wells was changed as follows:

One (1) well located near the center of the NE¼ of Section 32, more particularly described as being near a point 3,840 feet North and 1,320 feet West (Computer ID 9) authorized for a total of 60 AF at 480 gpm, one (1) well located in the SE¼ of the SE¼ of NE¼ of Section 32, more particularly described as being near a point 3,100 feet North and 380 feet West (Computer ID 10) authorized for a total of 13 AF at 110 gpm, and one (1) well located in the SE¼ of the SE¼ of the NE¼ of Section 32, more particularly described as being near a point 2,970 feet North and 20 feet West (Computer ID 11) authorized for a total of **24** AF at 180 gpm for irrigation use, and to a quantity not to exceed **5** AF per year for industrial use. The total quantity that could be diverted per calendar year from all the wells authorized under 31036 combined was limited to 102 AF.

It would appear an error was made on the approval of this change and should be fixed with the approval of the change being filed currently. Well ID 11 should have had its irrigation quantity reduced to 18 AF to allow for the additional 5 AF of industrial use (23-5=18 AF).

The proposed change will completely overlap 31036 in place of use with file nos. 12074, 15153, 15620, 19627, and 23709. File no. 242, a surface water right authorized for 60 AF and is currently partially overlapped with 12074 and 31036, will be voluntarily closed due to possible abandonment concerns. The rate & quantity limitation in place for file no. 31036 should be removed as the acre-feet that will be authorized on the proposed land by all the files combined will not exceed 2 AF/AC (518.8 AF/354.4 acres = 1.46 AF/AC). The industrial portion of the water right was never given a specific rate to pump, so there never should have been a rate limitation put on the industrial use.

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AUG 31 2018  
KS DEPT 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

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AUG 23 2018

KS DEPT OF AGRICULTURE

**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

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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

FILE COPY

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

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

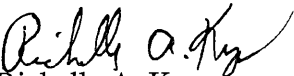
Dear Mr. Luhman:

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

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

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,

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 31036

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

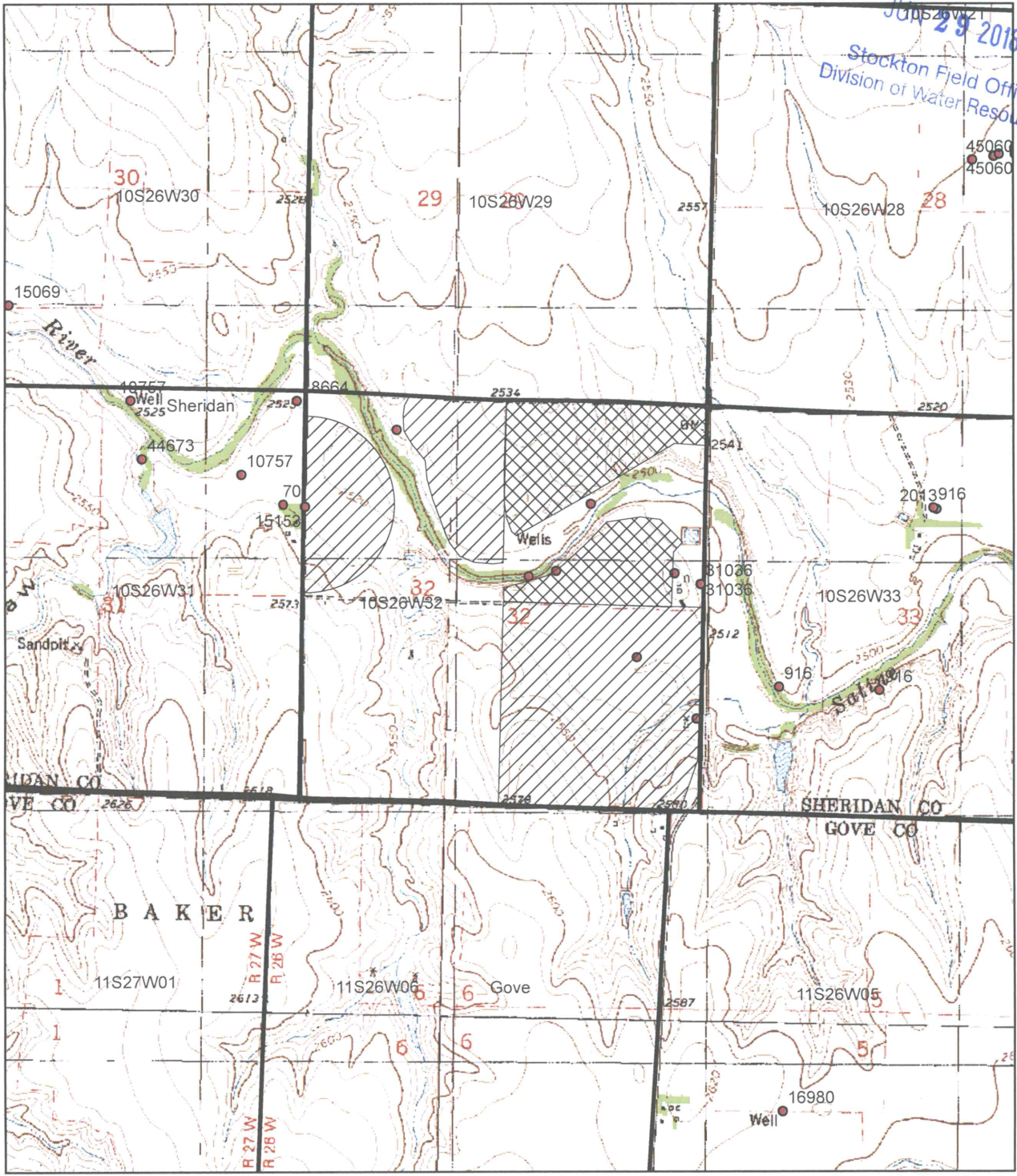
# Application to Change the Place of Use

## Water Right File No. 31,036

RECEIVED

JUL 29 2018

Stockton Field Office  
Division of Water Resources



- Currently Authorized Place of Use
- Proposed Place of Use

Water Resources  
Received



1:24,000

Signature \_\_\_\_\_

Date **JUL 02 2018**

KS Dept Of Agriculture