

# STATE OF KANSAS

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

May 4, 2018

Big Bend Groundwater Management District #5  
125 S. Main  
Stafford, KS 67578

RE: Draft Proposed master order and individual approvals,  
Hays/Russell R9 Ranch changes applications

Mr. Feril:

As you are aware, we have received a series of change applications from the Cities of Hays and Russell proposing to convert the water rights on the R9 Ranch from irrigation to municipal use for the Cities. These change applications and related documents are posted on KDA-DWR's web page at: <http://www.agriculture.ks.gov/HaysR9>.

Enclosed herewith is a draft proposed master order, which includes as Exhibits 1-32 draft proposed individual change approvals. Early next week, we will add these draft documents to the above-referenced web page.

These draft orders are the result of the Cities working with DWR to come up with potential workable documents acceptable to the Chief Engineer and the Cities (see the attached letter of support from the Cities). Nevertheless, these are only draft proposed documents and I have made no official decision about any of the issues.

On February 19, 2018, I provided notice of our posting on our web site a modeling report and associated data supporting these pending change applications, for your review.

Next week, the originally filed change applications currently posted on our web site will be replaced with the versions that the Cities have subsequently amended. Regardless, such amended change applications do not yet fully conform to the draft proposed master order and change approvals, because the Cities have agreed to make various revisions, principally the reduction of requested rates and/or quantities. Where there is a conflict between any request of the current change applications and a term of the draft proposed orders, the terms of the draft proposed orders should be viewed as controlling. As explained in their letter attached, the Cities plan to later amend the change applications to fully conform to these draft proposed orders.

I will follow-up next week with a letter providing a brief overview of the major terms and conditions of the draft proposed orders and an outline of the process ahead. This process will include a public meeting to explain the draft proposed orders and to take public input prior to the GMD's recommendation.

We look forward to working with you on this significant set of applications and the related draft proposed orders. Please let us know if there is anything you require to complete your review and recommendation.

Sincerely,

A handwritten signature in blue ink that reads "David Barfield". The signature is written in a cursive style with a large initial "D".

David Barfield P.E.  
Chief Engineer  
Kansas Department of Agriculture

Enclosures

Cc:

Toby Dougherty, City Manager, City of Hays  
Jon Quinday, City Manager, City of Russell  
Dan Buller, Attourney, Foulston Siefkin LLP  
David Traster, Attorney, Foulston Siefkin LLP  
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