



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 20-27. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>. Interim committee memberships can be found on the Legislative Research Department's Web site at <http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm>.

| Date | Room | Time | Committee | Agenda |
|--------------------|----------------|-------------------------|---|---|
| Oct. 20 | 545-N | 9:00 a.m. | State Employee Pay Plan Oversight | Update on implementation of new state employee performance review system; discussion on new employee evaluations and future evaluations system. |
| Oct. 22 | 143-N | 9:00 a.m. | Joint Committee on Home- and Community-Based Services Oversight | Committee discussion and report recommendations. |
| Oct. 22 | 545-N | 9:30 a.m. | Kansas Criminal Code Recodification Commission | Agenda not available. |
| Oct. 23 | 535-N | TBA | Joint Committee on Children's Issues | Agenda not available. |
| Oct. 23 Oct. 24 | 545-N 545-N | 10:00 a.m. 9:00 a.m. | Special Committee on Assessment and Taxation | 23rd: Topic 8 — Mill Levy Issues; Topic 4 — Taxation of Watercraft; Topic 5 — Coalbed Methane Valuation; Topic 6 — Local Bonded Indebtedness; Topic 3 — Property Tax Relief for Seniors. 24th: Topic 2 — Sales Tax on Telecommunications; Topic 7 — Gas Severance Tax; Topic 9 — Aerospace Engineer Credits. |
| Oct. 27 | 143-N | 9:00 a.m. | Special Committee on Insurance | Agenda not available. |

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 036310

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**State of Kansas
Children’s Cabinet and Trust Fund**

Notice of Meeting

The Kansas Children’s Cabinet and Trust Fund will conduct a board meeting from 9 a.m. to 1 p.m. Thursday, October 23, in the Pioneer Room of the Maner Conference Center, Capitol Plaza Hotel, 1717 S.W. Topeka Blvd., Topeka. For more information, contact Dyogga Adegboro, program consultant, at (785) 368-7044.

Jim Redmon
Executive Director

Doc. No. 036304

**State of Kansas
Board of Pharmacy**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Monday, March 9, at the University of Kansas School of Pharmacy, 2056 Malott Hall, Lawrence, to consider the amendment of K.A.R. 68-16-3 of the Kansas Pharmacy Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment of K.A.R. 68-16-3. All parties may submit written comments prior to the hearing to Debra Billingsley, Executive Secretary, Kansas Pharmacy Board, Room 560, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1231, or to pharmacy@pharmacy.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Pharmacy Board at the address above or by calling (785) 296-4056. Handicapped parking is located at the west and north sides of the building, and the north entrance to the building is accessible to individuals with disabilities.

A summary of the proposed amended regulation follows:

K.A.R. 68-16-3. Donation of cancer drugs. This regulation identifies the criteria that shall be met for the acceptance of a cancer drug by a cancer drug repository.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Pharmacy Board at the contact information above or by accessing the board’s Web site at <http://www.kansas.gov/pharmacy/proposedregs.html>.

Debra Billingsley
Executive Secretary

Doc. No. 036306

**State of Kansas
Public Employees Retirement System**

Request for Proposals

The Kansas Public Employees Retirement System (KPERS) is soliciting proposals for transition management services for publicly traded assets. A copy of the RFP may be downloaded from the KPERS’ Web site at www.kpers.org. All proposals must meet the minimum qualifications as set forth within the RFP. Respondents should deliver three written copies of their proposal to KPERS’ offices by 5 p.m. November 7. Questions about the RFP may be directed in writing to Brian King, Equity Investment Analyst, KPERS, 611 S. Kansas Ave., Topeka, 66603, or via e-mail to rpf_transitions_kpers@kpers.org. Deadline for submission of questions is October 31.

Glenn Deck
Executive Director

Doc. No. 036315

**State of Kansas
Department of Revenue
Division of Motor Vehicles**

**Notice of Intent to Establish a New
Motor Vehicle Dealer License**

Notice has been received from Derby Scooter Shop LC, 126 E. Madison Ave., Derby, Kansas, of its intent to establish a new Goldenvale/Roketa dealership, Derby Scooter Shop LC, at 126 E. Madison Ave., Derby, Kansas. The vehicle dealer operators and the principal investors are Richie Rivera and Anita River. The proposed date of completion is immediately upon approval.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Goldenvale/Roketa dealership Derby Scooter Shop LC, at 126 E. Madison Ave., Derby, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale at Derby Scooter Shop LC at 126 E. Madison Ave., Derby, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Hyundai dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin, Bureau Manager
Titles & Registrations/
Dealer Licensing

Doc. No. 036293

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2007 Supp. 12-1675(b)(c)(d) and K.S.A. 2007 Supp. 12-1675a(g).

Effective 10-13-08 through 10-19-08

| Term | Rate |
|-----------|-------|
| 1-89 days | 1.56% |
| 3 months | 0.43% |
| 6 months | 0.92% |
| 1 year | 1.30% |
| 18 months | 1.31% |
| 2 years | 1.41% |

Daniel J. Nackley
Director of Investments

Doc. No. 036295

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for September 2008. Copies can be obtained by accessing the Policy Information Library located on the Internet at the www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

No new publications

Opinion Letters

O-2008-004 Regarding the revised Texas franchise tax.

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&A's

No new publications

Information Guides

No new publications

Joan Wagon
Secretary of Revenue

Doc. No. 036300

(Published in the Kansas Register October 16, 2008.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, November 14, for the following project:

(KDOT Project No. 87N-0357/0377-01/472-84749/
208458/778597/668639)

(OCA Code 706993/636207/620520)

Paving

Oliver Street Improvements,
Harry to Kellogg (KDOT)

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer
Administrative Aide
City of Wichita—Engineering

Doc. No. 036301

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Kansas Gas Service has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Kansas Gas Service, P.O. Box 871, Tulsa, OK 74102-0871, owns and operates Calista compressor station located at Section 6, T28S, R8W, Kingman County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market St., Suite 6050, Wich-

ita. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Dave Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 17.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air and Radiation, not later than the close of business November 17 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 032696

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The Oak Grove Landfill Class I operating permit issued July 22, 2008, is being revised to add an applicable requirement in accordance with the provisions of K.A.R. 28-19-513 (e) et seq. The "40 CFR, Part 63, Subpart AAAA- National Emission Standards for Hazardous Air Pollutants: Municipal Waste Landfills" requirement is being added. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emit-

ted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Oak Grove Landfill, 2120 W. Bennett St., Springfield, MO 65807, owns and operates the Waste Corporation of Kansas, Inc. (2120 W. Bennett St., Springfield, MO 65807) solid waste landfill in Crawford County, Kansas, located at 1150 E. 700 Ave., Arcadia, 66711.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact Sergio Guerra, (785) 296-0365, at the KDHE central office; and to review the proposed permit only, contact Doug Cole, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Sergio Guerra, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision written, comments must be received before the close of business November 17.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air and Radiation, not later than the close of business November 17 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 036297

(Published in the Kansas Register October 16, 2008.)

Decatur County, Kansas

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2008**

Notice is hereby given that Decatur County, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$300,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated October 7, 2008.

Marilyn Horn
County Clerk

Doc. No. 036303

(Published in the Kansas Register October 16, 2008.)

Coffey County, Kansas

Notice of Proposed DBE Program

Coffey County has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for the Coffey County Airport. The county anticipates receiving federal financial assistance from the Department of Transportation, and, as a condition of receiving this assistance, the county will sign an assurance that it will comply with 49 CFR Part 26.

The county's overall project-specific goal for FY 2009 is 3.72 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the airport manager, Coffey County Airport, 1899 Highway 75, Burlington, 66839. The county will accept comments on the goals for 30 days from the date of this notice. Comments can be sent to Darren Isch, airport manager.

Darren Isch
Airport Manager

Doc. No. 036311

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas/Federal Water
Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to

waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-08-335/336

Pending Permits for Confined Feeding Facilities

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|------------------------------|
| Bertrand Cattle Inc. Brent L. Bertrand 501 Quail Road Wallace, KS 67761 | NW/4 of Section 14, T13S, R37W, Logan County | Smoky Hill River Basin |
| Kansas Permit No. A-SHLG-C002 | | Federal Permit No. KS0087255 |

This is a reissuance of a permit for an existing facility with a maximum capacity of 5,000 head (5,000 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|-------------------------------|
| Bruce Kaufman 7211 W. Parallel Road Pretty Prairie, KS 67570 | SW/4 of Section 01, T26S, R07W, Reno County | Lower Arkansas River Basin |
| Kansas Permit No. A-ARRN-M019 | | |

This is a reissuance of a permit for an existing facility for 60 head (84 animal units) of mature dairy cattle.

Public Notice No. KS-Q-08-174/182

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|--|------------------|-----------------------|
| Burlington, City of 301 Neosho St. Burlington, KS 66839-0207 | Neosho River | Process Wastewater |

Kansas Permit No. I-NE07-PO05 Federal Permit No. KS0092916
Legal Description: NW¼, S26, T21S, R15E, Coffey County
Facility Name: Burlington Water Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing public water treatment plant. Chlorinated wastewater from filter backwash cycles and various overflows and drains are treated with sodium bisulfite for chlorine reduction within the water treatment plant and is then routed through a 16-inch line to an overflow basin for settling. Sludge from the clarifier bottoms is thickened and hauled off. This NPDES permit is for the discharge of 0.17 MGD (design flow) of treated wastewater from the wastewater treatment system. The proposed permit contains limits for total suspended solids, total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|--|------------------|--------------------------------|
| Clay Center, City of 427 Court Clay Center, KS 67432 | Republican River | Treated Domestic Wastewater |
| Kansas Permit No. M-LR05-IO01 | | Federal Permit No. KS0048399 |
| Legal: SW¼, SE¼, NE¼, S17, T8S, R3E, Clay County | | |

Facility Description: The proposed action consists of modifications to the current permit to add monitoring of the effluent and the receiving stream for chlorides and sulfates as a result of changes made at the city's public water supply plant. In addition, the effluent flow monitoring frequency has been changed from weekdays to daily, and the requirement to monitor for total recoverable lead has been removed because previous testing has provided data showing that the Clay Center sewage treatment plant was not causing or contributing to the stream impairment for lead. All other terms, conditions and requirements of the original permit remain in force and effect. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| | | |
|--|-------------------------|------------------------------|
| Name and Address of Applicant | Receiving Stream | Type of Discharge |
| Clay Center, City of 427 Court St. Clay Center, KS 67432 | Republican River | Process Wastewater |
| Kansas Permit No. I-LR05-PO04 | | Federal Permit No. KS0098477 |

Legal Description: SW $\frac{1}{4}$, S7, T8S, R3E, Clay County
Facility Name: Clay Center PUC Water Treatment RO Plant

Facility Description: The proposed action consists of issuance of a new Kansas/NPDES Water Pollution Control permit for a discharge of wastewater from an upgraded public supply water treatment facility. The city has added reverse osmosis units to soften the potable water supply. The permittee has provided calculations indicating the expected result of this project will be a reduction in chlorides and only a small increase in sulfates in the Republican River. An anti-degradation review has been approved by KDHE. KDHE has approved the proposed action subject to a demonstration of performance and corrective action, if necessary, on the part of the permittee pursuant to the schedule of compliance in the draft permit. The proposed permit contains limits for pH, as well as monitoring for sulfates, chlorides and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| | | |
|--|---------------------------------------|------------------------------|
| Name and Address of Applicant | Receiving Stream | Type of Discharge |
| Douglas County RWD No. 3 7035 S.E. 69th St. Berryton, KS 66409 | Kansas River via Unnamed Tributary | Process Wastewater |
| Kansas Permit No. I-KS98-PO03 | | Federal Permit No. KS0097829 |

Legal Description: SE $\frac{1}{4}$, S34, T11S, R17E, Shawnee County
Facility Name: Douglas County RWD No. 3 (Big Springs) Public Water Supply Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for an existing permit for the discharge of wastewater from an existing public water treatment plant. Reverse osmosis (RO) reject water and wastewater from the iron/manganese removal filter backwash, floor drains and periodic RO cleaning operation are discharged to a one-cell wastewater treatment lagoon system (0.16 surface acres). The operation started with one RO unit and is currently in the process of adding two additional RO units. Estimated flow of wastewater to the lagoon system is 0.300 MGD (maximum) with three RO units in service. The proposed permit contains limits for total suspended solids, total residual chlorine and pH, as well as monitoring of total recoverable lead. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| | | |
|---|---|------------------------------|
| Name and Address of Applicant | Receiving Stream | Type of Discharge |
| Humboldt, City of 701 Bridge Humboldt, KS 66748 | Neosho River via Stormwater Drainage System | Process Wastewater |
| Kansas Permit No. I-NE36-PO08 | | Federal Permit No. KS0098159 |

Legal Description: NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, S4, T26S, R18E, Allen County
Facility Name: Humboldt Water Treatment Plant
Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing potable water treat-

ment plant. Wastewater generated from this facility consists of filter backwash and sedimentation basin blowdown water. About 0.013 MGD of wastewater is routed to a two-cell lagoon treatment system. The proposed permit contains limits for total suspended solids, total residual chlorine and pH, as well as monitoring of total recoverable zinc. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| | | |
|---|---|------------------------------|
| Name and Address of Applicant | Receiving Stream | Type of Discharge |
| Iola, City of P.O. Box 308 Iola, KS 66749 | Neosho River via Coon Creek via Unnamed Tributary | Process Wastewater |
| Kansas Permit No. I-NE37-PO04 | | Federal Permit No. KS0096687 |

Facility Description: SW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, S27, T24S, R18E, Allen County

Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater from an existing potable water treatment plant. About 0.032 MGD of wastewater from the lime softening process, miscellaneous wastewater and filter backwash water is discharged to a two-cell wastewater treatment lagoon system. The proposed permit contains limits for total suspended solids, total residual chlorine and pH, as well as monitoring for total recoverable zinc. Contained in the permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified laboratory or become KDHE-field certified to field-test for total residual chlorine and pH and to provide KDHE with a plan and schedule to achieve consistent compliance with the final permit limits. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| | | |
|---|--|--|
| Name and Address of Applicant | Receiving Stream | Type of Discharge |
| Mid-States Materials Inc. P.O. Box 236 Topeka, KS 66601 | One Hundred Ten Mile Creek via Unnamed Tributary | Pit Dewatering and Stormwater Runoff |
| Kansas Permit No. I-MC39-PO03 | | Federal Permit No. KS0098990 |

Legal Description: NE $\frac{1}{4}$, S33, T16S, R17E, Osage County
Facility name: Quenemo Quarry

Facility Description: The proposed action is to modify an existing permit to allow for the discharge of wastewater from Outfall 002 during existing quarry operations. The proposed modification contains limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

| | | |
|---|--|------------------------------|
| Name and Address of Applicant | Receiving Stream | Type of Discharge |
| National Cooperative Refinery Association 1391 Iron Horse Road McPherson, KS 67460 | Smoky Hill River via Goose Creek via Unnamed Tributary | Groundwater Remediation |
| Kansas Permit No. I-SH09-PO01 | | Federal Permit No. KS0099546 |

Legal Description: SE $\frac{1}{4}$, S8, T16S, R13W, Barton County

Facility Description: The proposed action is to issue a new permit for discharge during a groundwater remediation project. Crude oil contaminated groundwater is pumped out through six recovery wells, treated in an oil/water separator, a settling tank and an activated carbon adsorption vessel prior to discharge. The average daily discharge is about 5,100 gallons. Recovered oil is sent to the refinery for processing. The proposed permit contains limits for oil and grease, benzene, TPH-gasoline range organics, TPH-diesel range organics and pH. Monitoring for chloride, sulfate, total recoverable metals and effluent flow also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

(continued)

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|---|--|--|
| Shawnee Rock Company P.O. Box 3220 Shawnee, KS 66203 | West Mission Creek via Unnamed Tributary | Pit Dewatering and Stormwater Runoff |
| Kansas Permit No. I-KS06-PO04 | Federal Permit No. KS0001546 | |
| Legal Description: NE¼, NE¼, SW¼, S21, T11S, R23E, Wyandotte County | | |
| Facility Name: Bonner Springs Quarry - Plant #3 | | |
| Facility Description: The proposed action is to reissue an existing permit for discharge during a quarry operation. This facility is engaged in a limestone quarrying operation with a portable crusher. Outfall 001 consists of treated stormwater runoff and wash water, which is collected in an on-site settling pond, which then discharges to a detention pond. The water in the detention pond is recycled and is used to wash rock. This pond usually only discharges during or after a heavy rainfall event. Outfall's 002 and 003 consist of stormwater runoff. The proposed permit contains limits for total suspended solids and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based. | | |

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before November 15 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-08-335/336, KS-Q-08-174/182) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 036305

State of Kansas
Department of Administration
Division of Facilities Management
Notice of Commencement of Negotiations
for "On-Call" Architectural Services

Notice is hereby given of the commencement of negotiations for "on-call" architectural services for Wichita State University. Services are required for restricted (small) projects of \$750,000 or less; one or two firms may be selected. Contracts will be for one year, renewable for two additional one-year periods.

For more information concerning the scope of services, contact John Gist, (316) 978-5826.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2008 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/>. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon October 31.

Marilyn L. Jacobson, Director
Division of Facilities Management

Doc. No. 036313

State of Kansas
Racing and Gaming Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, January 8, at the Kansas Racing and Gaming Commission Office, fifth floor, Conference Room A, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, to consider the adoption of proposed permanent regulations of the Kansas Racing and Gaming Commission.

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on these proposed regulations. Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Racing and Gaming Commission, Suite 420, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-5800.

A copy of the full text of the regulations and the economic impact statements may be reviewed or obtained by accessing the official Web site of the Kansas Racing and Gaming Commission at www.ksracing.org or at the commission office. The following is a summary of the proposed regulations:

Article 107.—ELECTRONIC GAMING MACHINES
Economic Impact of New Article 107: Under the Ex-

panded Lottery Act, all of the costs of oversight and regulation by the Kansas Racing and Gaming Commission are required to be paid by the gaming facility managers. Therefore, there are no costs anticipated to the agency or other governmental agencies, or to the people of Kansas, as a result of this new article.

K.A.R. 112-107-1. Electronic gaming machine requirements. This regulation establishes the requirements for each electronic gaming machine (EGM).

K.A.R. 112-107-2. Testing and approval. This regulation establishes the testing and approval process for each electronic gaming machine.

K.A.R. 112-107-3. Submission for testing and approval. This regulation establishes the requirements and guidelines for testing and approval of each EGM prototype and associated equipment.

K.A.R. 112-107-4. Reserved.

K.A.R. 112-107-5. Transportation of EGMs. This regulation establishes the guidelines and requirements for transportation of any EGM into or out of this state. Each notice of movement or transport of an EGM must be approved in advance by the executive director, and each notice shall include specific information.

K.A.R. 112-107-6. Off premises storage of EGMs. This regulation establishes that a facility manager shall not store EGMs off the premises of the gaming facility without prior approval from the commission. Each facility manager seeking to store EGMs off the premises of the gaming facility shall file a written request containing certain information specified with the executive director.

K.A.R. 112-107-7. Gaming floor plan. This regulation establishes the guidelines for a gaming floor plan and restricted areas servicing the electronic gaming operation. The gaming floor plan shall be submitted to the commission and approved by the executive director prior to the licensee commencing electronic gaming operations.

K.A.R. 112-107-8. Reserved.

K.A.R. 112-107-9. Testing and software installation on the live gaming floor. This regulation establishes the guidelines for a facility manager to notify the executive director in writing at least 72 hours before testing or installing any new software to EGMs.

K.A.R. 112-107-10. Master list of approved gaming machines. This regulation establishes that a master list of approved gaming machines shall be filed with the commission at least 20 days before commencing gaming. This list includes all EGMs on the gaming floor and in storage locations. All subsequent movements of the EGMs shall also be noted on the master list.

K.A.R. 112-107-11. Notice to central computer system. This regulation establishes that each facility manager shall obtain authorization from the executive director and the Kansas lottery's executive director prior to placing an EGM on the gaming floor, moving an EGM to a different location on the gaming floor, or removing an EGM from the gaming floor.

K.A.R. 112-107-12. Reserved.

K.A.R. 112-107-13. Commencement of electronic gaming operations. This regulation establishes that each facility manager shall demonstrate that it has met all specified requirements before commencing electronic gaming at a gaming facility. When a facility manager meets all of

those requirements, then the commission shall authorize the date and time at which the facility manager may begin gaming operations at the gaming facility.

K.A.R. 112-107-14. EGM conversions. This regulation establishes the requirements each facility manager shall meet regarding EGM conversions.

K.A.R. 112-107-15. Revocations and additional conditions. This regulation establishes that the approval of or imposition of additional conditions on an EGM prototype, associated equipment prototype, or modification may be revoked by the commission if the equipment, device or software meets certain conditions.

K.A.R. 112-107-16. Kiosks as automated gaming ticket and coupon redemption machines. This regulation establishes that any facility manager may utilize a kiosk as an automated gaming ticket and coupon redemption machine if that machine has been tested and approved by the commission under K.A.R. 112-107-3. The regulation further sets forth the requirements for and capabilities of each kiosk.

K.A.R. 112-107-17. Automated jackpot payout machines. This regulation establishes that any facility manager may utilize an automated jackpot payout machine that has been tested and approved by the commission and that has a system of internal controls approved by the commission.

K.A.R. 112-107-18. Gaming tickets. This regulation establishes that a facility manager may utilize gaming tickets and a gaming ticket system that has been tested and approved by the commission. Each facility manager shall establish a system of internal controls for the issuance and redemption of gaming tickets.

K.A.R. 112-107-19. Coupons. This regulation establishes that any facility manager may utilize coupons and a coupon system that has been tested and approved by the commission. The design specifications for the coupon and coupon control system shall meet the requirements of article 110 and each facility manager shall establish a system of internal controls for the issuance and redemption of coupons before any coupons are issued.

K.A.R. 112-107-20. EGM computer systems. This regulation establishes that all components of a facility manager's production EGM computer system shall be located within the gaming facility. With written approval of the executive director, a facility manager's backup EGM computer system may be located in a secure and remote computer.

K.A.R. 112-107-21. Progressive EGMs. This regulation establishes the guidelines for progressive EGMs.

K.A.R. 112-107-22. Wide area progressive systems. This regulation establishes that two or more facility managers may operate linked progressive EGMs that are interconnected between two or more participating gaming facilities, with the prior written approval of the commission and the Kansas lottery.

K.A.R. 112-107-23. Electronic gaming monitoring systems. This regulation establishes that any facility manager may utilize an electronic gaming monitoring system that has an interface between it, EGMs and related systems if the electronic gaming monitoring system has been tested and approved by the commission.

(continued)

K.A.R. 112-107-24. Casino management systems. This regulation establishes that any facility manager may utilize a casino management system that has an interface between it, EGMs and related systems if the casino management system has been tested and approved by the commission.

K.A.R. 112-107-25. Player tracking systems. This regulation establishes that any facility manager may utilize a player tracking system that has an interface between it, EGMs and related systems if the player tracking system has been tested and approved by the commission.

K.A.R. 112-107-26. External bonusing systems. This regulation establishes that any facility manager may utilize an external bonusing system that has been tested and approved by the commission.

K.A.R. 112-107-27. Cashless funds transfer systems. This regulation establishes that any facility manager may utilize a cashless funds transfer system that has been tested and approved by the commission.

K.A.R. 112-107-28. Server-supported electronic gaming systems. This regulation establishes that any facility manager may utilize a server-supported electronic gaming system if that system has been tested and approved by the commission.

K.A.R. 112-107-29. Server-based electronic gaming systems. This regulation establishes that any facility manager may utilize a server-based electronic gaming system if that system has been tested and approved by the commission.

K.A.R. 112-107-30. EGMs and associated equipment utilizing alterable storage media. This regulation establishes that the use of alterable storage media in an EGM or associated equipment shall meet the requirements of the act, this article, and the technical standards on alterable storage media adopted by the commission under article 110.

K.A.R. 112-107-31. Remote system access. This regulation establishes the procedures a facility manager and the employees of a gaming supplier shall follow in emergency situations where it may be necessary to utilize a remote system access.

K.A.R. 112-107-32. EGM destruction procedures. This regulation establishes that each facility manager shall establish a comprehensive system of internal controls for the EGM destruction procedures required by this regulation. The internal controls shall be submitted to and approved by the commission. The regulation also defines the critical program storage media (CPSM) and component parts which shall be removed from the EGM before destruction of the cabinet. Destruction of any EGMs, CPSM and component parts shall be witnessed by an agent of the commission.

K.A.R. 112-107-33. Reserved.

K.A.R. 112-107-34. Waivers. This regulation establishes the waiver by the commission upon the commission's determination that the EGM, associated equipment or modification as submitted by the facility manager meets the operational integrity requirements of the act, this article, and article 110.

panded Lottery Act, all of the costs of oversight and regulation by the Kansas Racing and Gaming Commission are required to be paid by the gaming facility managers. Therefore, there are no costs anticipated to the agency or other governmental agencies, or to the people of Kansas, as a result of this new article.

K.A.R. 112-110-1. Adoptions by reference. This regulation establishes the adoption by reference of basic standards for testing created by Gaming Laboratories International.

K.A.R. 112-110-2. Central computer system accounting. This regulation establishes that the central computer system provider shall provide an accounting mechanism for the system and that mechanism shall achieve compliance with the standards of integrity, security and control established by the commission. The regulation establishes the requirements for the central computer system.

K.A.R. 112-110-3. Central computer system security. This regulation establishes the requirements and capabilities of the central computer system's data base. Additional security requirements for the central computer system's security are also established.

K.A.R. 112-110-4. Central computer system; configuration and control. This regulation establishes the configuration and control for the central computer system.

K.A.R. 112-110-5. Central computer system; software validation. This regulation establishes the software validation for the central computer system.

K.A.R. 112-110-6. Central computer system communication. This regulation establishes the communication protocols for the central computer system.

K.A.R. 112-110-7. Central computer system; protocol simulator. This regulation establishes the simulator protocol for the central computer system.

K.A.R. 112-110-8. Central computer system; general hardware specifications. This regulation establishes general hardware specifications for the central computer system.

K.A.R. 112-110-9. Central computer system backup. This regulation establishes the backup systems required for the central computer system.

K.A.R. 112-110-10. Central computer system manuals. This regulation establishes the types of manuals that the central computer system supplier shall provide and the requirements that those manuals shall meet.

K.A.R. 112-110-11. Central computer system; support of progressive games. This regulation establishes the definitions for different types of progressive games and the capabilities for the central computer system.

K.A.R. 112-110-12. Central computer system; additional functionality. This regulation establishes the additional functionality necessary for the central computer system.

K.A.R. 112-110-13. Central computer system; acceptance testing. This regulation establishes the requirements and compatibility of the central computer system for acceptance testing.

Stephen L. Martino
Executive Director

Doc. No. 036308

Article 110.—TECHNICAL STANDARDS

Economic Impact of New Article 110: Under the Ex-

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 10 a.m. Friday, October 24, at the Kansas Soldiers' Home, Eisenhower Building, Fort Dodge. The public is invited to attend. For more information, call (785) 296-3976.

George Webb
Executive Director

Doc. No. 036309

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, October 30, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000735—Maximum Principal Amount: \$162,500. Owner/Operator: Matthew and Stephanie Symns. Description: Acquisition of 140 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Matthew and Stephanie Symns and is located at the Northwest Quarter of Section 26, Township 4, Range 20, Doniphan County, Kansas, approximately 7 miles north of Atchison on Highway K7.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Stephen R. Weatherford
President

Doc. No. 036316

State of Kansas

University of Kansas

Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, are seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at purchasing@ku.edu to request a copy of a current bid.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 036294

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

- 10/27/2008 11745 Aggregate, Shot Rock
- 10/28/2008 11734 Consultant for Allocation of Scarce Resources Research and Planning
- 10/28/2008 11746 Motor Graders
- 10/28/2008 11747 Loaders, 4-Wheel Drive
- 10/28/2008 11749 Industrial Loader — Backhoes
- 10/30/2008 11743 Satellite Television Distribution System (SMATV)
- 11/04/2008 11752 Shipping Supplies and Cartons
- 11/05/2008 11728 WIC Program Banking Services
- 01/12/2009 11738 Food Services

The above-referenced bid documents can be downloaded at the following Web site:

<http://www.da.ks.gov/purch/>

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default.htm>

Contractors wishing to bid on the projects listed below must be prequalified. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting www.da.ks.gov/fp/.

- 10/28/2008 A-010924 Reroof — Spencer Research Library, University of Kansas, Lawrence
- 10/29/2008 A-010911 Campus Tuckpointing, Wichita State University, Wichita

Chris Howe
Director of Purchases

Doc. No. 036314

State of Kansas

Secretary of State

Permanent Administrative
Regulations

Article 16.—FEES

7-16-1. Information and services fee. In addition to any other fees specified in regulation or statute, the fees prescribed in the secretary of state's "schedule of information and services fees," dated October 1, 2008 and hereby adopted by reference, shall be charged by the secretary of state. (Authorized by and implementing K.S.A. 2007 Supp. 75-438, effective, T-7-7-1-03, July 1, 2003; effective Oct. 10, 2003; amended Oct. 31, 2008.)

7-16-2. Technology communication fee. In addition to any other fees specified in regulation or statute, the fees prescribed in the secretary of state's "schedule of technology communication fees," dated October 1, 2008 and hereby adopted by reference, shall be charged by the secretary of state. (Authorized by and implementing K.S.A. 2007 Supp. 75-444; effective, T-7-7-1-03, July 1, 2003; effective Oct. 10, 2003; amended October 31, 2008.)

Ron Thornburgh
Secretary of State

Doc. No. 036312

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, December 17, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of one proposed amended rule and regulation (K.A.R. 100-72-7), dealing with naturopathy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rule and regulation. All interested parties may submit comments prior to the hearing to the Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603, or by e-mail to healingarts@ksbha.ks.gov. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the regulation during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation being considered and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Barbara Montgomery at (785) 296-8558 or bmontgomery@ksbha.ks.gov. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

A summary of the proposed amended rule and regulation to be considered at the hearing and the respective economic impact follows:

K.A.R. 100-72-7. Registration renewals; continuing education. This regulation specifies the minimum continuing education requirements each registered naturopath must meet to renew their registration as well as the expiration date for registrations.

This regulation is not mandated by any federal law. There is no foreseen cost to either the board or the public to implement the regulation.

No other methods were considered.

Copies of the proposed regulation and the associated economic impact statement may be obtained by contacting Cathy Brown at (785) 296-3680, from the board's Web site at www.ksbha.org/pubinfo.html, or by e-mail request to healingarts@ksbha.ks.gov.

Jack Confer
Acting Executive Director

Doc. No. 036298

State of Kansas

Board of Emergency Medical Services

Permanent Administrative
Regulations

Article 5.—CONTINUING EDUCATION

109-5-5. Retroactive approval of continuing education course. (a) Any attendant may submit a request to the board for retroactive approval of a continuing education course that was completed within the attendant's current two-year certification period.

(b) Each request shall be submitted on a form provided by the board.

(c) In order for retroactive approval of a continuing education course to be granted, the attendant shall provide the following, in addition to the request form:

(1) A certificate of attendance that includes the title of the course, the date and location of the course, and the amount of continuing education credit awarded by the presenter or presenting organization;

(2) documentation of the course objectives; and

(3) one of the following:

(A) The signature of the local emergency medical services medical advisor on the form provided by the board; or

(B) verification that the objectives of the course correspond to the objectives of the national standard curriculum of the federal department of transportation.

(d) The applicant shall be notified in writing by the board of any errors or omissions in the request for approval. Failure to correct any deficiency within 15 days shall constitute withdrawal of the request. (Authorized by K.S.A. 65-6111; implementing K.S.A. 65-6129, as amended by 2008 SB 512, sec. 2; effective Oct. 31, 2008.)

Robert Waller
Administrator

Doc. No. 036307

State of Kansas

**Department of Agriculture
Division of Water Resources**

**Permanent Administrative
Regulations**

Article 1.—DEFINITIONS

5-1-1. Definitions. As used in these regulations and the Kansas water appropriation act, and by the division of water resources in the administration of the Kansas water appropriation act, unless the context clearly requires otherwise, the following words and phrases shall have the meanings specified in this regulation. (a) "Above-baseflow stage" means streamflow that is in response to a significant runoff event during which period the water level elevation of the stream is greater than the elevation of the adjacent water table.

(b) "Acceptable quality surface water" means surface water that will not degrade the quality of the ground-water source into which it is discharged.

(c) "Application" means the formal document submitted on the form prescribed by the chief engineer for a permit to appropriate water for beneficial use and filed in the office of the chief engineer as provided by K.S.A. 82a-708a and 82a-709, and amendments thereto.

(d) "Approval of application" means a permit to proceed with construction of diversion works and the diversion and use of water in accordance with the terms and conditions set forth in the permit. Approval of application shall not constitute any permit that may be required by other state laws.

(e) "Aquifer storage" means the act of storing water in the unsaturated portion of an aquifer by artificial recharge for subsequent diversion and beneficial use.

(f) "Aquifer storage and recovery system" means the physical infrastructure that meets the following conditions:

(1) Is constructed and operated for artificial recharge, storage, and recovery of source water; and

(2) consists of apparatus for diversion, treatment, recharge, storage, extraction, and distribution.

(g) "Artificial recharge" means the use of source water to artificially replenish the water supply in an aquifer.

(h) "Authorized representative" means any staff employee designated by the chief engineer to perform duties and functions on behalf of the chief engineer.

(i) "Bank storage" means water absorbed by and temporarily stored in the banks and bed of a stream during above-baseflow stage.

(j) "Bank storage well" means a well used to divert or withdraw water from bank storage.

(k) "Basin storage area" means the portion of the aquifer's unsaturated zone used for aquifer storage that has defined horizontal boundaries and is delimited by the highest and lowest index water level elevations.

(l) "Basin storage loss" means that portion of artificial recharge naturally flowing or discharging from the basin storage area.

(m) "Basin term permit" means a term permit to appropriate surface water from a stream within a specific

drainage basin, or a portion of it, for a reasonable quantity of water, not to exceed a maximum of 100 acre-feet per calendar year, for use in either of the following:

(1) Drilling oil and gas wells; or

(2) construction projects within the specified basin.

(n) "Battery of wells" means two or more wells connected to a common pump by a manifold, or not more than four wells in the same local source of supply within a 300-foot-radius circle that are being operated by pumps not to exceed a total maximum rate of diversion of 800 gallons per minute and that supply water to a common distribution system.

(o) "Beneficial uses of water" are the following:

(1) Domestic uses;

(2) stockwatering;

(3) municipal uses;

(4) irrigation;

(5) industrial uses;

(6) recreational uses;

(7) waterpower;

(8) artificial recharge;

(9) hydraulic dredging;

(10) contamination remediation;

(11) dewatering;

(12) fire protection;

(13) thermal exchange; and

(14) sediment control in a reservoir.

(p) "Complete and accurate water use report" means a water use report that the water right owner has filed pursuant to K.S.A. 82a-732, and amendments thereto, that provided all of the information required on the form prescribed by the chief engineer, including the following:

(1) The quantity of water diverted during the calendar year;

(2) if the diversion of water was required to be metered during the calendar year for which the report is being filed, the information required by K.A.R. 5-3-5e;

(3) if the water was used for irrigation purposes, the number of acres that were irrigated; and

(4) if the water was diverted from a sand and gravel pit operation, the size of the surface area of the pit in acres at the end of the calendar year for which the report was filed.

(q) "Completed substantially as shown on aerial photograph, topographic map, or plat," as used to define the authorized point of diversion, means within 300 feet of the location as shown on the aerial photograph, topographic map, or plat accompanying the application.

(r) "Confined Dakota aquifer system" means that portion of the Dakota aquifer system overlain by a confining layer resulting in the aquifer normally being under greater than atmospheric pressure.

(s) "Conjunctive use" means the safe-yield management and operation of an aquifer in coordination with a surface water system to enhance the use of the total water supply availability in accordance with the provisions of the water appropriation act.

(t) "Contamination remediation" means the diversion of water by a state agency, or under a written agreement or order of an appropriate state agency, for the purpose of improving the water quality.

(continued)

(u) "Dakota aquifer system" shall include the Dakota formation, the Kiowa formation, the Cheyenne sandstone, and, where hydraulically connected, the Morrison formation.

(v) "Dakota aquifer system well" means a well or proposed well screened in whole or in part in the Dakota aquifer system.

(w) "Dam" means any artificial barrier, together with all appurtenant works, that does or could impound water.

(x) "Dewatering" means the removal of surface water or groundwater to achieve either of the following:

(1) Facilitate the construction of a building, pipeline, or other facility; or

(2) protect a building, levee, mining activity, or other facility.

(y) "Direct diversion of surface water" means the diversion of surface water directly from a stream by means of a pump, headgate, siphon, or similar installation, for application to beneficial use without storing it behind a dam, levee, or similar type of structure.

(z) "Diversion" means the act of bringing water under control by means of a well, pump, dam, or other device for delivery and distribution for the proposed use.

(aa) "Diversion works" means any well, pump, power unit, power source, dam, and any other devices necessary to bring water under control for delivery to a distribution system by which the water will be distributed to the proposed use and any other equipment required as a condition of the permit, including a check valve, water level measurement tube, meter, or other measuring device.

(bb) "Division" means the division of water resources of the Kansas department of agriculture.

(cc) "Dry hydrant" means a permanent, unpressurized intake pipe used to remove water from a pond, stream, reservoir, or other surface water supply by means of suction or vacuum supplied by a fire truck or other portable pumping device.

(dd) "Field inspection" means that for the purpose of issuing a certificate of appropriation pursuant to K.S.A. 82a-714 and amendments thereto, the chief engineer conducts a test of the rate of diversion of the diversion works under the normal and maximum conditions that the diversion works actually applied water to beneficial use during the perfection period. The chief engineer also collects all other information necessary to prepare a certificate, including the following:

(1) A description of the location and size of the place where water was actually applied to beneficial use during the perfection period in accordance with the terms, conditions, and limitations of the approval of application;

(2) information on the quantity and rate of water that was applied to the authorized use during the perfection period; and

(3) the actual location of the point or points of diversion from which water was diverted in accordance with the terms, conditions, and limitations of the approval of application.

(ee) "Fire protection" means the use of water for fire protection by a fire department for public protection in general.

(ff) "Fish farming" means the controlled cultivation and harvest of aquatic animals.

(gg) "Flow-straightening vanes" means vanes, or other device installed at the upstream throat of a measuring chamber for the purpose of aligning all velocity components of flow parallel with the flow in the measuring chamber at the water flowmeter sensor location.

(hh) "Full irrigation" means the application of water to crops during the growing season. Full irrigation shall include water for preirrigation.

(ii) "Groundwater" means water below the surface of the earth.

(jj) "Growing season" means the average frost-free period of the year.

(kk) "Household purposes" means the use of water by a person for cooking, cleaning, washing, bathing, human consumption, rest room facilities, fire protection, and other uses normally associated with the operation of a household.

(1) "Fire protection" shall be considered to be use of water for "household purposes" if either of the following conditions is met:

(A) Water is available from a "dry hydrant" that has been installed on a pond located within 1,000 feet of the residence.

(B) Water can be pumped from a well located within 1,000 feet of the residence for fire protection.

(2) Household purposes shall also include the replacement of the potential net evaporation from a domestic pond of up to 1/2 acre in surface area if both of the following conditions are met:

(A) The pond is utilized for aesthetic purposes as an integral part of the landscaping of a house.

(B) Any portion of the pond is located within 300 feet of the closest edge of the house.

(3) The maximum reasonable annual quantity of groundwater that may be pumped into a pond to be withdrawn later for domestic fire protection shall not exceed 0.06 acre-feet plus the average annual potential net evaporation for a pond at that location in the state having a surface area of 0.2 of an acre.

(4) Household purposes shall also include the use of 1½ acre-feet of water or less per calendar year by an industrial user, restaurant, hotel, motel, church, camp, correctional facility, educational institution, or similar entity for household purposes.

(ll) "Hydraulic dredging" means the removal of saturated aggregate from a stream channel, pit, or quarry by means of hydraulic suction and the pumping of the aggregate and water mixture as a slurry to a location where at least 95% of the water returns directly to the source of supply.

(mm) "Immediate vicinity," as used in specifying the place of use for a water right in which the water is authorized to be used for municipal purposes, means within 2,640 feet of the corporate limits of the municipality, rural water district, or other entity.

(nn) "In compliance" means that a water flowmeter does not meet any of the criteria of K.A.R. 5-1-9 for being out of compliance.

(oo) "Index water level" means water level elevations established spatially throughout a basin storage area to

be used to represent the maximum volume of a basin storage area, and storage available for recovery based upon accounting methodology, and conditions of the permit.

(pp) "Indirect use" means the total of the seepage loss and the average annual potential net evaporation loss from the surface of water originally impounded in a reservoir for beneficial use.

(qq) "Industrial use" means the use of water in connection with the manufacture, production, transport, or storage of products, or the use of water in connection with providing commercial services, including water used in connection with steam electric power plants, greenhouses, fish farms, poultry operations that are not incidental to the operation of a traditional farmstead pursuant to K.S.A. 82a-701(c) and amendments thereto, secondary and tertiary oil recovery, air conditioning, heat pumps, equipment cooling, and all uses of water associated with the removal of aggregate for commercial purposes except the following:

(1) The evaporation caused by exposing the groundwater table or increasing the surface area of a stream, lake, pit, or quarry by excavation or dredging, unless the evaporation has a substantially adverse impact on the area groundwater supply; and

(2) hydraulic dredging.

(rr) "Irrigation use" means the use of water for the following:

(1) The growing of crops;

(2) the watering of gardens, orchards, and lawns exceeding two acres in area; and

(3) the watering of golf courses, parks, cemeteries, athletic fields, racetrack grounds, and similar facilities.

(ss) "Measuring chamber" means a cylindrical chamber in which a water flowmeter is installed that is calibrated to match the measuring element of the water flowmeter and the nominal size of the pipe in which it is installed.

(tt) "Municipal use" means the various uses made of water delivered through a common distribution system operated by any of the following:

(1) A municipality;

(2) a rural water district;

(3) a water district;

(4) a public wholesale water supply district;

(5) any person or entity serving 10 or more hookups for residences or mobile homes; or

(6) any other similar entity distributing water to other water users for various purposes. Municipal use shall also include the use of water by restaurants, hotels, motels, churches, camps, correctional facilities, educational institutions, and similar entities using water that does not qualify as a domestic use.

(uu) "Nonvolatile memory" means the ability of a water flowmeter to retain the values stored in the mechanical or electronic memory if all power, including backup battery power, is removed.

(vv) "Normal operating range" means the range of flow rates for which the water flowmeter will meet the accuracy requirements of K.A.R. 5-1-4 (a), as certified by the water flowmeter manufacturer.

(ww) "Off-season irrigation" means the application of water to land for the purpose of storing moisture in the

soil for future use by a crop that will not be irrigated during the growing season.

(xx) "Operator," as used in the regulation of sand and gravel pits, means any person who engages in mining sand or gravel, or both.

(yy) "Perennial stream" means a stream, or part of a stream, that normally flows during all of the calendar year, except during a drought.

(zz) "Perfect" means the actions taken by a water user to develop an approval of application into a water right. These actions shall consist of the completion of the diversion works and the actual application of water to the authorized beneficial use in accordance with the terms, conditions, and limitations of the approval of application.

(aaa) "Point of diversion" means the point at which water is diverted or withdrawn from a source of water supply.

(bbb) "Point of diversion of a dewatering site" means the geographic center of the area from which water is temporarily removed to lower the static water level or streamflow to allow one construction project or one excavation to take place. Each one-quarter linear mile of construction trench, or part thereof, shall have at least one point of diversion.

(ccc) "Point of diversion of a remediation site" means the geographic center of the area from which water is being removed to be treated or injected into a single disposal well.

(ddd) "Point of diversion for storage of surface water in a reservoir created by a dam" means the point at which the longitudinal axis of the dam crosses the centerline of the stream impounded by the reservoir.

(eee) "Potential annual runoff" means the mean annual runoff for the watershed of the reservoir.

(fff) "Preirrigation" means the application of water to the land for a crop before planting to ensure adequate moisture for early plant growth.

(ggg) "Primary well" means a well for which a standby well is available.

(hhh) "Prior right" means a vested right, an appropriation right with earlier priority, or a permit with earlier priority than that of a subsequent appropriation right or permit.

(iii) "Proven reserves" means extractable sand and gravel deposits for which good estimates of the quantity and quality have been made by various means, including core drilling.

(jjj) "Recharge" means the natural infiltration of surface water or rainfall into an aquifer from its catchment area.

(kkk) "Recharge credit" means the quantity of water that is stored in the basin storage area and that is available for subsequent appropriation for beneficial use by the operator of the aquifer storage and recovery system.

(lll) "Recreation storage" means the storage and use of water within the reservoir for recreational use as defined in this regulation. Water stored for recreation use in a reservoir shall be considered to be an indirect use of water.

(mmm) "Recreational use" means a use of water in accordance with a water right that provides entertainment, enjoyment, relaxation, and fish and wildlife benefits.

(continued)

(nnn) "Rediversion of water" means releasing or withdrawing water that had been previously impounded behind a dam, levee, or similar type of structure, by use of a pump, outlet tube, headgate, or similar type of device, and the application of the water directly to beneficial use.

(ooo) "Register" means an integral or remote device that displays the quantity of water passing the water flowmeter sensor and is part of the water flowmeter.

(ppp) "Remediation site" means the geographic area where contamination is being removed from groundwater.

(qqq) "Reservoir" means the area upstream from a dam that contains, or will contain, impounded water.

(rrr) "Reservoir capacity" means the volume of water that can be stored below the lower of either of the following:

- (1) The elevation of the principal spillway tube; or
- (2) the lowest uncontrolled spillway in the reservoir.

(sss) "Reservoir having a total water volume of less than 15 acre-feet," as used in K.S.A. 82a-728 and amendments thereto, means a reservoir having a capacity of 15 acre-feet or less as measured at the principal spillway tube or the lowest uncontrolled spillway, whichever is lower.

(ttt) "Safe yield" means the long-term sustainable yield of the source of supply, including hydraulically connected surface water or groundwater.

(uuu) "Sand and gravel pit operation" means a project that meets the following conditions:

(1) Excavates overburden for mining sand or gravel, or both, exposing the underlying groundwater table to evaporation; and

- (2) has a perimeter equal to or greater than its depth.

(vvv) "Sediment control in a reservoir" means a beneficial use of water that meets both of the following criteria:

- (1) The water is stored in a reservoir that has no other authorized type of beneficial use, except domestic use.
- (2) The water is stored only in the part of the reservoir designed and constructed for the storage of sediment.

(www) "Source water" means water used for artificial recharge that meets the following conditions:

- (1) Is available for appropriation for beneficial use;
- (2) is above base-flow stage in the stream;
- (3) is not needed to satisfy minimum desirable stream-flow requirements; and
- (4) will not degrade the ambient groundwater quality in the basin storage area.

(xxx) "Specialty crop" means a crop other than a normal Kansas field crop. This term shall include turf grass, trees, vegetables, ornamentals, and other similar crops.

(yyy) "Standby well" means a well that can withdraw water from the same source of supply as the primary well and that is used only when water is temporarily unavailable from the primary well or wells authorized to be used on the same place of use because of mechanical failure, maintenance, or power failure. A standby well may also be used for fire protection or a similar type of emergency.

(zzz) "Static water level" means the depth below land surface at which the top of the groundwater is found when not affected by recent pumping.

(aaa) (1) "Stockwatering" means the watering of livestock and other uses of water directly related to either of the following:

(A) The operation of a feedlot with the capacity to confine 1,000 or more head of cattle; or

(B) any other confined livestock operation or dairy that would divert 15 or more acre-feet of water per calendar year.

(2) Stockwatering shall not include the irrigation of feed grains or other crops.

(3) For the purposes of this subsection, a group of feedlots or other confined feeding operations shall be considered to be one feedlot or confined feeding operation if both of these conditions are met:

(A) There are common feeding or other physical facilities.

(B) The group of facilities is under common management.

(bbbb) "Straight pipe" means a straight length of pipe free of all internal obstructions, including size changes, valves, cooling coils, injection ports, sand or foreign material, and any other condition that would cause a disturbance of the internal velocity profile in the pipe. Internal obstructions shall not include properly designed, constructed, and installed straightening vanes and inspection ports.

(ccc) "Stream channel aquifer" means unconsolidated water-bearing deposits in river valleys, flood plains, and terraces that are separate and distinct from any other aquifer and capable of yielding water in sufficient quantities for beneficial use.

(ddd) "Surface water" means water in creeks, rivers, or other watercourses, and in reservoirs, lakes, and ponds.

(eee) "Term permit" means a permit to appropriate water that is issued for a specified period of time and exceeds the criteria for a temporary permit specified in K.S.A. 82a-727, and amendments thereto, and K.A.R. 5-9-3 through K.A.R. 5-9-5. At the end of the specified time, or any authorized extension approved by the chief engineer, the term permit shall be automatically dismissed, and any priority it may have had shall be forfeited.

(fff) "The production and return of saltwater in connection with the operation of oil and gas wells in accordance with the written approval granted therefor by the Kansas corporation commission pursuant to K.S.A. 55-901, and amendments thereto" means only that saltwater actually produced during the primary production of oil and gas wells and shall not include the following:

(1) Saltwater used in the drilling of an oil and gas well; and

(2) saltwater injected into an enhanced recovery injection well, unless that saltwater was produced in the primary production of the oil and gas well, separated from the oil and gas, and then subsequently reinjected.

(ggg) "Thermal exchange" means the use of water for climate control in a nondomestic building and in a manner that is essentially nonconsumptive to the source of supply.

(hhh) "Totalizer" means the mechanical or electronic portion of the register that displays the total quantity of water that has passed the water flowmeter sensor.

(iii) "Unconfined Dakota aquifer system" means that portion of the Dakota aquifer system not overlain by a confining layer in which the aquifer is in equilibrium with atmospheric pressure.

(jjj) "Unconsolidated regional aquifer" means a body of mostly unconsolidated and heterogeneous water-bearing deposits that are hydraulically and geologically contiguous, and are capable of yielding water in sufficient quantities for beneficial use.

(kkkk) "Waste of water" means any act or omission that causes any of the following:

(1) The diversion or withdrawal of water from a source of supply that is not used or reapplied to a beneficial use on or in connection with the place of use authorized by a vested right, an appropriation right, or an approval of application for a permit to appropriate water for beneficial use;

(2) the unreasonable deterioration of the quality of water in any source of supply, thereby causing impairment of a person's right to the use of water;

(3) the escaping and draining of water intended for irrigation use from the authorized place of use; or

(4) the application of water to an authorized beneficial use in excess of the needs for this use.

(llll) "Waterpower use" means the use of falling water for hydroelectric or hydromechanical power

(mmmm) "Water balance" means the method of determining the amount of water in storage in a basin storage area by accounting for inflow to, outflow from, and changes in storage in that basin storage area.

(nnnn) "Water flowmeter" means the combination of a flow-sensing device, measuring chamber, integral or remote display device or register, and any connecting parts required to make a working assemblage to measure, record, and allow determination of flow rate and total quantity of water flowing past the water flowmeter sensor.

(oooo) "Water storage device" means a reservoir, elevated water tank, pressurized water tank, including a bladder tank, or other container into which water is pumped and stored before beneficial use.

(pppp) "Water use correspondent" means a person designated in writing, on a form prescribed by the chief engineer, by one of the owners of a water right to file the water use reports required by K.S.A. 82a-732 and amendments thereto, on behalf of the owner or owners of that water right. (Authorized by and implementing K.S.A. 82a-706a; modified, L. 1978, ch. 460, May 1, 1978; amended May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1986; amended Dec. 3, 1990; amended May 31, 1994; amended Sept. 22, 2000; amended Oct. 24, 2003; amended Oct. 31, 2008.)

5-1-2. Standby well. In order for a well to qualify as a standby well, all of the following requirements shall be met: (a) The well shall be maintained in operable condition and be capable of being hooked to a power source within a reasonable amount of time to allow the well to function effectively as a standby well.

(b) Both the primary well or wells and the standby well or wells shall be required to be metered by order of the chief engineer or as a condition of the water right or permit.

(c) The standby well shall be located close enough to the primary well so that both wells withdraw water from the same local source of supply. However, a standby well shall not be required to meet the well spacing requirements from the standby well to the primary well.

(d) The standby well shall be authorized to divert the same rate and quantity as the primary well or wells. A limitation clause shall be placed on any water right or permit authorizing a standby well or wells limiting the standby well to no more than the rate and quantity authorized for the primary well or wells. With the limitation clause or clauses in effect, the standby well or wells shall not be counted in any safe yield, allowable appropriation, depletion or similar type of analysis.

(e) A primary well and a standby well shall not be operated at the same time, unless one of the wells is being operated for maintenance, testing, fire protection, or a similar reason. (Authorized by and implementing K.S.A. 82a-706a; effective May 31, 1994; amended Oct. 31, 2008.)

5-1-7. Requirement to install a water flowmeter or other suitable water-measuring device. (a) All non-domestic, nontemporary wells and pump sites operated under the authority of an approval of application issued on or after the effective date of this regulation shall be equipped with a water flowmeter that meets or exceeds the specifications of the chief engineer effective at the time the application is approved by the chief engineer.

(b)(1) All nondomestic, nontemporary gravity diversions of water, including irrigation ditches, operating under the authority of an approval of application issued on or after the effective date of this regulation shall be equipped with a continuous recording gauge, or other suitable water-measuring device located at or near the headgate. Before installation, the water right owner shall submit plans and specifications for the proposed gauge, or other suitable water-measuring device, to the chief engineer and shall receive approval in writing from the chief engineer before installing the gauge or other suitable water-measuring device.

(2) The gauge or other suitable water-measuring device shall meet the following criteria:

(A) Register not less than 94% and not more than 106% of the actual volume of water passing the device under normal operating conditions when compared to a field test made by, or approved by, the chief engineer;

(B) be installed in accordance with the installation requirements of the chief engineer; and

(C) be maintained in a satisfactory operating condition any time water can reasonably be expected to be diverted.

(c) An approval of a nondomestic application for change in place of use, the point of diversion, or the use made of the water, or any combination of these, shall require the owner of the water right to install a water flowmeter on all points of diversion authorized by the water right or approval of application, unless any of the following conditions is met:

(1) The applicant demonstrates to the chief engineer that the application to change the place of use meets the requirements of K.A.R. 5-5-11(e).

(2) The applicant demonstrates to the chief engineer both of the following:

(continued)

(A) Installation of a water flowmeter meeting these specifications is not physically feasible.

(B) The applicant agrees to implement a reasonable, objective alternative of measuring the quantity of water diverted that is acceptable to the chief engineer.

(3) The water is being diverted from multiple points of diversion authorized by one water right that does not limit the maximum annual quantity and maximum rate of diversion by point of diversion, and all of the water flows to a common point where a water flowmeter meeting the requirements of K.A.R. 5-1-4 and K.A.R. 5-1-6 measures all of the water pumped from all of the points of diversion authorized by that water right.

(4) An application for change in point of diversion only is filed to change the point of diversion of only one well, when more than one well is authorized by the approval of application or water right that authorizes the well for which a change in point of diversion is sought. In this case, only the well that is being relocated shall be required to have a water flowmeter.

(5) The water is being diverted from multiple points of diversion, and all of the following conditions are met:

(A) All points of diversion deliver water to only one distribution system.

(B) Each point of diversion can reasonably be expected to operate simultaneously and for the same total amount of time each calendar year.

(C) Each individual point of diversion has a tested diversion rate of less than 400 gallons per minute.

(D) A water flowmeter is installed that will measure 100 percent of the water pumped from all points of diversion.

(E) If the flow rate has not been tested within the last five years by the chief engineer or a person approved by the chief engineer, the owner shall have each point of diversion tested by a person approved by the chief engineer pursuant to K.A.R. 5-1-11. If the chief engineer becomes aware of information that the tested rates could no longer be correct, the chief engineer, or someone approved by the chief engineer pursuant to K.A.R. 5-1-11, may retest the rate of diversion produced by each point of diversion and those flow rates shall subsequently be used to determine the quantity diverted by each point of diversion.

(F) The owner has signed a consent agreement with the chief engineer that includes the following:

(i) A determination of the percentage of flow that will be attributed to each point of diversion if future administration becomes necessary; and

(ii) an agreement that the chief engineer may require a water flowmeter for each point of diversion if the chief engineer determines there are issues concerning impairment, violations of the conditions of the permit or water right, or a violation of the Kansas water appropriation act and its regulations.

(G) All uses of water are authorized by either a vested water right or a water right that has been certified pursuant to K.S.A. 82a-714, and amendments thereto.

(d) Except as set forth in subsection (c), if an approval of an application for change requires the installation of a water flowmeter, the requirement to install a water flowmeter shall also be placed on all other water rights and

approvals authorizing diversion of water from the same point of diversion.

(e) If any water right or approval of application has a condition requiring development, adoption, and implementation of a water conservation plan pursuant to K.S.A. 82a-733 and amendments thereto, a water flowmeter or suitable water-measuring device shall be installed on each authorized point of diversion in compliance with these regulations.

(f) The owner of a water right, including a domestic water right, or an approval of application shall also be required by the chief engineer to install a water flowmeter or other suitable water-measurement device that meets the requirements of these regulations on each authorized point of diversion if it is necessary for the chief engineer to effectively administer water rights to prevent impairment, to protect minimum desirable stream flows, to conserve water, or to otherwise carry out the duties of the chief engineer as set forth in the Kansas water appropriation act, K.S.A. 82a-701 et seq. and amendments thereto.

(g) Except as set forth in subsection (c), if a water flowmeter is required by the chief engineer, each point of diversion authorized by the approval of application or water right shall be required to have a separate meter. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706c; effective Sept. 22, 2000; amended Oct. 31, 2008.)

Article 2.—VESTED RIGHTS

5-2-4. Determination or certification of a domestic water right. Each application filed after the effective date of this regulation to determine or certify a domestic water right based on water use in a confined feeding facility that had a capacity of 1,000 head or more and was privately owned and operated before May 1, 1986 shall be determined or certified for an annual quantity of water of 15 acre-feet or the annual quantity of water actually used, whichever is less. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-701, K.S.A. 82a-706a, and K.S.A. 2007 Supp. 82a-708b; effective Oct. 31, 2008.)

Article 3.—APPROPRIATION RIGHTS

5-3-3. Storage of surface water for domestic use. (a) Any person entitled to use surface water for beneficial purposes may collect and store surface water if the collection, storage, use, and times of use are consistent with reasonable storage and conservation practices. A reasonable quantity of water stored for domestic use shall be considered to be any quantity of water that meets the following requirements:

(1) Is sufficient to satisfy the domestic use for the current year and two succeeding years; and

(2) is necessary for the initial filling of the reservoir and refilling the reservoir after being drawn down for maintenance or other essential reasons. Collection and storage of all natural flows for domestic use shall be subject to vested rights and prior appropriation rights.

(b) The maximum average annual potential net evaporation from the surface of a pond, reservoir, or other similar surface water impoundment used exclusively for domestic purposes shall not exceed 15 acre-feet. The Kansas department of agriculture's map titled "maximum

water surface for domestic reservoirs and ponds," dated December 7, 2007, is hereby adopted by reference. This map shall be used to determine the maximum surface area of a pond, reservoir, or similar surface water impoundment that may be used exclusively for domestic purposes. The maximum water surface shall be measured at either of the following, whichever is lower:

- (1) The elevation of the principal spillway tube; or
- (2) the elevation of the lowest uncontrolled spillway.

(c) An average annual potential net evaporation volume in excess of 15 acre-feet may be allowed if a person entitled to use surface water for domestic use demonstrates to the chief engineer that the quantity of water necessary to satisfy the domestic use, and to offset evaporation and seepage, makes it necessary to store surface water in a pond, reservoir, or similar surface water impoundment with a surface area that produces an average annual potential net evaporation volume greater than that provided in subsection (b).

(d) Groundwater shall not be pumped from a well into a pond, reservoir, or similar surface water impoundment for storage unless the owner of the groundwater right demonstrates to the chief engineer that the storage would be reasonable. (Authorized by K.S.A. 82a-706a; modified, L. 1978, ch. 460, May 1, 1978; implementing K.S.A. 82a-701(c), K.S.A. 82a-705a, and K.S.A. 82a-706a; amended Oct. 31, 2008.)

5-3-4. Application. (a) Each application for a permit to appropriate water for beneficial use shall contain all the information requested for the proposed uses as specified in the prescribed application form and any other information that may be required for a complete understanding of the proposed appropriation.

(b) Each application shall be accompanied by an aerial photograph or a detailed plat with a scale of at least one inch equals 1,320 feet, or a U. S. geological survey topographic map, with a scale of at least 1:24,000. The following information shall be plotted on the plat, photograph, or topographic map using appropriate symbols:

- (1) The section corners;
- (2) the center of the section, identified by the section number, township, and range;
- (3) the location of each point of diversion, including each proposed well location, stream bank pump site, dam location or location of other works for diversion of water;
- (4) the location of the place of use, including any remediation site or dewatering site, identified by cross-hatching or by some other appropriate method;
- (5) the location of all other water wells of every kind within one-half mile of each well covered by the proposed appropriation, each of which shall be identified by its use and the name and mailing address of the owner, if the proposed appropriation is for use of groundwater;
- (6) the name and mailing address of the owner or owners of each tract of land adjacent to the stream for a distance of one-half mile upstream and one-half mile downstream from the property lines of the land owned or controlled by the applicant, if the proposed appropriation is for the use of surface water;
- (7) the locations of proposed or existing dams, dikes, reservoirs, canals, pipelines, power houses, and any other

structures for the purpose of storing, conveying, or using water; and

- (8) a north arrow and scale.

The information shown on the photograph, plat, or map shall be legible. Black line prints may be submitted in lieu of the original drawing if a plat is submitted.

(c) Separate applications shall be filed for surface water and groundwater.

(d) If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that any of the following categories may be included in a single application:

(1) Not more than four wells within a circle with a quarter-mile radius in the same local source of supply that do not exceed a maximum diversion rate of 20 gallons per minute per well;

(2) all wells for a remediation site; or

(3) all wells for a dewatering site. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and K.S.A. 82a-709; modified, L. 1978, ch. 460, May 1, 1978; amended May 1, 1980; amended May 1, 1981; amended Oct. 31, 2008.)

5-3-5d. Requirement to install a water level measurement tube. Each well with an authorized maximum rate of diversion of 100 or more gallons per minute drilled after the effective date of this regulation, except those wells authorized under a temporary permit or a domestic right, shall have a tube installed in accordance with specifications adopted by the chief engineer. This tube shall be suitable for making water level measurements and shall be maintained in working condition. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and K.S.A. 82a-706c; effective May 1, 1980; amended Sept. 22, 2000; amended Oct. 31, 2008.)

5-3-16. Safe yield; exemptions for up to 15 acre-feet of groundwater. (a) Each application to appropriate groundwater in any area of the state shall be exempt from meeting the safe yield criteria if all of the conditions in subsection (b) are met.

(b)(1) The proposed point of diversion will be located in an area that is outside a groundwater management district that is subject to safe yield criteria and meets either of the following conditions:

(A) Is not closed by regulation or intensive groundwater use control area order by the chief engineer to new nondomestic, nontemporary permits, and term permits for more than five years; or

(B) has not exceeded the quantity of water available to be appropriated in the hydrologic unit as set forth in K.A.R. 5-3-11.

(2) The sum of the annual quantity requested by the proposed appropriation and the total annual quantities authorized by prior permits and water rights allowed because of an exemption pursuant to this regulation does not exceed 15 acre-feet in a two-mile-radius circle surrounding the proposed point of diversion.

(3) The approval of the application does not authorize an additional quantity of water to be diverted from an existing authorized well with a nondomestic permit or water right, which would result in a total combined an-

(continued)

nual quantity of water authorized from that well in excess of 15 acre-feet.

(4) The approval of the application does not authorize an additional quantity of water to be used on a currently authorized nondomestic place of use in excess of 15 acre-feet.

(5) The maximum authorized rate of diversion does not exceed 50 gallons per minute.

(6) All other criteria for processing a new application to appropriate water at that location have been met.

(c) After an application has been approved pursuant to this regulation, no application to change that water right shall be approved if that approval would authorize the water use approved under that application to be diverted from any other point of diversion authorized at the time the application is filed or to be used on any other place of use authorized at the time the application for change is filed. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 2007 Supp. 82a-711; effective Nov. 28, 1994; amended Sept. 22, 2000; amended Oct. 31, 2008.)

Article 4.—DISTRIBUTION OF WATER BETWEEN USERS

5-4-2. Protection of releases from storage under low-flow conditions. (a) As used only in this regulation, the following terms shall have the meanings specified in this subsection:

(1) "Low-flow conditions" shall mean that the natural flow below a reservoir is not sufficient to satisfy the demand for water use below the reservoir by known domestic water rights and by permits and water rights of record in the office of the chief engineer.

(2) "Natural flow" shall mean water that is flowing in a river or stream, except water that is entitled to be protected from diversion.

(b) If the owner of a surface water right below a reservoir could physically divert water that has been released from storage under the authority of the state of Kansas or that has been released from storage pursuant to an agreement between the state and federal government and that owner has been notified by the chief engineer that low-flow conditions exist, that owner shall not divert any water under that surface water right without the written permission of the chief engineer.

(c) If the owner of a surface water right described in subsection (b) desires to divert water after being notified that low-flow conditions exist, that owner shall submit a written request to the chief engineer containing all of the following information:

- (1) The water right number;
- (2) the following information for the owner:
 - (A) Name and telephone number; and
 - (B) if available, electronic mail address, fax number, and cellular telephone number;
- (3) the name and telephone number of any representative authorized by the owner to request and receive permission to divert water under low-flow conditions from the chief engineer. Each request shall also contain, if available, the electronic mail address, cellular telephone number, and fax number of the authorized representative;
- (4) the total quantity of water that has been diverted under that water right during that current calendar year; and

(5) the length of time and the maximum rate of diversion which the owner is requesting to divert water.

(d) As soon as practical after receiving the request, the owner may be notified in writing by the chief engineer if any natural flow is available to be diverted under the authority of that water right.

(e) If an owner has been notified that low-flow conditions exist, diversion of any water without the written permission of the chief engineer shall cause the owner to be subject to any enforcement action available to the chief engineer, including levying a civil penalty pursuant to K.S.A. 82a-737, and amendments thereto.

(f) If an owner has been notified that low-flow conditions exist, diversion of water in excess of the rate and quantity authorized by the express written permission of the chief engineer shall cause the owner to be subject to any enforcement action available to the chief engineer, including levying a civil penalty pursuant to K.S.A. 82a-737, and amendments thereto.

(g) Written notice may be issued by the chief engineer to all owners of surface water rights notified pursuant to subsection (b) to inform the owners when low-flow conditions no longer exist. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and K.S.A. 2007 Supp. 82a-737; effective Oct. 31, 2008.)

Article 5.—CHANGE IN THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF WATER UNDER AN EXISTING WATER RIGHT

5-5-6c. Authorized point of diversion or place of use. (a) If a point of diversion or place of use meets the following conditions, the authorized location shall be administratively corrected by the chief engineer to the more accurate location and the owner notified of this action:

(1) Has been determined by the chief engineer to be located at the authorized location by a vested right determination, a certificate of appropriation, or other similar action or approval by the chief engineer;

(2) has not been physically moved or expanded since the location was certified or otherwise approved by the chief engineer; and

(3) is determined by the chief engineer to be incorrect based on a more accurate survey, a global positioning system determination, or other reliable means.

No enforcement action shall be taken against the owner of the water right solely because the location was determined to be at an unauthorized location with the use of better technology than was previously available.

(b) The maximum annual quantity of water authorized to be used by the water right shall not be decreased or increased because of any administrative correction made to the water right pursuant to subsection (a). (Authorized by and implementing K.S.A. 82a-706a; effective Oct. 31, 2008.)

5-5-13. Relocation of alluvial wells. (a) If an authorized point of diversion is a well that has as its source of supply an alluvium in a reach of a basin that is fully appropriated or closed to new appropriations, the approval of a change in point of diversion, and any subsequent approvals of changes in points of diversion, shall not authorize the distance between the well and the cen-

terline of the stream to be decreased by more than 10 percent as measured from the following:

(1) The authorized well location when the basin became fully appropriated or was closed to new appropriations; and

(2) the centerline of the stream when the change application was filed.

(b) Only for the purposes of applying this regulation, the term "stream" shall include the main stem and any tributary to the main stem that was a perennial stream when the basin was closed to new appropriations. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 2007 Supp. 82a-708b; effective Sept. 22, 2000; amended Oct. 31, 2008.)

5-5-14. Duties of owners of approvals of applications and water rights. (a) All of the owners of an approval of application or a water right shall be responsible for taking all legally required actions necessary to maintain the validity of the approval of application or water right, including the filing of statutorily required fees, reports, and applications.

(b)(1) Unless the approval of application or the water right has been severed from the authorized place of use and unless the requirements specified in either paragraph (b)(2) or (b)(3) have been met, all of the owners of the authorized place of use shall be considered to be the owners of the approval of application or the water right.

(2) Unless the chief engineer has documentation to the contrary, an approval of application or water right for municipal use shall be considered to be owned by the entity owning and operating the water distribution system. A water right for an irrigation district shall be considered to be owned by the irrigation district.

(3) Unless the chief engineer has documentation to the contrary, an approval of application or water right that authorizes water to be used for either of the following shall be considered to be owned by the watershed district:

(A) Sediment control in a reservoir; or

(B) recreation in a reservoir constructed, maintained, and operated by a watershed district. (Authorized by and implementing K.S.A. 82a-706a; effective Sept. 22, 2000; amended Oct. 31, 2008.)

Article 6.—STORAGE OF WATER

5-6-2. Storage of water in watershed district reservoirs. (a) Each person filing an application for a permit to appropriate water for beneficial use and proposing to store the water in a watershed district reservoir shall submit one of the following with the application:

(1) A copy of an agreement or letter from the board of directors of the watershed district that states it was mutually agreed and understood at the time an easement was granted by the landowner that the landowner was to have the use of space in the sediment pool to store water to which the landowner is entitled under the water appropriation act; or

(2) a copy of a resolution by the board of directors that shows when the board allocated or gave to the applicant the use of all, or a specified part of, the sediment pool for the storage of water in accordance with the Kansas water appropriation act.

(b) If surface water will be stored in a watershed district reservoir with a capacity of more than 15 acre-feet and an application to appropriate water to be stored in the reservoir was not filed before July 1, 2008, a separate application shall be filed to appropriate water to store water in each watershed district reservoir.

(c) If a reservoir operated by a watershed district has a capacity of more than 15 acre-feet and no application to appropriate water has been filed with the chief engineer before July 1, 2008, the watershed district shall release, drain, pump, or siphon water from behind the dam and maintain the quantity of water stored behind the dam to 15 acre-feet or less. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and 82a-709; modified, L. 1978, ch. 460, May 1, 1978; amended Oct. 31, 2008.)

5-6-5. Maximum reasonable annual quantity for storage of water for beneficial use in a reservoir. The maximum reasonable annual quantity of water that may be authorized for appropriation by the chief engineer for diversion and storage in a reservoir shall be limited to the lesser of either of the following: (a) The potential annual runoff as determined pursuant to K.A.R. 5-6-4; or

(b) one of the following:

(1) (A) A three-year supply of water to be rediverted for all authorized beneficial uses; and

(B) a three-year supply of water for indirect use; or

(2) if the total maximum annual quantity of water requested for storage in paragraphs (b)(1)(A) and (B) exceeds the reservoir capacity, the maximum annual quantity of water authorized to be diverted and stored in any one year shall not exceed the total of the following:

(A) The annual quantity of water rediverted for beneficial use;

(B) the reservoir capacity; and

(C) one year of indirect use from the reservoir. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a, K.S.A. 82a-707(e), K.S.A. 2007 Supp. 82a-711, and K.S.A. 82a-712; effective Sept. 22, 2000; amended Oct. 31, 2008.)

Article 9.—TEMPORARY PERMITS

5-9-1a. Term permit application. Each application for a term permit shall meet the following requirements: (a) Be submitted on a form prescribed by the chief engineer; and

(b) be accompanied by the fee for any new application to appropriate water for beneficial use specified in K.S.A. 82a-708a(b), and amendments thereto. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a, K.S.A. 2007 Supp. 82a-708a(b), and K.S.A. 82a-709; effective Oct. 31, 2008.)

5-9-1b. Approvals and extensions of term permits. (a) Except as specified in subsection (b), each approved term permit shall be valid for five years or less. A term permit shall not be extended for a total of more than five years, including the original approval.

(b) (1) Term permits for contamination remediation may be initially issued for not more than 20 years and may be extended in increments of not more than 10 years, for a total period not to exceed 40 years.

(continued)

(2) Term permits for hydraulic dredging may be initially issued for not more than 10 years and may be extended in increments of not more than 10 years, for a total period not to exceed 30 years.

(3) Term permits for fire protection may be initially issued for not more than 20 years and may be extended in increments of not more than 10 years, for a total period not to exceed 30 years.

(4) Term permits for the use of water containing more than 5,000 milligrams of chlorides per liter of water may be initially issued for not more than 10 years and may be extended in increments of not more than 10 years, for a total period not to exceed 20 years.

(c) An application for new term permit or a request to extend an existing term permit that does not meet the criteria specified in subsections (a) and (b) shall not be approved. If the applicant proposes to continue the water use, the applicant shall amend the new application or file a new application. Approval of the amended or new application by the chief engineer shall be received by the applicant before the proposed water use may continue. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and 82a-712; effective Oct. 31, 2008.)

5-9-1c. Request to extend a term permit. Any term permit may be extended as provided in K.A.R. 5-9-1b if the request to extend the term permit meets the following requirements: (a) Is received at least 30 days before the expiration of the term permit;

(b) is signed by the holder of the term permit or its authorized agent;

(c) meets one of the following conditions:

(1) Will extend the total term of the permit for five years or less; or

(2) will extend the total term of the permit in excess of five years, if the application meets the requirements of safe yield, allowable appropriation, and similar regulatory criteria; and

(d) includes all of the following:

(1) Good cause for extension of the term is provided;

(2) approval of the extension will not impair an existing water right or permit;

(3) extension of the term permit will not prejudicially and unreasonably affect the public interest;

(4) the applicant has complied with the terms, conditions, and limitations of the previous term permit; and

(5) the applicant has access to the proposed point of diversion and the proposed place of use. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and 82a-712; effective Oct. 31, 2008.)

5-9-1d. No water right perfected under term permit. No water right shall be perfected pursuant to a term permit. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and 82a-712; effective Oct. 31, 2008.)

Article 14.—ENFORCEMENT AND APPEALS

5-14-10. Civil penalties; suspension or modification of water rights. (a) In addition to any other authorized enforcement procedures, if the chief engineer finds that any of the violations specified in K.S.A. 82a-737, and

amendments thereto, have occurred, a written order shall be issued by the chief engineer stating the following:

(1) The nature of the violation;

(2) the factual basis for the violation;

(3) the civil penalty, suspension, modification of a water right or use of water, or any combination of these to be imposed; and

(4) the appropriate procedure for review pursuant to K.S.A. 82a-1901, and amendments thereto.

(b) The categories of offenses specified in subsections (c), (d), and (e) shall be applied when assessing the civil penalty for each violation. Each day on which the violation continues to occur may constitute a separate offense.

(c)(1) Each category 1 offense shall result in a civil penalty of \$100.

(2) Category 1 offenses shall include the following:

(A) A threat to divert water without authorization from the chief engineer;

(B) irrigating an unauthorized place of use that is 10 acres or less;

(C) diversion of water at a rate in excess of the authorized rate of diversion, but less than 115 percent of the authorized rate of diversion;

(D) operating and maintaining a water flowmeter or other water-measuring device required by the chief engineer that is out of compliance as specified by K.A.R. 5-1-9; and

(E) failing to file a required monthly report.

(d)(1) Each category 2 offense shall result in a civil penalty of \$500.

(2) Category 2 offenses shall include the following:

(A) Diverting water from an unauthorized point of diversion of water;

(B) irrigating an unauthorized place of use that is more than 10 acres;

(C) failure to properly implement a conservation plan required by the chief engineer;

(D) committing a waste of water;

(E) diversion of water at a rate that equals or exceeds 115 percent of the authorized rate of diversion;

(F) failure to install a water flowmeter or other acceptable water-measuring device;

(G) failure to promptly provide complete and accurate water use or other data, information, or records requested by the chief engineer, except the annual water use reports required by K.S.A. 82a-732, and amendments thereto;

(H) diversion of water in excess of the authorized quantity of water;

(I) applying water to an unauthorized type of beneficial use; and

(J) violating any condition of a water right or approval of application not specifically listed as a category 1, category 2, or category 3 violation.

(e)(1) Each category 3 offense shall result in a civil penalty of \$1,000.

(2) Category 3 offenses shall include the following:

(A) Tampering with a water flowmeter or other acceptable water-measuring device;

(B) causing a water flowmeter or other acceptable water-measuring device to show an incorrect reading by any method, including any of the following:

(i) Altering the propeller;

(ii) reversing the water flowmeter; or
 (iii) running the water flowmeter in reverse by any means;

(C) failing to timely install or removing a required water flowmeter or other acceptable water-measuring device;

(D) falsifying water use or other data required by the chief engineer;

(E) denying authorized personnel of the chief engineer access as required by K.S.A. 82a-706b, and amendments thereto;

(F) violating a cease and desist order issued by the chief engineer;

(G) violating an order of the chief engineer issued pursuant to K.S.A. 82a-706b and amendments thereto;

(H) violating any order of the chief engineer issued pursuant to K.S.A. 82a-1038, and amendments thereto, relating to an intensive groundwater use control area; and

(I) violating a minimum desirable streamflow order issued by the chief engineer pursuant to K.A.R. 5-15-1 through 5-15-3.

(f) The civil penalties specified in paragraph (c)(1) may be increased if the chief engineer finds that aggravating circumstances exist. The civil penalties specified in paragraph (d)(1) may be increased or decreased if the chief engineer finds that aggravating or extenuating circumstances exist. The civil penalties specified in paragraph (e)(1) may be decreased if the chief engineer finds that extenuating circumstances exist. Extenuating circumstances and aggravating circumstances shall include the following:

(1) Prior violations;
 (2) intentional noncompliance or gross negligence; and
 (3) failure to correct the violation upon discovery or notification by the chief engineer.

(g) In addition to the assessment of a civil penalty or any other penalty provided for by law, any water right may be modified or suspended by the chief engineer upon the issuance of a written order finding a violation as established in subsection (a). Except as otherwise specified by regulation, violation of either a multiyear annual allocation or a condition limiting the net acres that may be irrigated in any one calendar year pursuant to an approval to allow annual rotation of the authorized place of use for irrigation shall result in the following:

(1) A two-year suspension of all or any portion of the annual water use authorized by the water right, any term permit, and any water right upon which the multiyear allocation or rotation was based;

(2) a subsequent restriction of the authorized place of use to the base acreage at a location specifically set forth in the change approval; and

(3) after any suspension has expired, a reversion to all conditions in effect on the water right before approval of the change application authorizing the multiyear allocation or rotation.

In all other cases, the term of the suspension or modification shall be determined by the chief engineer based upon the circumstances specified in subsection (f).

(h)(1) If multiple water rights or permits authorize the use of water from a single point of diversion, the water

shall be considered to be used in the order of priority with the earliest priority first.

(2) If the water used exceeds the total quantity of water authorized by the water rights and permits described in paragraph (h)(1) that authorize water use from that point of diversion, all water rights and permits under which the water was lawfully diverted shall be deemed to be violated unless this presumption is rebutted by one or more of the water right owners.

(i) Any person aggrieved by an order of the chief engineer may request a review pursuant to K.S.A. 82a-1901, and amendments thereto, and after exhaustion of administrative remedies, may appeal to the district court in the manner provided by the act for judicial review and civil enforcement of agency actions. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a, K.S.A. 2007 Supp. 82a-737, and K.S.A. 2007 Supp. 82a-1901; effective Oct. 24, 2003; amended Oct. 31, 2008.)

Adrian J. Polansky
 Secretary of Agriculture

Doc. No. 036298

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-212. **Pete's Corporation "ask for the sale" promotion.** (a) During the period beginning April 2, 2008, and ending April 30, 2008, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Pete's Corporation stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) Every Wednesday beginning April 2, 2008, through April 30, 2008, Pete's Corporation store personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket of the retailer's choosing at no charge.

(c) All retailer employees at each location shall display special point-of-sale materials provided by the lottery each day during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

(3) Buttons will also be provided.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(continued)

(d) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of Pete's Corporation.

(e) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion. If all terms of the promotion have been complied with by the retail location, \$35 will be credited to the retailer's lottery account. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-9-23-08, March 12, 2008.)

111-2-213. Pete's Corporation retailer instant ticket incentive. (a) During the period beginning April 1, 2008, and ending April 30, 2008, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all participating Pete's Corporation lottery retailers located in Kansas an opportunity to participate in an instant ticket sales promotion.

(b) At the end of the promotion, the store with the greatest percentage increase in cumulative instant ticket sales for the period from April 1, 2008, through April 30, 2008, over the base sales period of January 1, 2008, through January 30, 2008, will win a \$300 credit on the retailer's lottery account.

The store with the second greatest percentage increase in cumulative instant ticket sales for the period from April 1, 2008, through April 30, 2008, over the base sales period of January 1, 2008, through January 30, 2008, will win a \$150 credit on the retailer's lottery account.

The store with the third greatest percentage increase in cumulative instant ticket sales for the period from April 1, 2008, through April 30, 2008, over the base sales period of January 1, 2008, through January 30, 2008, will win a \$75 credit on the retailer's lottery account.

Promotional items chosen by the lottery will also be awarded to all retail locations participating in the promotion which show any increase in cumulative instant ticket sales over the base period. (Authorized by and implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-9-23-08, March 12, 2008.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-2664. "Bonus Crossword" instant ticket lottery game number 758. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Crossword" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2664.

(b) The "play symbols" for this game are as follows: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z. There are no "play symbol captions" in this game.

(c) For this game, a play symbol shall appear in each of 18 play spots within the "YOUR LETTERS" play area, in each of two play spots within the "BONUS" play area, and a variable number of times within the crossword puzzle grid.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free ticket |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |
| TWY | = | \$20.00 |
| HUN | = | \$100.00 |
| FHN | = | \$500.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Bonus Crossword" consists of three play areas. In the upper part of the ticket there is a crossword puzzle grid that contains 11 spaces (height) by 11 spaces (width) covered by transparent latex. In the "YOUR LETTERS" play area, located in the lower part of the ticket, there are 18 letters located under opaque latex. To the right of the "YOUR LETTERS" play area is the "BONUS" play area in which there are two letters covered by opaque latex. Imaged around each of the 18 "YOUR LETTERS" and two "BONUS" letters there will be a four-sided box composed of solid lines. A player will remove the latex from the "YOUR LETTERS" and "BONUS" play areas one letter at a time, and then for each matching letter in the crossword puzzle grid scratch off the transparent latex. Each letter revealed in the "YOUR LETTERS" and "BONUS" play areas may be used an unlimited number of times in the crossword puzzle grid. If a player reveals at least three complete words in the crossword puzzle grid, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed, as is also set forth in subsection (k) hereinafter.

(h) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;

(5) every single letter in the unbroken string must be revealed in "YOUR LETTERS," or "BONUS" areas and be included to form a word; and

(6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Bonus Crossword."

(i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 3,600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(k) The expected number and value of instant prizes in this game shall be as follows:

| Match | Expected Number of Prizes | Expected Prizes in Game | Value in Game |
|------------|---------------------------|-------------------------|--------------------|
| 3 - words | FREE TICKET | 600,000 | \$0 |
| 4 - words | \$5 | 156,000 | 780,000 |
| 5 - words | \$10 | 82,800 | 828,000 |
| 6 - words | \$20 | 27,600 | 552,000 |
| 7 - words | \$100 | 3,600 | 360,000 |
| 8 - words | \$500 | 552 | 276,000 |
| 9 - words | \$2,000 | 132 | 264,000 |
| 10 - words | \$20,000 | 24 | 480,000 |
| TOTAL | | <u>870,708</u> | <u>\$3,540,000</u> |

(l) The odds of winning a prize in this game are approximately one in 4.13. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2665. "Float Me The \$50s" instant ticket lottery game number 759. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Float Me The \$50s" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2665.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|--------------------|----------|
| FREE | TICKET |
| \$2. ⁰⁰ | TWO\$ |
| \$5. ⁰⁰ | FIVE\$ |
| 10. ⁰⁰ | TEN\$ |
| 15. ⁰⁰ | FIFTEEN |
| 50. ⁰⁰ | FIFTY |
| \$500\$ | FIVE-HUN |

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free Ticket |
| TWO | = | \$2.00 |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |
| FTN | = | \$15.00 |
| FTY | = | \$50.00 |
| FHN | = | \$500.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Float Me The \$50s" is a match three of six game. A player will remove the scratch-off material over the game play area to reveal six prize amounts. If three of the six prize amounts match, the player wins that prize amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall

have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|----------------|-------------|-----------------------------------|------------------------|
| 3 - Free's | Free Ticket | 72,000 | \$0 |
| 3 - \$2.00's | \$2 | 28,000 | 56,000 |
| 3 - \$5.00's | \$5 | 13,600 | 68,000 |
| 3 - \$10.00's | \$10 | 3,700 | 37,000 |
| 3 - \$15.00's | \$15 | 2,184 | 32,760 |
| 3 - \$50.00's | \$50 | 2,200 | 110,000 |
| 3 - \$500.00's | \$500 | 10 | 5,000 |
| TOTAL | | <u>121,694</u> | <u>\$308,760</u> |

(k) The odds of winning a prize in this game are approximately one in 4.93. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2666. "Howdy \$100s" instant ticket lottery game number 760. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Howdy \$100s" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2666.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|--------------------|----------|
| FREE | TICKET |
| \$2. ⁰⁰ | TWO\$ |
| \$5. ⁰⁰ | FIVE\$ |
| 25. ⁰⁰ | TWEN-FIV |
| 50. ⁰⁰ | FIFTY |
| \$100\$ | ONE-HUN |
| \$1000 | ONETHOU |

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free Ticket |
| TWO | = | \$2.00 |
| FIV | = | \$5.00 |
| TWF | = | \$25.00 |
| FTY | = | \$50.00 |
| HUN | = | \$100.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Howdy \$100s" is a match three of six prize amounts game. The player will remove the latex covering the play area to reveal six prize amounts. If the player matches three like prize amounts, the player wins that amount.

(h) Each ticket in this game may win up to one time.

(continued)

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|------------------|-------------|-----------------------------------|------------------------|
| 3 - Free's | Free Ticket | 72,000 | \$0 |
| 3 - \$2.00's | \$2 | 28,000 | 56,000 |
| 3 - \$5.00's | \$5 | 12,200 | 61,000 |
| 3 - \$25.00's | \$25 | 1,200 | 30,000 |
| 3 - \$50.00's | \$50 | 740 | 37,000 |
| 3 - \$100.00's | \$100 | 1,200 | 120,000 |
| 3 - \$1,000.00's | \$1,000 | 6 | 6,000 |
| TOTAL | | <u>115,346</u> | <u>\$310,000</u> |

(k) The odds of winning a prize in this game are approximately one in 5.20. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2667. "Double Doubler" instant ticket lottery game number 761. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Double Doubler" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2667.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|-------------------|----------|
| \$1 ⁰⁰ | ONE\$ |
| \$2 ⁰⁰ | TWO\$ |
| \$5 ⁰⁰ | FIVE\$ |
| 20 ⁰⁰ | TWENTY |
| 40 ⁰⁰ | FORTY |
| \$2500 | TWYFHUN |
| \$5000 | FIVETHOU |

The "play symbols" for this game are as follows:

| Play Symbols |
|----------------|
| SINGLE PRIZE |
| DOUBLE PRIZE |
| DOUBLE DOUBLER |

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|---------|
| ONE | = | \$1.00 |
| TWO | = | \$2.00 |
| FOR | = | \$4.00 |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |
| TWY | = | \$20.00 |
| FRY | = | \$40.00 |
| ETY | = | \$80.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Double Doubler" is a match three of six game with a "DOUBLE PRIZE" and a "DOUBLE DOUBLER" feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "PRIZE LEVEL." The "PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "DOUBLE PRIZE," or the words "DOUBLE DOUBLER." If a player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player wins the prize amount shown. If a player matches three like prize amounts and the words "DOUBLE PRIZE" are revealed, the player wins double the prize amount shown. If a player matches three like prize amounts and the words "DOUBLE DOUBLER" are revealed, the player wins four times the prize amount shown.

(h) Each ticket in this game may win up to one time.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| Get | Prizes | Expected Number of Prizes in Game | Expected Value in Game |
|----------------------------------|----------|-----------------------------------|------------------------|
| 3 - \$1's + (single prize) | \$1 | 48,000 | \$48,000 |
| 3 - \$2's + (single prize) | \$2 | 12,600 | 25,200 |
| 3 - \$1's + (double prize) | \$2 | 15,600 | 31,200 |
| 3 - \$1's + (double doubler) | \$4 | 7,000 | 28,000 |
| 3 - \$5's + (single prize) | \$5 | 8,000 | 40,000 |
| 3 - \$5's + (double prize) | \$10 | 5,200 | 52,000 |
| 3 - \$5's + (double doubler) | \$20 | 3,000 | 60,000 |
| 3 - \$20's + (double prize) | \$40 | 260 | 10,400 |
| 3 - \$40's + (single prize) | \$40 | 80 | 3,200 |
| 3 - \$20's + (double doubler) | \$80 | 20 | 1,600 |
| 3 - \$2,500's + (single prize) | \$2,500 | 3 | 7,500 |
| 3 - \$5,000's + (double prize) | \$10,000 | 2 | 20,000 |
| 3 - \$2,500's + (double doubler) | \$10,000 | 3 | 30,000 |
| TOTAL | | <u>99,768</u> | <u>\$357,100</u> |

(k) The odds of winning a prize in this game are approximately one in 6.01. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2668. "Triple Tripler" instant ticket lottery game number 762. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Triple Tripler" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2668.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|-------------------|----------|
| \$1 ⁰⁰ | ONE\$ |
| \$2 ⁰⁰ | TWO\$ |
| \$3 ⁰⁰ | THR\$ |
| \$5 ⁰⁰ | FIVE\$ |
| 10 ⁰⁰ | TEN\$ |
| 18 ⁰⁰ | EGTEEN |
| 30 ⁰⁰ | THIRTY |

| | |
|------------------|---------|
| 90 ⁰⁰ | NINETY |
| \$1000 | ONETHOU |
| \$2000 | TWOTHOU |
| \$6000 | SIXTHOU |

The "play symbols" for this game are as follows:

- Play Symbols
- SINGLE PRIZE
- TRIPLE PRIZE
- TRIPLE TRIPLER

(c) For this game, a play symbol shall appear in each of seven play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|---------|
| ONE | = | \$1.00 |
| THR | = | \$3.00 |
| FIV | = | \$5.00 |
| SIX | = | \$6.00 |
| NIN | = | \$9.00 |
| FTN | = | \$15.00 |
| EGN | = | \$18.00 |
| TRY | = | \$30.00 |
| NTY | = | \$90.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Triple Tripler" is a match three of six game with a triple prize and a "Triple Tripler" feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" will be either the words "SINGLE PRIZE," the words "TRIPLE PRIZE," or the words "TRIPLE TRIPLER." If a player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player will win the prize amount matched. If a player matches three like prize amounts and the words "TRIPLE PRIZE" are revealed, the player will win triple the prize amount matched. If a player matches three like prize amounts and the words "TRIPLE TRIPLER" are revealed, the player will win nine times the prize matched.

(h) Each ticket in this game may win one time.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|----------------------------|-------|-----------------------------------|------------------------|
| 3 - \$1's + single prize | \$1 | 50,000 | \$ 50,000 |
| 3 - \$1's + triple prize | \$3 | 15,000 | 45,000 |
| 3 - \$3's + single prize | \$3 | 15,200 | 45,600 |
| 3 - \$5's + single prize | \$5 | 9,000 | 45,000 |
| 3 - \$2's + triple prize | \$6 | 4,600 | 27,600 |
| 3 - \$1's + triple tripler | \$9 | 3,600 | 32,400 |

| | | | |
|------------------------------|---------|----------------|------------------|
| 3 - \$5's + triple prize | \$15 | 1,500 | 22,500 |
| 3 - \$2's + triple tripler | \$18 | 600 | 10,800 |
| 3 - \$18's + single prize | \$18 | 640 | 11,520 |
| 3 - \$30's + single prize | \$30 | 240 | 7,200 |
| 3 - \$10's + triple prize | \$30 | 220 | 6,600 |
| 3 - \$10's + triple tripler | \$90 | 80 | 7,200 |
| 3 - \$90's + single prize | \$90 | 70 | 6,300 |
| 3 - \$1,000's + triple prize | \$3,000 | 2 | 6,000 |
| 3 - \$6,000's + single prize | \$6,000 | 2 | 12,000 |
| 3 - \$2,000's + triple prize | \$6,000 | 3 | 18,000 |
| TOTAL | | <u>100,757</u> | <u>\$353,720</u> |

(k) The odds of winning a prize in this game are approximately one in 5.95. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2669. "Santa Fe Trail" instant ticket lottery game number 763. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Santa Fe Trail" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2669.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|-------------------|----------|
| FREE | TICKET |
| \$1 ⁰⁰ | ONE\$ |
| \$2 ⁰⁰ | TWO\$ |
| \$3 ⁰⁰ | THR\$ |
| \$4 ⁰⁰ | FOUR\$ |
| \$5 ⁰⁰ | FIVE\$ |
| 10 ⁰⁰ | TEN\$ |
| 20 ⁰⁰ | TWENTY |
| 25 ⁰⁰ | TWEN-FIV |
| 40 ⁰⁰ | FORTY |
| 50 ⁰⁰ | FIFTY |
| \$100\$ | ONE-HUN |
| \$250\$ | TWOFIFTY |
| \$1000 | ONETHOU |
| \$10000 | 10-THOU |

The "play symbols" and "captions" for this game are as follows:

| Play Symbols | Captions |
|--------------|----------|
| 01 | ONE |
| 02 | TWO |
| 03 | THR |
| 04 | FOR |
| 05 | FIV |
| 06 | SIX |
| 07 | SEV |
| 08 | EGT |
| 09 | NIN |
| 10 | TEN |
| 11 | ELVN |
| 12 | TWLV |
| 13 | THRTN |
| 14 | FOURTN |
| 15 | FIFTN |
| 16 | SIXTN |
| 17 | SEVTN |
| 18 | EGHTN |

(continued)

| | |
|----|--------|
| 19 | NINTN |
| 20 | TWNTY |
| 21 | TWYONE |
| 22 | TWYTWO |
| 23 | TWYTHR |
| 24 | TWYFOR |
| 25 | TWYFIV |

MAYBE NEXT TIME
GOOD LUCK

(c) For this game, a play symbol shall appear in each of 15 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free Ticket |
| TWO | = | \$2.00 |
| FOR | = | \$4.00 |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |
| TWF | = | \$25.00 |
| FRY | = | \$40.00 |
| FTY | = | \$50.00 |
| HUN | = | \$100.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Santa Fe Trail" features two games. Game 1 is a key number match game. A player will remove the scratch-off material to reveal two "HAT NUMBERS" and six "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches either of the "HAT NUMBERS" to any of the "YOUR NUMBERS," the player wins the prize shown below that matched number. A player can win up to six times in this play area.

Game 2 is an instant win game. If a player reveals any prize amount, the player wins that amount instantly. A player can only win once in this play area.

(h) Each ticket in this game may win up to seven times.

(I) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| Game 1 | Game 2 | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|-----------------|-------------|-------------|-----------------------------------|------------------------|
| Free Ticket | Free Ticket | Free Ticket | 24,000 | \$0 |
| | Free Ticket | Free Ticket | 24,000 | \$0 |
| \$2 | | \$2 | 16,000 | 32,000 |
| | \$2 | \$2 | 16,000 | 32,000 |
| \$1 | \$1 | \$2 | 22,000 | 44,000 |
| \$4 | | \$4 | 8,000 | 32,000 |
| \$2 | \$2 | \$4 | 9,000 | 36,000 |
| (\$2 x 2) | | \$4 | 10,000 | 40,000 |
| \$5 | | \$5 | 3,000 | 15,000 |
| | \$5 | \$5 | 3,000 | 15,000 |
| \$2 | \$3 | \$5 | 3,600 | 18,000 |
| (\$1 x 5) | | \$5 | 4,000 | 20,000 |
| (\$1 x 2) + \$3 | | \$5 | 4,000 | 20,000 |

| | | | | |
|--------------------------------------|------|----------|----------------|------------------|
| \$10 | | \$10 | 2,000 | 20,000 |
| | \$10 | \$10 | 2,000 | 20,000 |
| (\$2 x 2) + \$1 | \$5 | \$10 | 2,000 | 20,000 |
| (\$5 x 2) | | \$10 | 2,000 | 20,000 |
| (\$2 x 5) | | \$10 | 2,000 | 20,000 |
| (\$1 x 6) | \$4 | \$10 | 3,000 | 30,000 |
| \$25 | | \$25 | 600 | 15,000 |
| (\$10 x 2) | \$5 | \$25 | 800 | 20,000 |
| (\$5 x 5) | | \$25 | 1,000 | 25,000 |
| (\$4 x 4) + (\$2 x 2) | \$5 | \$25 | 1,200 | 30,000 |
| \$40 | | \$40 | 200 | 8,000 |
| \$20 | \$20 | \$40 | 250 | 10,000 |
| (\$10 x 2) + (\$4 x 4) | \$4 | \$40 | 300 | 12,000 |
| (\$5 x 6) | \$10 | \$40 | 300 | 12,000 |
| \$50 | | \$50 | 80 | 4,000 |
| \$25 | \$25 | \$50 | 100 | 5,000 |
| (\$10 x 5) | | \$50 | 120 | 6,000 |
| (\$5 x 4) + (\$10 x 2) | \$10 | \$50 | 140 | 7,000 |
| \$100 | | \$100 | 20 | 2,000 |
| (\$25 x 3) | \$25 | \$100 | 24 | 2,400 |
| (\$10 x 5) + \$25 | \$25 | \$100 | 30 | 3,000 |
| \$1,000 | | \$1,000 | 4 | 4,000 |
| (\$100 x 2) + (\$250 x 3) + \$25 | \$25 | \$1,000 | 6 | 6,000 |
| \$10,000 | | \$10,000 | 6 | 60,000 |
| Sub-Total | | | <u>164,780</u> | <u>\$665,400</u> |
| Second Chance Drawing Prize Packages | | | | <u>20,000</u> |
| TOTAL | | | | <u>\$685,400</u> |

(k) The odds of winning a prize in this game are approximately one in 3.64. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2670. "Tough Truck" instant ticket lottery game number 764. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Tough Truck" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2670.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|---------------|----------|
| Free | TICKET |
| \$1.00 | ONES |
| \$2.00 | TWO\$ |
| \$5.00 | FIVE\$ |
| 10.00 | TEN\$ |
| 20.00 | TWENTY |
| 25.00 | TWEN-FIV |
| 50.00 | FIFTY |
| \$100\$ | ONE-HUN |
| \$1000 | ONETHOU |
| \$10000 | 10-THOU |

The "play symbols" and "captions" for this game are as follows:

| Play Symbols | Captions |
|-----------------------------|----------|
| Symbol of a curve road sign | CURVE |
| Symbol of a gas pump | PUMP |
| Symbol of a compass | CMPASS |
| Symbol of a gear stick | GEAR |
| Symbol of a speedometer | SPDMTR |
| Symbol of a checkered flag | FLAG |
| Symbol of traffic lights | LIGHTS |

| | |
|---------------------|--------|
| Symbol of a gas can | GASCAN |
| Symbol of some keys | KEYS |
| Symbol of a tire | TIRE |
| MAYBE NEXT TIME | |
| GOOD LUCK | |

| | | | | |
|-------------------------|------|----------|----------------|----------------|
| \$100 | | \$100 | 40 | 4,000 |
| \$25 + \$50 | \$25 | \$100 | 60 | 6,000 |
| (\$10 x 3) + (\$25 x 2) | \$20 | \$100 | 100 | 10,000 |
| \$1,000 | | \$1,000 | 16 | 16,000 |
| \$10,000 | | \$10,000 | 6 | 60,000 |
| Subtotal | | | <u>169,622</u> | <u>626,000</u> |

| | |
|-----------------------------|----------------|
| Second Chance Drawing Prize | 63,813 |
| TOTAL | <u>689,813</u> |

(c) For this game, a play symbol shall appear in each of 19 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free Ticket |
| TWO | = | \$2.00 |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |
| TWF | = | \$25.00 |
| FTY | = | \$50.00 |
| HUN | = | \$100.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Tough Trucks" features two games. Game 1 is a key number match game. A player will remove the scratch-off material to reveal two "WINNING SYMBOLS" and five "YOUR SYMBOLS" with a prize amount below each of the "YOUR SYMBOLS." If a player matches either of the "WINNING SYMBOLS" to any of the "YOUR SYMBOLS," the player wins the prize shown below the matched number. A player can win up to five times in this play area.

Game 2 is an instant win game. If a player reveals any prize amount, the player wins that amount instantly. A player can win once in this play area.

(h) Each ticket in this game may win up to six times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| Game 1 | Bonus | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|-------------|-------------|-------------|-----------------------------------|------------------------|
| Free Ticket | | Free Ticket | 22,000 | \$0 |
| | Free Ticket | Free Ticket | 22,000 | 0 |
| \$2 | | \$2 | 24,000 | 48,000 |
| | \$2 | \$2 | 24,000 | 48,000 |
| \$1 | | \$2 | 32,000 | 64,000 |
| \$5 | | \$5 | 6,000 | 30,000 |
| | \$5 | \$5 | 6,000 | 30,000 |
| \$1 + \$2 | | \$5 | 8,000 | 40,000 |
| | \$2 | \$5 | 8,000 | 40,000 |
| (\$1 x 5) | | \$5 | 10,000 | 50,000 |
| \$10 | | \$10 | 2,000 | 20,000 |
| | \$10 | \$10 | 2,000 | 20,000 |
| \$5 | | \$10 | 3,000 | 30,000 |
| | \$5 | \$10 | 5,000 | 50,000 |
| (\$1 x 5) | | \$5 | 5,000 | 50,000 |
| \$25 | | \$25 | 400 | 10,000 |
| \$10 + \$5 | | \$25 | 600 | 15,000 |
| | \$10 | \$25 | 800 | 20,000 |
| (\$5 x 5) | | \$25 | 800 | 20,000 |
| (\$1 x 5) | | \$25 | 1,000 | 25,000 |
| \$50 | | \$50 | 100 | 5,000 |
| \$25 | | \$50 | 140 | 7,000 |
| | \$25 | \$50 | 140 | 7,000 |
| (\$10 x 5) | | \$50 | 160 | 8,000 |
| | \$25 | \$50 | 200 | 10,000 |
| (\$5 x 5) | | \$50 | 200 | 10,000 |

(k) The odds of winning a prize in this game are approximately one in 3.54. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2671. "Royal Treasures" instant ticket lottery game number 389. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Royal Treasures" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2671.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|--------------------|----------|
| FREE | TICKET |
| \$2 ⁰⁰ | TWO\$ |
| \$3 ⁰⁰ | THREE\$ |
| \$5 ⁰⁰ | FIVE\$ |
| \$10 ⁰⁰ | TEN\$ |
| \$15 ⁰⁰ | FIFTN\$ |
| \$25 ⁰⁰ | TWEN-FIV |
| \$50 ⁰⁰ | FIFTY |
| \$100 | HUNDRED |
| \$500 | FIV-HUN |
| \$10,000 | TEN-THO |

The "game symbols" for this game are as follows:

| Game Symbols | |
|--------------|-------|
| 1 | ONE |
| 2 | TWO |
| 3 | THREE |
| 4 | FOUR |
| 5 | FIVE |
| 6 | SIX |
| 7 | SEVEN |
| 8 | EIGHT |
| 9 | NINE |
| 10 | TEN |
| 11 | ELEVN |
| 12 | TWELV |
| 13 | THRTN |
| 14 | FORTN |
| 15 | FIFTN |
| 16 | SIXTN |
| 17 | SEVTN |
| 18 | EGHTN |
| 19 | NINTN |
| 20 | TWNTY |
| 21 | TWONE |
| 22 | TWTWO |
| 23 | TWTHR |
| 24 | TWFOR |
| 25 | TWFIV |

(continued)

Symbol of a jewel JEWEL

(c) For this game, a play symbol shall appear in each of 22 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free Ticket |
| TWO | = | \$2.00 |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |
| FTN | = | \$15.00 |
| TWF | = | \$25.00 |
| FTY | = | \$50.00 |
| HUN | = | \$100.00 |
| FHN | = | \$500.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) In "Royal Treasures," the player will remove the scratch-off material to reveal two "WINNING NUMBERS" and 10 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches either of the "WINNING NUMBERS" to any of the "YOUR NUMBERS," the player wins the the prize amount shown for that "YOUR NUMBER." If a player reveals a "JEWEL" symbol, the player wins \$50 instantly.

(h) Each ticket in this game may win up to 10 times.

(i) Approximately 720,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|-----------------------|-------------|-----------------------------------|------------------------|
| \$2 Free Ticket | Free Ticket | 72,000 | \$0 |
| \$2 | \$2 | 57,600 | 115,200 |
| \$5 | \$5 | 28,800 | 144,000 |
| (\$2 x 2) + (\$3 x 2) | \$10 | 4,800 | 48,000 |
| \$10 | \$10 | 4,800 | 48,000 |
| (\$5 x 2) | \$10 | 4,800 | 48,000 |
| \$15 | \$15 | 4,800 | 72,000 |
| \$25 | \$25 | 2,400 | 60,000 |
| (\$5 x 3) + \$10 | \$25 | 2,400 | 60,000 |
| \$50 (jewel symbol)* | \$50 | 1,800 | 90,000 |
| (\$5 x 10) | \$50 | 600 | 30,000 |
| \$100 | \$100 | 100 | 10,000 |
| (\$10 x 10) | \$100 | 200 | 20,000 |
| \$500 | \$500 | 20 | 10,000 |
| (\$50 x 10) | \$500 | 20 | 10,000 |
| \$10,000 | \$10,000 | 4 | 40,000 |
| TOTAL | | <u>185,144</u> | <u>\$805,200</u> |

* Jewel symbol denotes instant win

(k) The odds of winning a prize in this game are approximately one in 3.89. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

111-4-2672. "Veterans Celebration" instant ticket lottery game number 390. (a) The Kansas lottery shall

conduct an instant winner lottery game entitled "Veterans Celebration" commencing on or after April 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-2672.

(b) The "prize symbols" and "captions" for this game are as follows:

| Prize Symbols | Captions |
|---------------|----------|
| FREE | TICKET |
| \$2.00 | TWO\$ |
| \$3.00 | THREE\$ |
| \$5.00 | FIVE\$ |
| \$10.00 | TEN\$ |
| \$15.00 | FIFTN\$ |
| \$20.00 | TWENY |
| \$50.00 | FIFTY |
| \$100 | HUNDRED |
| \$500 | FIV-HUN |
| \$10,000 | TEN-THO |

The "game symbols" for this game are as follows:

| Game Symbols | |
|------------------|-------|
| 1 | ONE |
| 2 | TWO |
| 3 | THREE |
| 4 | FOUR |
| 5 | FIVE |
| 6 | SIX |
| 7 | SEVEN |
| 8 | EIGHT |
| 9 | NINE |
| 10 | TEN |
| 11 | ELEVN |
| 12 | TWELV |
| 13 | THRTN |
| 14 | FORTN |
| 15 | FIFTN |
| 16 | SIXTN |
| 17 | SEVTN |
| 18 | EGHTN |
| 19 | NINTN |
| 20 | TWNTY |
| 21 | TWONE |
| 22 | TWTWO |
| 23 | TWTHR |
| 24 | TWFOR |
| 25 | TWFIV |
| Symbol of a star | STAR |

(c) For this game, a play symbol shall appear in each of 22 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

| | | |
|-----|---|-------------|
| FRE | = | Free Ticket |
| TWO | = | \$2.00 |
| THR | = | \$3.00 |
| FIV | = | \$5.00 |
| TEN | = | \$10.00 |

| | | |
|-----|---|----------|
| FTN | = | \$15.00 |
| TWY | = | \$20.00 |
| FTY | = | \$50.00 |
| HUN | = | \$100.00 |
| FHN | = | \$500.00 |

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) In "Veterans Celebration," the player will remove the scratch-off material to reveal two "WINNING NUMBERS" and 10 "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If a player matches either of the "WINNING NUMBERS" to any of the "YOUR NUMBERS," the player wins the prize amount shown for that "YOUR NUMBER." If a player reveals a "STAR" symbol, the player wins all 10 prizes.

(h) Each ticket in this game may win up to 10 times.

(i) Approximately 720,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

| | Prize | Expected Number of Prizes in Game | Expected Value in Game |
|-----------------------|-------------|-----------------------------------|------------------------|
| \$2 Free Ticket | Free Ticket | 72,000 | \$0 |
| \$2 | \$2 | 57,600 | 115,200 |
| \$3 | \$3 | 28,800 | 86,400 |
| \$5 | \$5 | 19,200 | 96,000 |
| (\$2 x 2) + (\$3 x 2) | \$10 | 4,800 | 48,000 |
| \$10 | \$10 | 4,800 | 48,000 |
| \$15 | \$15 | 2,400 | 36,000 |
| (\$5 x 3) | \$15 | 4,800 | 72,000 |
| \$20 | \$20 | 2,400 | 48,000 |
| \$2 (star symbol)* | \$20 | 2,400 | 48,000 |
| \$50 | \$50 | 600 | 30,000 |
| \$5 (star symbol)* | \$50 | 1,800 | 90,000 |
| \$100 | \$100 | 100 | 10,000 |
| \$10 (star symbol)* | \$100 | 100 | 10,000 |
| \$500 | \$500 | 22 | 11,000 |
| \$50 (star symbol)* | \$500 | 30 | 15,000 |
| \$10,000 | \$10,000 | 4 | 40,000 |
| TOTAL | | <u>201,856</u> | <u>\$803,600</u> |

* Star symbol denotes win all

(k) The odds of winning a prize in this game are approximately one in 3.57. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, March 12, 2008.)

NASCAR KANSAS LOTTERY 300 DRAWING

111-4-2673. Name of drawing. The Kansas lottery shall conduct a drawing entitled "NASCAR Kansas Lottery 300 Drawing," and will accept entries on and after the day "Kansas Lottery 300" instant ticket game number 756 is first offered for sale to the general public and ending on Tuesday, August 19, 2008, as specified in K.A.R. 111-4-2676. All references to the "Kansas Lottery 300" ticket for this drawing are to the \$5.00 "Kansas Lottery 300" instant ticket, game number 756. The drawing will be held on Friday, August 22, 2008, at Kansas lottery headquarters in Topeka, Kansas. Rules applicable to the "NASCAR Kansas Lottery 300" are contained in K.A.R. 111-4-2673 through 111-4-2678 and K.A.R. 111-3-1, *et seq.*

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2674. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "NASCAR Kansas Lottery 300 Drawing" means the act of drawing prizes conducted by the Kansas lottery at lottery headquarters in Topeka, Kansas, at the time described in K.A.R. 111-4-2676, in which participants are selected to win various prizes as described in K.A.R. 111-4-2675.

(c) "Non-winning ticket" means any valid "Kansas Lottery 300" instant game lottery ticket not eligible to win a prize under the rules of the "Kansas Lottery 300" instant game.

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "NASCAR Kansas Lottery 300 Drawing" entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2675. Prize. (a) The winner of a grand prize at the "NASCAR Kansas Lottery 300 Drawing," which will be conducted on August 22, 2008, shall receive a racing weekend package for two persons. The racing weekend package for two persons shall consist of two tickets for each day of the September 27 and 28, 2008, races conducted at Kansas Speedway in Kansas City, Kansas, one double occupancy hotel room and room taxes for the evenings of September 26, 2008, and September 27, 2008, standard hotel parking, round-trip transportation between Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at Kansas Speedway, \$300 cash, and mandatory state and federal withholding taxes. The following restrictions shall apply to this prize:

(1) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(2) Prize packages are transferable one time and cannot be redeemed for cash.

(3) The lottery shall choose and reserve all hotel rooms.

(4) The lottery shall provide transportation to and from Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(5) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(6) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(continued)

(7) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the basic room charge, and standard parking fees for one vehicle for each prize package. The lottery shall not be responsible for any additional expenses charged to the room.

(b) There will be 40 (forty) winners selected at the drawing.

(c) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(d) The winner of a prize shall return to the lottery a completed claim form as provided by the lottery within 14 calendar days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (e) of K.A.R. 111-4-2677 shall be declared the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2676. Method of entry. (a) Entry into the "NASCAR Kansas Lottery 300 Drawing" to be conducted on August 22, 2008, shall be accomplished as follows:

(1) Obtain a valid "Kansas Lottery 300" instant lottery ticket.

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Lottery 300" game rules. If the ticket is a winning ticket, it is not eligible for the drawing and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the drawing.

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) Entries may be mailed with proper postage to "NASCAR Kansas Lottery 300 Drawing, c/o Kansas lottery, P. O. Box 750980, Topeka, Kansas 66675-0980." Mailed entries must be received by morning mail pickup on Tuesday, August 19, 2008. More than one entry may be mailed in one envelope.

(6) Players may also deposit entries for this drawing at any Kansas lottery event at which the lottery has specifically designated a receptacle for deposit of said entries.

(7) The holder of the ticket is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(8) The drawing will be conducted on Friday, August 22, 2008.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Kansas Lottery 300" tickets which are mailed to "NASCAR Kansas Lottery 300 Drawing, c/o Kansas lottery, P. O. Box 750980, Topeka, Kansas 66675-0980" with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, August 19, 2008, and non-winning "Kansas Lottery 300" tickets entered at the Kansas lottery location at Kansas Speedway and other locations as may be specifically designated by the lottery shall be eligible for the drawing.

(d) Eligible entrants in the "NASCAR Kansas Lottery 300 Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2677. Selection of winners. The following process shall be used for the selection of winners in the "NASCAR Kansas Lottery 300 Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "NASCAR Kansas Lottery 300 Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, August 19, 2008. Following the morning mail pickup on Tuesday, August 19, 2008, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries and entries retained from the Kansas lottery selling location at Kansas Speedway and such other locations as specifically designated by the lottery shall then be placed in the drawing receptacle or drum.

(b) The drawing shall be held at Kansas lottery headquarters and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the final drawing on Friday, August 22, 2008, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove 40 entries from the receptacle or drum, one at a time. The person whose name appears on each entry shall be the winner of one of the prize packages identified in K.A.R. 111-4-2675, subject to validation by the lottery as set forth in these rules. Each valid entry shall be numbered from one through 40.

(e) After 40 entries have been drawn, and the entries have been verified as valid, 10 more entries will be drawn, one at a time. The last 10 entries drawn will serve as alternate entries for the prize packages. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth calendar day following the drawing. The alternates will be used, if necessary, in the order drawn. If an alternate winner cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth calendar day following the claim form being given or sent to the alternate winner, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "NASCAR Kansas Lottery 300 Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) Only non-winning "Kansas Lottery 300" instant tickets as defined by these rules are eligible for the drawing.

(i) All "Kansas Lottery 300" tickets remaining in the drum or receptacle on August 22, 2008, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2678. Certification of drawing. (a) The "NASCAR Kansas Lottery 300 Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

THE GREAT SANTA FE TRAIL HORSE RACE SECOND CHANCE DRAWING

111-4-2679. Name of drawing. The Kansas lottery shall conduct a drawing entitled "The Great Santa Fe Trail Horse Race Second Chance Drawing" and will accept entries starting the day the "Great Santa Fe Trail Horse Race" instant ticket is offered for sale, for the drawing to be conducted on September 13, 2008. Rules applicable to this drawing are contained in K.A.R. 111-4-2679 through 111-4-2683 and K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2680. Prize. The two prize winners selected in "The Great Santa Fe Trail Horse Race Second Chance Drawing" on the date specified in these regulations shall receive round trip air fare for two to Santa Fe, New Mexico, one double occupancy hotel room and room taxes at a hotel chosen by the lottery for four days and 3 nights, \$5,000 cash, and mandatory income withholding taxes. The following restrictions shall apply to the prize packages:

(a) The Kansas lottery is not responsible for any losses caused by delay or cancellation of any of said festival or concert.

(b) Prize packages, except cash, are transferable one time, but cannot be redeemed for cash.

(c) The lottery shall choose and reserve all hotel rooms.

(d) The lottery shall provide transportation to and from the hotel on a scheduled basis. All other transportation is the responsibility of the prize winners.

(e) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(f) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(g) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the basic room charge, and parking.

(h) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(i) No later than 5:00 p.m. on the thirtieth calendar day following the drawing, the winner of a prize as the result of this drawing shall return to the lottery a completed claim form as provided by the lottery or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to these regulations shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners.

(j) A total of two prize packages shall be awarded. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2681. Method of entry. (a) Entry into "The Great Santa Fe Trail Horse Race Second Chance Drawing" shall be accomplished as follows:

(1) Obtain a valid "The Great Santa Fe Trail Horse Race" Kansas lottery instant lottery ticket.

(2) Determine if the ticket is a winning ticket in accordance with the rules of said instant game. If the ticket is a winning ticket, it is not eligible for the drawing and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the drawing.

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) Place one or more entries into an envelope with proper postage and mail it to: "The Great Santa Fe Trail Horse Race Drawing, c/o Kansas lottery, P. O. Box 1453, Great Bend, KS 67530-1453." Mailed entries must be received by morning mail pickup on Tuesday, September 9, 2008.

(6) No later than 5:00 p.m. CST on September 9, 2008, players may also deposit entries for this drawing into any receptacle the Kansas lottery has specifically designated for deposit of said entries.

(7) The holder of the ticket is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(continued)

(8) Two entries and three alternate entries will be drawn.

(b) There is no limit on the number of entries a person may make, but a person may only win one prize package.

(c) All eligible entries which are timely received in accordance with the rules of this drawing shall be entered into the drawing to be conducted on Friday, September 13, 2008.

(d) Eligible entrants in this drawing must be 18 years of age or older.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2682. Selection of winners. The following process shall be used for the selection of winners in "The Great Santa Fe Trail Horse Race Second Chance Drawing":

(a) Kansas lottery personnel shall pick up all mail containing entries for this drawing at the United States Post Office in Great Bend, Kansas, with final pick up for the drawing after the morning mail delivery on Tuesday, September 9, 2008, prior to the drawing on Friday, September 13, 2008.

(b) Lottery personnel shall transport the mail to the Kansas lottery mail room where the envelopes will be opened and emptied into the drawing receptacle or drum, along with all entries deposited into receptacles designated by the lottery pursuant to the rules of this drawing.

(c) The drawing shall be held at the lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of the drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the drawing shall contain all entries eligible for the drawing. The drum shall be rotated 10 times or receptacle mixed thoroughly as may be applicable. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove two valid entries, one at a time, from the receptacle or drum and mark them in order drawn from one through and including two. The person whose name appears on each of the entries shall be the winner of the prize identified in these regulations,

subject to validation by the lottery as set forth in these rules.

(e) After two entries have been drawn and verified as valid by lottery security, three more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, and 3A. The alternate ticket entries will be used only if one or more of the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form to lottery headquarters as required by these regulations. The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into this drawing in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 30 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) All entries remaining in the drum or receptacle after the winners have been selected and certified and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

111-4-2683. Certification of drawing. (a) The "Great Santa Fe Trail Horse Race Second Chance Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting each prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, March 12, 2008.)

Ed Van Petten
Executive Director

Doc. No. 036302

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes and the 2007 Supplement of the *Kansas Administrative Regulations*.

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| Reg. No. | Action | Register |
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| 1-64-1 | New | V. 26, p. 1393 |

AGENCY 3: KANSAS STATE TREASURER

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 3-3-1 | Amended (T) | V. 27, p. 1091 |
| 3-3-1 | Amended | V. 27, p. 1517 |
| 3-3-2 | New (T) | V. 27, p. 1091 |
| 3-3-2 | New | V. 27, p. 1517 |
| 3-4-1 | Amended | V. 26, p. 1045 |
| 3-4-2 | Amended | V. 26, p. 1045 |
| 3-4-4 | Amended | V. 26, p. 1045 |
| 3-4-5 | Amended | V. 26, p. 1045 |
| 3-4-6 | Amended | V. 26, p. 1045 |

AGENCY 4: DEPARTMENT OF AGRICULTURE

| Reg. No. | Action | Register |
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| 4-2-8 | Amended | V. 27, p. 16 |
| 4-2-20 | Amended | V. 27, p. 16 |
| 4-3-47 | Amended | V. 27, p. 16 |
| 4-3-49 | Amended | V. 27, p. 16 |
| 4-3-51 | Amended | V. 27, p. 16 |
| 4-7-900 | Amended | V. 27, p. 1022 |
| 4-7-901 | Revoked | V. 27, p. 1022 |
| 4-7-902 | Amended | V. 27, p. 1022 |
| 4-7-903 | Amended | V. 27, p. 1023 |
| 4-7-904 | Amended | V. 27, p. 1023 |
| 4-8-14a | Amended | V. 26, p. 489 |
| 4-8-27 | Amended | V. 26, p. 489 |
| 4-8-28 | Amended | V. 26, p. 489 |
| 4-8-29 | Amended | V. 26, p. 489 |
| 4-8-30 | Amended | V. 26, p. 489 |
| 4-8-31 | Amended | V. 26, p. 489 |
| 4-8-33 | Amended | V. 26, p. 489 |
| 4-8-34 | Amended | V. 26, p. 489 |
| 4-8-35 | Amended | V. 26, p. 489 |
| 4-8-39 | Amended | V. 26, p. 490 |
| 4-8-42 | Amended | V. 26, p. 490 |
| 4-11-2 | Amended | V. 26, p. 100 |
| 4-11-3 | Amended | V. 26, p. 100 |
| 4-11-15 | New | V. 26, p. 101 |
| 4-13-1 | Amended | V. 27, p. 186 |
| 4-13-3 | Amended | V. 27, p. 187 |
| 4-13-9 | Amended | V. 27, p. 188 |
| 4-13-11 | Revoked | V. 27, p. 188 |
| 4-13-13 | Amended | V. 27, p. 188 |
| 4-13-20 | Amended | V. 27, p. 190 |
| 4-13-21 | Amended | V. 27, p. 191 |
| 4-13-22 | Amended | V. 27, p. 191 |
| 4-13-23 | Amended | V. 27, p. 191 |
| 4-13-24 | Amended | V. 27, p. 191 |
| 4-13-33 | Amended | V. 27, p. 191 |
| 4-13-40 | Amended | V. 27, p. 1023 |
| 4-13-41 | Revoked | V. 27, p. 1023 |
| 4-13-42 | Revoked | V. 27, p. 1023 |
| 4-13-60 | Amended | V. 27, p. 1023 |
| 4-13-61 | Revoked | V. 27, p. 1023 |
| 4-13-64 | Amended | V. 27, p. 1023 |
| 4-13-65 | Amended | V. 27, p. 1024 |
| 4-15-9 | Amended | V. 26, p. 81 |
| 4-15-11 | Amended | V. 27, p. 1024 |
| 4-15-12 | Revoked | V. 27, p. 1024 |
| 4-15-13 | Amended | V. 27, p. 1024 |
| 4-15-14 | Amended | V. 27, p. 1024 |
| 4-16-7a | Amended | V. 27, p. 1024 |

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| 4-16-300 | Amended | V. 27, p. 1025 |
| 4-16-301 | Revoked | V. 27, p. 1025 |
| 4-16-302 | Amended | V. 27, p. 1025 |
| 4-16-303 | Amended | V. 27, p. 1025 |
| 4-16-304 | Amended | V. 27, p. 1025 |
| 4-16-305 | Amended | V. 27, p. 1025 |
| 4-17-300 | Amended | V. 27, p. 1026 |
| 4-17-301 | Revoked | V. 27, p. 1026 |
| 4-17-302 | Amended | V. 27, p. 1026 |
| 4-17-303 | Amended | V. 27, p. 1026 |
| 4-17-304 | Amended | V. 27, p. 1026 |
| 4-17-305 | Amended | V. 27, p. 1027 |
| 4-19-1 | Amended | V. 26, p. 173 |
| 4-20-11 | Amended | V. 27, p. 1027 |
| 4-28-8 | | |
| through | | |
| 4-28-16 | New | V. 27, p. 191-195 |

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 5-40-1 | Amended | V. 26, p. 642 |
| 5-40-2 | Amended | V. 26, p. 644 |
| 5-40-2a | New | V. 26, p. 646 |
| 5-40-2b | New | V. 26, p. 647 |
| 5-40-3 | Amended | V. 26, p. 647 |
| 5-40-4 | Amended | V. 26, p. 647 |
| 5-40-5 | Amended | V. 26, p. 648 |
| 5-40-5a | New | V. 26, p. 648 |
| 5-40-8 | Amended | V. 26, p. 648 |
| 5-40-9 | Revoked | V. 26, p. 648 |
| 5-40-10 | Revoked | V. 26, p. 648 |
| 5-40-11 | Revoked | V. 26, p. 648 |
| 5-40-12 | Amended | V. 26, p. 648 |
| 5-40-13 | Revoked | V. 26, p. 649 |
| 5-40-20 | New | V. 26, p. 649 |
| 5-40-21 | New | V. 26, p. 649 |
| 5-40-22 | New | V. 26, p. 649 |
| 5-40-23 | New | V. 26, p. 650 |
| 5-40-24 | Amended | V. 27, p. 1438 |
| 5-40-26 | New | V. 26, p. 651 |
| 5-40-30 | New | V. 26, p. 651 |
| 5-40-31 | New | V. 26, p. 652 |
| 5-40-32 | New | V. 26, p. 653 |
| 5-40-33 | New | V. 26, p. 653 |
| 5-40-40 | New | V. 26, p. 653 |
| 5-40-41 | New | V. 26, p. 654 |
| 5-40-42 | New | V. 26, p. 654 |
| 5-40-43 | New | V. 26, p. 655 |
| 5-40-44 | New | V. 26, p. 655 |
| 5-40-45 | New | V. 26, p. 655 |
| 5-40-46 | New | V. 26, p. 655 |
| 5-40-50 | New | V. 26, p. 656 |
| 5-40-51 | New | V. 26, p. 656 |
| 5-40-52 | New | V. 26, p. 657 |
| 5-40-53 | New | V. 26, p. 657 |
| 5-40-54 | New | V. 26, p. 657 |
| 5-40-55 | New | V. 26, p. 658 |
| 5-40-56 | New | V. 26, p. 658 |
| 5-40-57 | New | V. 26, p. 658 |
| 5-40-70 | New | V. 26, p. 659 |
| 5-40-71 | New | V. 26, p. 659 |
| 5-40-72 | New | V. 26, p. 659 |
| 5-40-73 | New | V. 26, p. 659 |
| 5-40-73a | New | V. 26, p. 660 |
| 5-40-74 | New | V. 26, p. 661 |
| 5-40-75 | New | V. 26, p. 661 |
| 5-40-76 | New | V. 26, p. 662 |
| 5-40-77 | New | V. 26, p. 662 |
| 5-40-90 | New | V. 26, p. 662 |
| 5-40-91 | New | V. 26, p. 663 |
| 5-40-92 | New | V. 26, p. 663 |
| 5-40-93 | New | V. 26, p. 663 |
| 5-40-94 | New | V. 26, p. 663 |
| 5-40-100 | New | V. 26, p. 663 |
| 5-40-101 | New | V. 26, p. 663 |
| 5-40-102 | New | V. 26, p. 664 |
| 5-40-103 | New | V. 26, p. 664 |
| 5-40-104 | New | V. 26, p. 664 |
| 5-40-105 | New | V. 26, p. 664 |
| 5-40-106 | New | V. 26, p. 664 |
| 5-42-1 | Amended | V. 26, p. 664 |
| 5-42-5 | New | V. 26, p. 665 |

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| 5-44-7 | New | V. 26, p. 666 |
| 5-45-1 | Amended | V. 27, p. 1439 |
| 5-45-4 | Amended | V. 27, p. 1440 |
| 5-45-19 | | |
| through | | |
| 5-45-23 | New | V. 27, p. 1441, 1442 |

AGENCY 7: SECRETARY OF STATE

| Reg. No. | Action | Register |
|----------|---------|--------------------|
| 7-17-1 | Amended | V. 27, p. 965 |
| 7-17-4 | Amended | V. 27, p. 966 |
| 7-17-11 | Amended | V. 27, p. 966 |
| 7-17-19 | Amended | V. 27, p. 966 |
| 7-17-21 | Amended | V. 27, p. 966 |
| 7-17-22 | Amended | V. 27, p. 966 |
| 7-17-24 | Amended | V. 27, p. 967 |
| 7-21-1 | Amended | V. 27, p. 967 |
| 7-21-2 | Amended | V. 27, p. 967 |
| 7-21-3 | Revoked | V. 27, p. 967 |
| 7-21-4 | New | V. 27, p. 967 |
| 7-23-13 | Revoked | V. 27, p. 968 |
| 7-37-2 | Revoked | V. 27, p. 968 |
| 7-38-2 | Revoked | V. 27, p. 968 |
| 7-44-1 | | |
| through | | |
| 7-44-7 | New | V. 26, p. 505, 506 |
| 7-45-1 | New | V. 27, p. 968 |
| 7-45-2 | New | V. 27, p. 968 |

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 10-20-1 | Amended | V. 26, p. 507 |
| 10-20-2 | Amended | V. 26, p. 507 |
| 10-20-2a | Amended | V. 26, p. 507 |
| 10-20-4 | Amended | V. 26, p. 507 |

AGENCY 11: STATE CONSERVATION COMMISSION

| Reg. No. | Action | Register |
|----------|---------|---------------------|
| 11-8-3 | Amended | V. 26, p. 1543 |
| 11-8-4 | Amended | V. 26, p. 1543 |
| 11-12-1 | | |
| through | | |
| 11-12-7 | New | V. 26, p. 1184-1187 |
| 11-12-1 | Amended | V. 27, p. 1374 |
| 11-12-2 | Amended | V. 27, p. 1375 |
| 11-12-3 | Amended | V. 27, p. 1376 |
| 11-12-4 | Amended | V. 27, p. 1377 |
| 11-12-6 | Amended | V. 27, p. 1377 |

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 14-8-2 | Amended | V. 26, p. 1906 |
| 14-8-3 | Amended | V. 26, p. 1906 |
| 14-8-6 | Revoked | V. 27, p. 1214 |
| 14-8-7 | Amended | V. 27, p. 1214 |
| 14-8-8 | Revoked | V. 27, p. 1214 |
| 14-8-12 | Revoked | V. 27, p. 1214 |
| 14-16-23 | Revoked | V. 26, p. 1906 |
| 14-16-24 | Revoked | V. 26, p. 1906 |
| 14-17-7 | New | V. 27, p. 1214 |
| 14-24-1 | | |
| through | | |
| 14-24-6 | New | V. 26, p. 1907 |

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

| Reg. No. | Action | Register |
|----------|--------|---------------|
| 17-25-1 | New | V. 27, p. 356 |

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 19-20-4 | Amended | V. 27, p. 1020 |
| 19-20-5 | New | V. 27, p. 1021 |
| 19-27-2 | Amended | V. 27, p. 1021 |

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 28-1-5 | Amended | V. 26, p. 1115 |
| 28-1-6 | Amended | V. 26, p. 1115 |

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| 28-1-20 | Amended | V. 27, p. 989 |
| 28-4-117 | Amended | V. 27, p. 990 |
| 28-4-120 | Amended | V. 27, p. 990 |
| 28-4-121 | New | V. 27, p. 990 |
| 28-4-122 | Amended | V. 27, p. 317 |
| 28-4-311 | Amended | V. 27, p. 317 |
| 28-4-312 | | |
| through | | |
| 28-4-317 | Revoked | V. 27, p. 317, 318 |
| 28-4-430 | Amended | V. 27, p. 991 |
| 28-4-800 | | |
| through | | |
| 28-4-825 | New | V. 27, p. 318-334 |
| 28-15-35 | Amended | V. 26, p. 825 |
| 28-15-36 | Amended | V. 26, p. 829 |
| 28-15-36a | Amended | V. 26, p. 829 |
| 28-15-37 | Amended | V. 26, p. 830 |
| 28-16-28g | Amended | V. 27, p. 779 |
| 28-16-56c | Amended | V. 26, p. 283 |
| 28-16-56d | Amended | V. 26, p. 284 |
| 28-18-1 | Amended | V. 26, p. 284 |
| 28-18-2 | Amended | V. 26, p. 288 |
| 28-18-4 | Amended | V. 26, p. 289 |
| 28-18-8 | Amended | V. 26, p. 289 |
| 28-18-9 | Amended | V. 26, p. 290 |
| 28-18-11 | Amended | V. 26, p. 1929 |
| 28-18-12 | Amended | V. 26, p. 290 |
| 28-18-13 | Amended | V. 26, p. 291 |
| 28-18-14 | Amended | V. 26, p. 292 |
| 28-18-16 | New | V. 26, p. 292 |
| 28-18-17 | New | V. 26, p. 293 |
| 28-18a-1 | Amended | V. 26, p. 294 |
| 28-18a-2 | Amended | V. 26, p. 298 |
| 28-18a-4 | Amended | V. 26, p. 299 |
| 28-18a-8 | Amended | V. 26, p. 299 |
| 28-18a-9 | Amended | V. 26, p. 300 |
| 28-18a-11 | Amended | V. 26, p. 1929 |
| 28-18a-12 | Amended | V. 26, p. 300 |
| 28-18a-19 | Amended | V. 26, p. 301 |
| 28-18a-21 | Amended | V. 26, p. 302 |
| 28-18a-22 | Amended | V. 26, p. 302 |
| 28-18a-26 | Amended | V. 26, p. 303 |
| 28-18a-32 | Revoked | V. 26, p. 303 |
| 28-18a-33 | New | V. 26, p. 303 |
| 28-19-720 | Amended | V. 26, p. 951 |
| 28-19-728 | New | V. 26, p. 951 |
| 28-19-728a | | |
| through | | |
| 28-19-728f | New | V. 26, p. 951, 952 |
| 28-19-735 | Amended | V. 26, p. 953 |
| 28-19-750 | Amended | V. 26, p. 953 |
| 28-23-16 | Revoked | V. 27, p. 191 |
| 28-24-1 | | |
| through | | |
| 28-24-14 | Amended | V. 26, p. 1510-1514 |
| 28-24-15 | Revoked | V. 26, p. 1514 |
| 28-24-16 | Revoked | V. 26, p. 1514 |
| 28-24a-1 | New | V. 26, p. 1514 |
| 28-24a-2 | New | V. 26, p. 1514 |
| 28-24a-3 | New | V. 26, p. 1515 |
| 28-29-28 | Amended | V. 26, p. 1610 |
| 28-29-29 | Amended | V. 26, p. 1611 |
| 28-29-29a | Amended | V. 26, p. 1611 |
| 28-29-29b | New | V. 26, p. 1612 |
| 28-29-30 | Amended | V. 26, p. 1612 |
| 28-29-31 | Amended | V. 26, p. 1613 |
| 28-29-31a | New | V. 26, p. 1614 |
| 28-29-32 | Amended | V. 26, p. 1614 |
| 28-29-33 | Amended | V. 26, p. 1615 |
| 28-29-2011 | New | V. 26, p. 1615 |
| 28-29-2101 | Amended | V. 26, p. 1615 |
| 28-32-1 | Revoked | V. 27, p. 247 |
| 28-32-2 | Revoked | V. 27, p. 247 |
| 28-32-4 | Revoked | V. 27, p. 247 |
| 28-32-5 | Revoked | V. 27, p. 247 |
| 28-32-6 | Revoked | V. 27, p. 247 |
| 28-32-7 | Revoked | V. 27, p. 247 |
| 28-32-8 | | |
| through | | |
| 28-32-14 | New | V. 27, p. 247-249 |
| 28-35-135a | Amended | V. 26, p. 1142 |
| 28-35-135d | Amended | V. 26, p. 1144 |
| 28-35-135n | Amended | V. 26, p. 1145 |
| 28-35-135p | Amended | V. 26, p. 1145 |
| 28-35-135r | Amended | V. 26, p. 1147 |

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| 28-35-177a | Amended | V. 26, p. 1148 |
| 28-35-178a | Amended | V. 26, p. 1149 |
| 28-35-178b | Amended | V. 26, p. 1150 |
| 28-35-180a | Amended | V. 26, p. 1151 |
| 28-35-181d | Amended | V. 26, p. 1152 |
| 28-35-181m | Amended | V. 26, p. 1153 |
| 28-35-181n | Amended | V. 26, p. 1154 |
| 28-35-181o | Amended | V. 26, p. 1155 |
| 28-35-182c | Amended | V. 26, p. 1155 |
| 28-35-184a | Amended | V. 26, p. 1156 |
| 28-35-201 | Amended | V. 26, p. 1156 |
| 28-35-202 | Revoked | V. 26, p. 1158 |
| 28-35-203 | Amended | V. 26, p. 1158 |
| 28-35-216a | Amended | V. 26, p. 1159 |
| 28-35-230g | New | V. 26, p. 1159 |
| 28-35-289 | Amended | V. 26, p. 1160 |
| 28-35-292 | Amended | V. 26, p. 1162 |
| 28-35-308 | Amended | V. 26, p. 1162 |
| 28-35-349 | Amended | V. 26, p. 1162 |
| 28-35-450 | Amended | V. 26, p. 1162 |
| 28-36-33 | | |
| through | | |
| 28-36-49 | Revoked (T) | V. 26, p. 1682 |
| 28-36-33 | | |
| through | | |
| 28-36-49 | Revoked | V. 27, p. 73 |
| 28-36-70 | | |
| through | | |
| 28-36-89 | New (T) | V. 26, p. 1682-1696 |
| 28-36-70 | | |
| through | | |
| 28-36-89 | New | V. 27, p. 73-87 |
| 28-36-101 | | |
| through | | |
| 28-36-108 | Amended | V. 26, p. 1776-1779 |
| 28-36-109 | New | V. 26, p. 1780 |
| 28-46-2 | Revoked | V. 26, p. 214 |
| 28-46-2a | New | V. 26, p. 215 |
| 28-46-25 | Amended | V. 26, p. 215 |
| 28-46-26 | Revoked | V. 26, p. 215 |
| 28-46-26a | New | V. 26, p. 215 |
| 28-46-34a | New | V. 26, p. 215 |
| 28-46-38 | Amended | V. 26, p. 216 |
| 28-54-1 | | |
| through | | |
| 28-54-7 | New | V. 26, p. 1640-1642 |
| 28-59-5 | Amended | V. 27, p. 462 |
| 28-61-11 | Amended | V. 27, p. 464 |

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 30-4-98 | Amended | V. 26, p. 1905 |
| 30-5-65 | Revoked | V. 26, p. 1091 |
| 30-5-78 | Revoked | V. 27, p. 1022 |
| 30-10-15a | Revoked | V. 27, p. 1345 |
| 30-10-15b | Revoked | V. 27, p. 1345 |
| 30-10-17 | Revoked | V. 27, p. 1345 |
| 30-10-18 | Revoked | V. 27, p. 1345 |
| 30-10-23a | Revoked | V. 27, p. 1346 |
| 30-10-23b | Revoked | V. 27, p. 1346 |
| 30-10-25 | Revoked | V. 27, p. 1346 |
| 30-10-26 | Revoked | V. 27, p. 1346 |
| 30-10-27 | Revoked | V. 27, p. 1346 |
| 30-10-200 | Revoked | V. 27, p. 1346 |
| 30-10-210 | Revoked | V. 27, p. 1346 |
| 30-63-32 | New | V. 27, p. 664 |
| 30-64-24 | Revoked | V. 27, p. 665 |

AGENCY 40: KANSAS INSURANCE DEPARTMENT

| Reg. No. | Action | Register |
|----------|---------|--------------------|
| 40-1-37 | Amended | V. 26, p. 1393 |
| 40-1-51 | Revoked | V. 26, p. 1364 |
| 40-2-20 | Amended | V. 26, p. 101 |
| 40-2-29 | New | V. 27, p. 15 |
| 40-2-30 | New | V. 26, p. 1545 |
| 40-3-25 | Amended | V. 27, p. 15 |
| 40-3-34 | Revoked | V. 26, p. 1423 |
| 40-3-52 | New | V. 27, p. 133 |
| 40-4-41 | Amended | V. 27, p. 434 |
| 40-4-41a | | |
| through | | |
| 40-4-41j | Revoked | V. 27, p. 434, 435 |

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| 40-7-19 | Amended | V. 26, p. 881 |
| 40-7-20a | Amended | V. 26, p. 103 |
| 40-7-25 | Amended | V. 26, p. 488 |

AGENCY 44: DEPARTMENT OF CORRECTIONS

| Reg. No. | Action | Register |
|------------|---------|---------------------|
| 44-6-101 | Amended | V. 27, p. 1126 |
| 44-6-114e | Amended | V. 27, p. 1128 |
| 44-6-115a | Amended | V. 27, p. 1134 |
| 44-6-125 | Amended | V. 27, p. 1135 |
| 44-6-127 | | |
| through | | |
| 44-6-132 | New | V. 27, p. 1135-1138 |
| 44-6-136 | Amended | V. 26, p. 819 |
| 44-11-111 | Amended | V. 26, p. 819 |
| 44-11-113 | Amended | V. 26, p. 820 |
| 44-11-123 | Amended | V. 26, p. 820 |
| 44-12-103 | Amended | V. 26, p. 1074 |
| 44-12-105 | Amended | V. 26, p. 1075 |
| 44-12-106 | Amended | V. 26, p. 1075 |
| 44-12-107 | Amended | V. 26, p. 1075 |
| 44-12-208 | Amended | V. 26, p. 1075 |
| 44-12-210 | Amended | V. 26, p. 1075 |
| 44-12-211 | New | V. 26, p. 1075 |
| 44-12-212 | New | V. 26, p. 1075 |
| 44-12-304 | Amended | V. 26, p. 1075 |
| 44-12-306 | Amended | V. 26, p. 1076 |
| 44-12-308 | Amended | V. 26, p. 1076 |
| 44-12-312 | Amended | V. 26, p. 1076 |
| 44-12-315 | Amended | V. 26, p. 1076 |
| 44-12-320a | New | V. 26, p. 1076 |
| 44-12-325 | Amended | V. 26, p. 1076 |
| 44-12-601 | Amended | V. 26, p. 1077 |
| 44-12-901 | Amended | V. 26, p. 1079 |
| 44-12-902 | Amended | V. 26, p. 1079 |
| 44-12-903 | New | V. 26, p. 1079 |
| 44-12-1101 | Amended | V. 26, p. 1080 |
| 44-12-1201 | Amended | V. 26, p. 1080 |
| 44-12-1301 | Amended | V. 26, p. 1080 |
| 44-12-1302 | Amended | V. 26, p. 1081 |
| 44-12-1303 | Amended | V. 26, p. 1081 |
| 44-12-1306 | Amended | V. 26, p. 1081 |
| 44-12-1308 | Amended | V. 26, p. 1081 |
| 44-13-101a | Amended | V. 26, p. 1082 |
| 44-13-106 | Amended | V. 26, p. 1082 |
| 44-13-201 | Amended | V. 26, p. 1082 |
| 44-13-201a | New | V. 26, p. 1083 |
| 44-13-201b | Amended | V. 26, p. 1084 |
| 44-13-202 | Amended | V. 26, p. 1084 |
| 44-13-307 | Amended | V. 26, p. 1085 |
| 44-13-402 | Amended | V. 26, p. 1085 |
| 44-13-403 | Amended | V. 26, p. 1085 |
| 44-13-404 | Amended | V. 26, p. 1087 |
| 44-13-405a | Amended | V. 26, p. 1088 |
| 44-13-406 | Amended | V. 26, p. 1089 |
| 44-13-408 | Amended | V. 26, p. 1089 |
| 44-13-603 | Amended | V. 26, p. 1089 |
| 44-13-610 | Amended | V. 26, p. 1089 |
| 44-13-701 | Amended | V. 26, p. 1090 |
| 44-13-703 | Amended | V. 26, p. 1090 |
| 44-13-704 | Amended | V. 26, p. 1090 |
| 44-15-101a | Amended | V. 26, p. 820 |
| 44-15-102 | Amended | V. 26, p. 821 |
| 44-15-104 | Amended | V. 26, p. 822 |
| 44-16-104a | New | V. 26, p. 822 |

AGENCY 49: DEPARTMENT OF LABOR

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 49-45-1 | Amended | V. 27, p. 1466 |
| 49-45-2 | Amended | V. 27, p. 1466 |
| 49-45-3 | Amended | V. 27, p. 1466 |
| 49-45-4 | Amended | V. 27, p. 1466 |
| 49-45-4a | Amended | V. 27, p. 1466 |
| 49-45-5 | Amended | V. 27, p. 1466 |
| 49-45-6 | Amended | V. 27, p. 1466 |
| 49-45-7 | Amended | V. 27, p. 1467 |
| 49-45-8 | Amended | V. 27, p. 1467 |
| 49-45-9 | Amended | V. 27, p. 1467 |
| 49-45-20 | Amended | V. 27, p. 1467 |
| 49-45-28 | Amended | V. 27, p. 1467 |
| 49-45-29 | Amended | V. 27, p. 1467 |
| 49-45-29b | New | V. 27, p. 1467 |
| 49-45-31 | Amended | V. 27, p. 1467 |

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| 49-45-34 | Amended | V. 27, p. 1467 |
| 49-45-35 | Amended | V. 27, p. 1467 |
| 49-45-36 | New | V. 26, p. 1647 |
| 49-45-47 | Amended | V. 27, p. 1467 |
| 49-50-6 | Amended | V. 26, p. 1647 |
| 49-50-20 | Amended | V. 26, p. 1647 |

**AGENCY 50: DEPARTMENT OF LABOR—
DIVISION OF EMPLOYMENT**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 50-3-2 | Amended | V. 26, p. 1642 |

**AGENCY 51: DEPARTMENT OF LABOR—
DIVISION OF WORKERS COMPENSATION**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 51-9-7 | Amended | V. 26, p. 1639 |

AGENCY 60: BOARD OF NURSING

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 60-4-101 | Amended | V. 26, p. 446 |
| 60-7-106 | Amended | V. 26, p. 447 |
| 60-8-101 | Amended | V. 26, p. 448 |
| 60-9-106 | Amended | V. 26, p. 1112 |
| 60-11-119 | Amended | V. 26, p. 448 |
| 60-17-102 | Amended | V. 26, p. 448 |
| 60-17-103 | Amended | V. 26, p. 449 |
| 60-17-104 | Amended | V. 26, p. 449 |
| 60-17-105 | Amended | V. 26, p. 450 |
| 60-17-107 | Amended | V. 26, p. 450 |
| 60-17-108 | Amended | V. 26, p. 451 |
| 60-17-110 | Amended | V. 26, p. 451 |

AGENCY 63: BOARD OF MORTUARY ARTS

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 63-1-1 | Amended | V. 26, p. 126 |
| 63-2-26 | New | V. 27, p. 108 |
| 63-4-1 | Amended | V. 27, p. 108 |
| 63-5-1 | Amended | V. 26, p. 126 |

**AGENCY 66: BOARD OF TECHNICAL
PROFESSIONS**

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 66-6-1 | Amended | V. 27, p. 315 |
| 66-6-4 | Amended | V. 27, p. 316 |
| 66-9-5 | Amended | V. 26, p. 1024 |
| 66-10-1 | Amended | V. 27, p. 317 |
| 66-10-10a | Amended | V. 26, p. 1024 |
| 66-11-5 | Amended | V. 26, p. 1025 |

**AGENCY 67: BOARD OF EXAMINERS
IN THE FITTING AND DISPENSING OF
HEARING INSTRUMENTS**

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 67-5-3 | Revoked | V. 26, p. 692 |
| 67-5-4 | Amended | V. 26, p. 692 |
| 67-5-5 | New | V. 26, p. 692 |

AGENCY 68: BOARD OF PHARMACY

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 68-5-16 | Amended | V. 26, p. 488 |
| 68-7-11 | Amended | V. 26, p. 1112 |
| 68-7-12 | Amended | V. 26, p. 1114 |
| 68-7-12b | Amended | V. 27, p. 1518 |
| 68-7-20 | Amended | V. 27, p. 435 |
| 68-11-2 | Amended | V. 27, p. 1518 |
| 68-20-17 | Amended | V. 26, p. 488 |

**AGENCY 69: BOARD OF COSMETOLOGY
(by Dept. of Health and Environment)**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 69-12-6 | Revoked | V. 26, p. 1515 |
| 69-12-13 | Revoked | V. 26, p. 1515 |

**AGENCY 70: BOARD OF
VETERINARY EXAMINERS**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 70-5-1 | Amended | V. 26, p. 1863 |

AGENCY 74: BOARD OF ACCOUNTANCY

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 74-1-2 | Amended | V. 26, p. 1954 |
| 74-1-3 | Amended | V. 26, p. 1954 |
| 74-1-6 | Amended | V. 26, p. 1955 |

| | | |
|-----------|---------|----------------|
| 74-1-8 | Amended | V. 26, p. 1955 |
| 74-2-7 | Amended | V. 26, p. 1955 |
| 74-4-1a | Amended | V. 26, p. 126 |
| 74-4-7 | Amended | V. 27, p. 626 |
| 74-4-8 | Amended | V. 27, p. 626 |
| 74-4-9 | Amended | V. 27, p. 627 |
| 74-4-10 | Amended | V. 27, p. 627 |
| 74-5-2 | Amended | V. 26, p. 1956 |
| 74-5-101 | Amended | V. 26, p. 1957 |
| 74-5-105 | Revoked | V. 26, p. 127 |
| 74-5-201 | Amended | V. 26, p. 1957 |
| 74-5-202 | Amended | V. 26, p. 1957 |
| 74-5-204 | Revoked | V. 26, p. 1957 |
| 74-5-403 | Amended | V. 26, p. 128 |
| 74-5-405a | New | V. 26, p. 1957 |
| 74-5-406 | Amended | V. 26, p. 1958 |
| 74-5-408 | New | V. 26, p. 128 |
| 74-6-1 | Amended | V. 26, p. 1958 |
| 74-7-2 | Amended | V. 26, p. 1958 |
| 74-11-6 | Amended | V. 26, p. 128 |

**AGENCY 81: OFFICE OF THE
SECURITIES COMMISSIONER**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 81-5-7 | Amended | V. 27, p. 1156 |
| 81-7-2 | Amended | V. 27, p. 1156 |
| 81-14-1 | Amended | V. 27, p. 1157 |
| 81-14-5 | Amended | V. 27, p. 1159 |
| 81-14-9 | Amended | V. 27, p. 1163 |

**AGENCY 82: STATE CORPORATION
COMMISSION**

| Reg. No. | Action | Register |
|-----------|-------------|----------------|
| 82-3-103 | Amended | V. 26, p. 1609 |
| 82-3-107 | Amended | V. 27, p. 1518 |
| 82-3-108 | Amended | V. 27, p. 1519 |
| 82-3-111 | Amended | V. 27, p. 1520 |
| 82-3-119 | Revoked | V. 26, p. 1643 |
| 82-3-123 | Amended | V. 26, p. 1643 |
| 82-3-123a | Amended | V. 26, p. 1644 |
| 82-3-124 | Amended | V. 26, p. 1644 |
| 82-3-131 | Amended | V. 26, p. 1645 |
| 82-3-135a | Amended | V. 27, p. 1521 |
| 82-3-135b | Amended | V. 27, p. 1521 |
| 82-3-138 | Amended | V. 27, p. 1521 |
| 82-3-140 | Amended | V. 26, p. 1645 |
| 82-3-300 | Amended | V. 26, p. 1645 |
| 82-3-303 | Amended | V. 26, p. 823 |
| 82-3-304 | Amended | V. 26, p. 824 |
| 82-3-402 | Amended | V. 27, p. 1521 |
| 82-3-408 | Amended | V. 26, p. 1646 |
| 82-3-603a | New | V. 26, p. 1610 |
| 82-4-30a | Amended (T) | V. 26, p. 1930 |
| 82-4-30a | Amended | V. 27, p. 1020 |
| 82-11-1 | Amended | V. 27, p. 43 |
| 82-11-3 | Amended | V. 27, p. 43 |
| 82-11-4 | Amended | V. 27, p. 44 |
| 82-11-7 | Amended | V. 27, p. 49 |
| 82-11-8 | Amended | V. 27, p. 49 |

AGENCY 86: REAL ESTATE COMMISSION

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 86-1-2 | Amended | V. 26, p. 1728 |
| 86-1-5 | Amended | V. 26, p. 1728 |
| 86-1-10 | Amended | V. 26, p. 1729 |
| 86-1-11 | Amended | V. 26, p. 1730 |
| 86-1-13 | Amended | V. 26, p. 1731 |
| 86-1-15 | Amended | V. 26, p. 1732 |
| 86-1-17 | Amended | V. 26, p. 1732 |
| 86-1-18 | Amended | V. 26, p. 1733 |
| 86-1-19 | Amended | V. 26, p. 1733 |
| 86-1-20 | New | V. 26, p. 1734 |
| 86-2-3 | Revoked | V. 26, p. 1734 |
| 86-2-5 | Revoked | V. 26, p. 1734 |
| 86-2-7 | Revoked | V. 26, p. 1734 |
| 86-3-3 | Revoked | V. 26, p. 1734 |
| 86-3-8 | Amended | V. 26, p. 1734 |
| 86-3-9 | Amended | V. 26, p. 1734 |
| 86-3-15 | Amended | V. 26, p. 1734 |
| 86-3-19 | Amended (T) | V. 27, p. 1090 |
| 86-3-19 | Amended | V. 27, p. 1517 |
| 86-3-21 | Amended | V. 26, p. 1735 |
| 86-3-22 | Amended | V. 26, p. 1735 |
| 86-3-26a | New | V. 26, p. 1736 |

| | | |
|---------|---------|----------------|
| 86-3-30 | New (T) | V. 27, p. 1091 |
| 86-3-30 | New | V. 27, p. 1517 |

AGENCY 88: BOARD OF REGENTS

| Reg. No. | Action | Register |
|----------|---------|-------------------|
| 88-3-8 | Revoked | V. 26, p. 1141 |
| 88-3-8a | New | V. 26, p. 1141 |
| 88-3-12 | Amended | V. 26, p. 1141 |
| 88-24-1 | Amended | V. 26, p. 1142 |
| 88-24-2 | Amended | V. 26, p. 1142 |
| 88-29-1 | through | |
| 88-29-19 | New | V. 26, p. 216-229 |
| 88-30-1 | New | V. 26, p. 1544 |
| 88-30-2 | New | V. 26, p. 1544 |
| 88-30-3 | New | V. 26, p. 1544 |

**AGENCY 91: DEPARTMENT OF
EDUCATION**

| Reg. No. | Action | Register |
|-----------|---------|-------------------|
| 91-1-200 | Amended | V. 27, p. 1027 |
| 91-1-201 | Amended | V. 27, p. 1028 |
| 91-1-202 | Amended | V. 26, p. 1218 |
| 91-1-203 | Amended | V. 27, p. 1030 |
| 91-1-204 | Amended | V. 27, p. 1034 |
| 91-1-205 | Amended | V. 27, p. 1036 |
| 91-1-207 | Amended | V. 27, p. 1037 |
| 91-1-209 | Amended | V. 27, p. 1037 |
| 91-1-210 | Amended | V. 27, p. 1038 |
| 91-1-220 | Amended | V. 27, p. 1038 |
| 91-1-221 | Amended | V. 27, p. 1040 |
| 91-1-234 | New | V. 26, p. 1226 |
| 91-19-1 | Amended | V. 27, p. 1041 |
| 91-19-6 | Amended | V. 27, p. 1041 |
| 91-40-1 | Amended | V. 27, p. 274 |
| 91-40-2 | Amended | V. 27, p. 279 |
| 91-40-3 | Amended | V. 27, p. 279 |
| 91-40-5 | Amended | V. 27, p. 280 |
| 91-40-7 | through | |
| 91-40-12 | Amended | V. 27, p. 281-284 |
| 91-40-16 | Amended | V. 27, p. 285 |
| 91-40-17 | Amended | V. 27, p. 285 |
| 91-40-21 | Amended | V. 27, p. 286 |
| 91-40-22 | Amended | V. 27, p. 287 |
| 91-40-26 | through | |
| 91-40-31 | Amended | V. 27, p. 287-289 |
| 91-40-33 | Amended | V. 27, p. 290 |
| 91-40-34 | Amended | V. 27, p. 290 |
| 91-40-35 | Amended | V. 27, p. 290 |
| 91-40-37 | Revoked | V. 27, p. 291 |
| 91-40-38 | Amended | V. 27, p. 291 |
| 91-40-39 | Revoked | V. 27, p. 291 |
| 91-40-41 | Amended | V. 27, p. 291 |
| 91-40-42 | Amended | V. 27, p. 291 |
| 91-40-42a | New | V. 27, p. 292 |
| 91-40-43 | Amended | V. 27, p. 293 |
| 91-40-44 | Amended | V. 27, p. 293 |
| 91-40-45 | Amended | V. 27, p. 293 |
| 91-40-46 | Amended | V. 27, p. 294 |
| 91-40-48 | Amended | V. 27, p. 294 |
| 91-40-50 | Amended | V. 27, p. 294 |
| 91-40-51 | Amended | V. 27, p. 295 |

AGENCY 92: DEPARTMENT OF REVENUE

| Reg. No. | Action | Register |
|-----------|---------|--------------------|
| 92-12-114 | New | V. 27, p. 865 |
| 92-12-140 | through | |
| 92-12-145 | New | V. 27, p. 866, 867 |
| 92-19-16a | Amended | V. 26, p. 408 |
| 92-19-16b | New | V. 26, p. 409 |
| 92-19-55a | Revoked | V. 26, p. 409 |
| 92-19-70 | Revoked | V. 27, p. 868 |
| 92-19-81 | Amended | V. 26, p. 409 |
| 92-21-7 | Revoked | V. 26, p. 409 |
| 92-21-8 | Revoked | V. 26, p. 409 |
| 92-21-10 | Revoked | V. 26, p. 409 |
| 92-21-14 | Amended | V. 26, p. 409 |
| 92-21-16 | Revoked | V. 26, p. 409 |
| 92-21-17 | Revoked | V. 26, p. 409 |

(continued)

| | | |
|----------|-----|----------------------|
| 92-27-1 | | |
| through | | |
| 92-27-5 | New | V. 26, p. 1648, 1649 |
| 92-52-14 | New | V. 27, p. 1214 |
| 92-52-15 | New | V. 27, p. 1214 |
| 92-52-16 | New | V. 27, p. 1215 |

AGENCY 94: COURT OF TAX APPEALS

| Reg. No. | Action | Register |
|----------|-------------|---------------------|
| 94-2-1 | | |
| through | | |
| 94-2-5 | Amended (T) | V. 27, p.1091-1093 |
| 94-2-1 | | |
| through | | |
| 94-2-5 | Amended | V. 27, p.1522-1524 |
| 94-2-8 | | |
| through | | |
| 94-2-16 | Amended (T) | V. 27, p. 1093-1095 |
| 94-2-8 | | |
| through | | |
| 94-2-16 | Amended | V. 27, p. 1524-1526 |
| 94-2-19 | Amended (T) | V. 27, p. 1095 |
| 94-2-19 | Amended | V. 27, p. 1527 |
| 94-2-20 | Amended (T) | V. 27, p. 1096 |
| 94-2-20 | Amended | V. 27, p. 1527 |
| 94-2-21 | Amended (T) | V. 27, p. 1096 |
| 94-2-21 | Amended | V. 27, p. 1528 |
| 94-3-1 | Amended (I) | V. 27, p. 1097 |
| 94-3-1 | Amended | V. 27, p. 1529 |
| 94-3-2 | Amended (T) | V. 27, p. 1098 |
| 94-3-2 | Amended | V. 27, p. 1529 |
| 94-4-1 | Amended (T) | V. 27, p. 1098 |
| 94-4-1 | Amended | V. 27, p. 1530 |
| 94-4-2 | Amended (I) | V. 27, p. 1098 |
| 94-4-2 | Amended | V. 27, p. 1530 |

AGENCY 97: KANSAS COMMISSION ON VETERANS' AFFAIRS

| Reg. No. | Action | Register |
|----------|--------|-------------------|
| 97-6-1 | New | V. 26, p. 484 |
| 97-6-2 | New | V. 26, p. 485 |
| 97-6-4 | | |
| through | | |
| 97-6-11 | New | V. 26, p. 485-488 |

AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 99-25-1 | Amended | V. 27, p. 108 |
| 99-25-9 | Amended | V. 27, p. 108 |
| 99-25-11 | New | V. 27, p. 109 |
| 99-27-2 | Amended | V. 27, p. 1019 |
| 99-27-3 | Revoked | V. 27, p. 1019 |
| 99-27-4 | Amended | V. 27, p. 1019 |
| 99-27-5 | Amended | V. 27, p. 1019 |

AGENCY 100: BOARD OF HEALING ARTS

| Reg. No. | Action | Register |
|-----------|-------------|----------------|
| 100-11-1 | Amended | V. 26, p. 1258 |
| 100-15-5 | Amended | V. 26, p. 384 |
| 100-15-6 | Amended | V. 26, p. 385 |
| 100-22-6 | New | V. 26, p. 1642 |
| 100-22-7 | New | V. 26, p. 1043 |
| 100-22-8 | New | V. 26, p. 1367 |
| 100-22-8 | Revoked (T) | V. 26, p. 1929 |
| 100-22-8 | Revoked | V. 27, p. 357 |
| 100-22-8a | New (T) | V. 26, p. 1929 |
| 100-22-8a | New | V. 27, p. 357 |
| 100-28a-1 | Amended | V. 26, p. 1753 |
| 100-29-7 | Amended | V. 27, p. 209 |
| 100-49-4 | Amended | V. 26, p. 1258 |
| 100-49-10 | New | V. 26, p. 1367 |
| 100-54-4 | Amended | V. 27, p. 209 |
| 100-54-7 | Amended | V. 26, p. 1043 |
| 100-54-8 | Amended | V. 26, p. 1044 |
| 100-55-4 | Amended | V. 27, p. 209 |
| 100-73-1 | Amended | V. 26, p. 1258 |
| 100-73-9 | Amended | V. 27, p. 315 |

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 102-1-7 | Revoked | V. 26, p. 881 |
| 102-1-12 | Amended | V. 27, p. 407 |

| | | |
|-----------|---------|----------------|
| 102-1-13 | Amended | V. 26, p. 1774 |
| 102-2-3 | Amended | V. 26, p. 1775 |
| 102-2-10 | Revoked | V. 26, p. 881 |
| 102-3-2 | Amended | V. 26, p. 1775 |
| 102-3-8a | Revoked | V. 26, p. 881 |
| 102-3-12a | Amended | V. 27, p. 1117 |
| 102-4-2 | Amended | V. 26, p. 1775 |
| 102-4-8a | Revoked | V. 26, p. 881 |
| 102-4-12 | Amended | V. 27, p. 1120 |
| 102-5-2 | Amended | V. 26, p. 1776 |
| 102-5-8 | Revoked | V. 26, p. 881 |
| 102-5-12 | Amended | V. 27, p. 1122 |
| 102-6-8 | Amended | V. 26, p. 881 |
| 102-6-12 | Amended | V. 27, p. 1124 |

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 105-11-1 | Amended | V. 26, p. 1752 |
| 105-11-1 | Amended (T) | V. 27, p. 1233 |

AGENCY 110: DEPARTMENT OF COMMERCE

| Reg. No. | Action | Register |
|-----------|---------|----------------------|
| 110-13-10 | Amended | V. 26, p. 1752 |
| 110-13a-1 | New | V. 27, p. 1063 |
| 110-13a-2 | New | V. 27, p. 1063 |
| 110-13a-3 | New | V. 27, p. 1064 |
| 110-15-1 | | |
| through | | |
| 110-15-4 | New | V. 26, p. 1864 |
| 110-16-1 | | |
| through | | |
| 110-16-4 | New | V. 26, p. 1865, 1866 |
| 110-17-1 | | |
| through | | |
| 110-17-4 | New | V. 26, p. 1866, 1867 |
| 110-18-1 | | |
| through | | |
| 110-18-4 | New | V. 26, p. 1867, 1868 |
| 110-19-1 | | |
| through | | |
| 110-19-4 | New | V. 27, p. 1064, 1065 |
| 110-20-1 | | |
| through | | |
| 110-20-4 | New | V. 27, p. 1065, 1066 |

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed by the Kansas Lottery from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. The following regulations were filed after January 1, 2008:

| Reg. No. | Action | Register |
|------------|---------|---------------------|
| 111-2-211 | New | V. 27, p. 992 |
| 111-4-2614 | Amended | V. 27, p. 964 |
| 111-4-2645 | | |
| through | | |
| 111-4-2656 | New | V. 27, p. 436-442 |
| 111-4-2657 | | |
| through | | |
| 111-4-2662 | New | V. 27, p. 992-996 |
| 111-4-2663 | New | V. 27, p. 1489 |
| 111-5-81 | Amended | V. 27, p. 1490 |
| 111-5-83 | Amended | V. 27, p. 1490 |
| 111-5-84 | Amended | V. 27, p. 1491 |
| 111-5-90 | Amended | V. 27, p. 1491 |
| 111-5-127 | Amended | V. 27, p. 442 |
| 111-5-128 | Amended | V. 27, p. 443 |
| 111-5-132 | Amended | V. 27, p. 443 |
| 111-5-165 | | |
| through | | |
| 111-5-169 | New | V. 27, p. 1491-1493 |
| 111-7-223 | | |
| through | | |
| 111-7-232 | New | V. 27, p. 1493-1495 |

AGENCY 112: RACING AND GAMING COMMISSION

| Reg. No. | Action | Register |
|------------|---------|---------------------|
| 112-4-9a | Amended | V. 27, p. 19 |
| 112-4-14a | Amended | V. 27, p. 19 |
| 112-5-1 | Amended | V. 27, p. 19 |
| 112-6-1 | Amended | V. 27, p. 20 |
| 112-7-6 | Amended | V. 27, p. 20 |
| 112-7-8 | Amended | V. 27, p. 21 |
| 112-7-15a | Amended | V. 27, p. 21 |
| 112-7-16 | Amended | V. 27, p. 22 |
| 112-7-18a | Amended | V. 27, p. 22 |
| 112-7-20 | Amended | V. 27, p. 23 |
| 112-8-9 | Amended | V. 27, p. 23 |
| 112-10-12 | Amended | V. 27, p. 23 |
| 112-10-32 | Amended | V. 27, p. 23 |
| 112-11-10 | Amended | V. 27, p. 24 |
| 112-11-20 | Amended | V. 27, p. 24 |
| 112-18-1 | Amended | V. 27, p. 26 |
| 112-100-1 | | |
| through | | |
| 112-100-7 | New | V. 27, p. 1378 |
| 112-104-1 | | |
| through | | |
| 112-104-33 | New | V. 27, p. 1378-1406 |
| 112-105-1 | | |
| through | | |
| 112-105-7 | New | V. 27, p. 1406-1408 |
| 112-106-1 | | |
| through | | |
| 112-106-7 | New | V. 27, p. 1408-1411 |
| 112-112-1 | | |
| through | | |
| 112-112-9 | New | V. 27, p. 1411-1413 |

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 115-2-1 | Amended | V. 26, p. 1722 |
| 115-2-3 | Amended | V. 27, p. 1264 |
| 115-2-3a | Amended | V. 27, p. 570 |
| 115-2-5 | Amended | V. 27, p. 1265 |
| 115-4-4 | Amended | V. 27, p. 403 |
| 115-4-4a | Amended | V. 27, p. 403 |
| 115-4-6 | Amended | V. 27, p. 109 |
| 115-4-6a | Revoked | V. 27, p. 112 |
| 115-4-13 | Amended | V. 27, p. 404 |
| 115-4-14 | Revoked | V. 27, p. 112 |
| 115-7-1 | Amended | V. 26, p. 1725 |
| 115-7-8 | Amended | V. 27, p. 405 |
| 115-7-9 | Amended | V. 27, p. 406 |
| 115-8-1 | Amended | V. 27, p. 572 |
| 115-8-7 | Amended | V. 26, p. 1364 |
| 115-8-9 | Amended | V. 27, p. 1265 |
| 115-8-10 | Amended | V. 27, p. 1265 |
| 115-8-13 | Amended | V. 27, p. 112 |
| 115-9-9 | Amended | V. 26, p. 641 |
| 115-18-7 | Amended | V. 27, p. 406 |
| 115-18-10 | Amended | V. 26, p. 1727 |
| 115-18-12 | Amended | V. 26, p. 1728 |
| 115-18-20 | Amended | V. 26, p. 1728 |
| 115-30-1 | Amended | V. 26, p. 1364 |
| 115-30-5 | Amended | V. 26, p. 1365 |
| 115-30-7 | Amended | V. 26, p. 1365 |
| 115-30-8 | Amended | V. 26, p. 1365 |
| 115-30-10 | Amended | V. 26, p. 1366 |
| 115-30-12 | New | V. 26, p. 1366 |

AGENCY 117: REAL ESTATE APPRAISAL BOARD

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 117-1-1 | Amended | V. 26, p. 1259 |
| 117-2-1 | Amended | V. 26, p. 1259 |
| 117-2-2 | Amended | V. 26, p. 1260 |
| 117-2-2a | Amended | V. 27, p. 16 |
| 117-2-3 | Amended | V. 26, p. 1261 |
| 117-2-4 | Amended | V. 26, p. 1261 |
| 117-3-1 | Amended | V. 26, p. 1262 |
| 117-3-2 | Amended | V. 26, p. 1265 |
| 117-3-2a | Amended | V. 27, p. 17 |
| 117-3-4 | Amended | V. 26, p. 1264 |
| 117-4-1 | Amended | V. 26, p. 1264 |
| 117-4-2 | Amended | V. 26, p. 1265 |
| 117-4-2a | Amended | V. 27, p. 17 |

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| 117-4-3 | Amended | V. 26, p. 1266 |
| 117-4-4 | Amended | V. 26, p. 1266 |
| 117-5-2a | Amended | V. 27, p. 18 |
| 117-6-1 | Amended | V. 27, p. 357 |
| 117-6-2 | Amended | V. 26, p. 1267 |
| 117-7-1 | Amended | V. 27, p. 18 |
| 117-8-1 | Amended | V. 27, p. 19 |

AGENCY 118: STATE HISTORICAL SOCIETY

| Reg. No. | Action | Register |
|----------|---------|--------------|
| 118-4-4 | Amended | V. 26, p. 46 |

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 121-2-1 | Amended | V. 26, p. 1908 |
| 121-3-1 | Amended | V. 26, p. 1908 |
| 121-5-4 | New | V. 26, p. 1909 |
| 121-9-1 | New | V. 26, p. 1910 |
| 121-10-1 | New | V. 27, p. 1099 |

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| 121-10-2 | New | V. 27, p. 1099 |
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AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

| Reg. No. | Action | Register |
|----------|---------|-------------------|
| 128-1-1 | New (T) | V. 27, p. 106 |
| 128-1-1 | New | V. 27, p. 358 |
| 128-2-1 | New | V. 27, p. 360 |
| 128-2-3 | | |
| through | | |
| 128-2-13 | New | V. 27, p. 360-362 |
| 128-2-12 | New (T) | V. 27, p. 107 |
| 128-3-1 | New | V. 27, p. 362 |
| 128-4-1 | | |
| through | | |
| 128-4-9 | New | V. 27, p. 363-367 |
| 128-4a-1 | New | V. 27, p. 367 |
| 128-5-1 | New | V. 27, p. 367 |
| 128-5-2 | New | V. 27, p. 368 |
| 128-6-1 | New | V. 27, p. 368 |
| 128-6-2 | New | V. 27, p. 371 |

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| 128-6-4 | New | V. 27, p. 374 |
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AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

| Reg. No. | Action | Register |
|------------|---------|----------------|
| 129-5-1 | Amended | V. 27, p. 628 |
| 129-5-65 | New | V. 26, p. 1091 |
| 129-5-78 | New | V. 27, p. 1022 |
| 129-5-108 | New | V. 27, p. 1346 |
| 129-10-15a | New | V. 27, p. 1346 |
| 129-10-15b | New | V. 27, p. 1348 |
| 129-10-17 | New | V. 27, p. 1348 |
| 129-10-18 | New | V. 27, p. 1350 |
| 129-10-23a | New | V. 27, p. 1353 |
| 129-10-23b | New | V. 27, p. 1353 |
| 129-10-25 | New | V. 27, p. 1354 |
| 129-10-26 | New | V. 27, p. 1355 |
| 129-10-27 | New | V. 27, p. 1356 |
| 129-10-200 | New | V. 27, p. 1356 |
| 129-10-210 | New | V. 27, p. 1358 |

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