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Criminal Justice Coordinating Council

Notice of Meeting

The Kansas Criminal Justice Coordinating Council will meet at 9 a.m. Tuesday, September 13, in Room 530, Curtis State Office Building, 1000 S.W. Jackson, Topeka.

Jennifer Cook, Administrator Governor's Grants Program

Doc. No. 039789

State of Kansas

Board of Regents Universities

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: thouse@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

Fort Hays State University – Bid postings: www.fhsu.edu/bids. Additional contact info: phone: 785-628-4251, fax: 785-628-4046,

email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University – Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

Pittsburg State University – Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: http://www.purchasing.ku.edu/. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center – Bid postings: http://www2.kumc.edu/finance/purchasing/bids.html. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Carla K. Bishop Chair of Regents Purchasing Group Director of Purchasing Kansas State University

Doc. No. 039551

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Office of the Governor

Executive Order 11-28 for <u>Regional</u> Emergencies Conditional and Temporary Relief from Motor Carrier Rules and Regulations

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the force and effect of law under subsection (b) of K.S.A. 48-924; and

WHEREAS, Drought conditions exist which require the operation of motor carriers and drivers of commercial motor vehicles for the purposes of providing direct assistance to Nebraska, Oklahoma and Texas and local efforts in the relief in the of State of Kansas; and

WHEREAS, this disaster has caused or threatens to cause an emergency as defined in 49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f and which has or threatens to interrupt the delivery of essential services or essential supplies or otherwise immediately threatens physical harm or injury to persons, the public welfare and/or substantial damage to property; and

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby acknowledge a state of emergency exists in the states of Nebraska, Oklahoma, Texas, and declare it necessary to assist and expedite all disaster recovery efforts. In order to accommodate this need and to provide assistance to the citizens of Nebraska, Oklahoma, Texas and Kansas in this extreme situation, I hereby order the following:

- This declaration only applies to motor carriers hauling hay to livestock in any drought stricken areas; and
- 2. In accordance with Title 49 C.F.R. § 390.23, the requirements contained in the Federal Motor Carrier Safety Regulations, Title 49 C.F.R. Parts 390-399 are hereby suspended through the duration of the motor carrier's assistance in the disaster relief effort not to exceed a period of thirty (30) days from the date of the initial declaration unless the order is rescinded or expanded by executive order or concurrent resolution of the legislature; and
- 3. All other applicable state and federal regulations shall apply to include but not limited to: Title 49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing; the Kansas Motor Vehicle Driver's License Act, K.S.A. 8-234 et seq. and Title 49 C.F.R. Part 383 Commercial Driver's License Standards as adopted by the Kansas Uniform Commercial Drivers' License Act, K.S.A. 8-2,125 et seq., the federal Minimum Levels of Financial Responsibility (insurance requirements) Title 49 C.F.R. Part 387 as adopted by K.A.R. 82-4-3n and state insurance requirements as provided in K.A.R. 82-4-23; and, adherence to the regulations governing the Transportation of Hazardous Materials as provided Title 49 C.F.R. 397 and adopted by K.A.R. 82-4-3k and Parts: 107, 171-173, 177, 178 and 180 as adopted by K.A.R. 82-4-20; and
- 4. The registration and fuel tax permits as enforced by the Kansas Department of Revenue are temporarily suspended for the subject motor carriers; and

- 5. The licensing, certification and permitting rules and regulations as required by the Kansas Corporation Commission are temporarily suspended for the subject motor carriers; and
- 6. Participating motor carriers are not required to obtain an over-dimensional permit from the Kansas Department of Transportation; and
- 7. Participating motor carriers will be allowed to travel during nighttime hours if the over-dimensional load is marked with clearance lights and/or escort vehicles are used; and
- 8. Participating motor carriers are limited to a load that does not exceed 12 feet in width and does not exceed a height of 14 feet, six inches.

This document shall be filed with the Secretary of State as Executive Order No. 11-28 and shall become effective immediately.

Dated September 2, 2011.

Sam Brownback Governor

Doc. No. 039785

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 August 2011. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

P-2011-007 Temporary housing facilities for Department of Defense military personnel.

Opinion Letters

No new publications

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

Nick Jordan Secretary of Revenue

(Published in the Kansas Register September 8, 2011.)

Flint Hills Area Transportation Agency, Inc. Request for Qualifications

The Flint Hills Area Transportation Agency, Inc. is issuing a request for qualifications (RFQ — 2006-1) for interested firms to provide architectural and engineering services for a public transportation administration/maintenance facility for the Flint Hills Area Transportation Agency. The deadline for receipt of the statement of qualifications is 9 a.m. September 23 at the office of the executive director, 115 N. 4th St., Manhattan, 66502.

For information regarding the scope of work, contact Anne Smith at (785) 537-4365 or asmith@rileycountyks.gov.

Anne Smith Executive Director

Doc. No. 039769

State of Kansas

Office of the Governor

Executive Order 11-29

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of the drought conditions within the state; and

WHEREAS, there is every indication that the present drought conditions will not abate in the near future; and WHEREAS, these drought conditions may become

more severe; and

WHEREAS, the affected areas and severity have changed; and

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924 et seq.) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, including drought.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby:

- 1. Declare a Drought Watch, Drought Warning or Drought Emergency for the counties below replacing Executive Order 11-18;
- 2. And authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team.

Drought Watch counties:

Cheyenne, Decatur, Dickinson, Ellis, Ellsworth, Franklin, Graham, Lincoln, Miami, Norton, Osage, Ottawa, Phillips, Rawlins, Rooks, Rush, Russell, Saline, Sheridan, Sherman, Thomas

Drought Warning counties:

Allen, Anderson, Barton, Bourbon, Butler, Chase, Chautauqua, Cherokee, Coffey, Cowley, Crawford, Edwards, Elk, Finney, Ford, Gove, Grant, Gray, Greeley, Greenwood, Hamilton, Haskell, Hodgeman, Kearny, Labette, Lane, Linn, Logan, Lyon, Marion, McPherson, Montgomery, Neosho, Ness, Pawnee, Rice, Scott, Trego, Wallace, Wichita, Wilson, Woodson

Drought Emergency counties:

Barber, Clark, Comanche, Harper, Harvey, Kingman, Kiowa, Meade, Morton, Pratt, Reno, Sedgwick, Seward, Stafford, Stanton, Stevens, Sumner

County drought stages declared in the Executive Order shall remain in effect until revised or rescinded by a subsequent Executive Order.

This document shall be filed with the Secretary of State as Executive Order 11-29 and shall become effective immediately.

IT IS SO ORDERED.

Dated September 2, 2011.

Sam Brownback Governor

Doc. No. 039786

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:

09/20/2011	EVT0000877	Foundations, Utilities, Flatwork and
		Ramps – Pomona State Park
09/22/2011	EVT0000881	RTR Troffer Reflector Kits
09/27/2011	EVT0000880	Services of Local Collection Point
		Administrator
09/29/2011	EVT0000879	Financing – Efficiency KS
		Leased Space –Topeka

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

http://www1.da.ks.gov/purch/contracts/bids.aspx

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

http://da.ks.gov/purch/adds/default.htm

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

09/20/2011	A-011808	Repave Alley – Kansas Insurance
00/00/0011	A 011010	Dept., Topeka
09/20/2011	A-011812	Reroof Cone Dome – Edwardsville
		 Dept. of Transportation, Topeka
09/21/2011	A-011758	Overlay & Mill – Campus Streets –
		Kansas Soldiers' Home, Fort Dodge
10/04/2011	A-9946(F)	Site Improvements – Phase 2.0 –
		Jardine – Kansas State University,
		Manhattan
10/04/2011	A-9946(G)	Roadways & Parking
		Improvements – Phase 3.1 – Jardine
		 Kansas State University,
		Manhattan

Chris Howe Director of Purchases

Legislature

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of September 8-23, based on current information and subject to change. 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 711, or e-mail LegServ@las.ks.gov. The 2011 interim committee memberships and committee agendas can be found at http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm.

Date	Room	Time	Committee	Agenda
Sept. 8 Sept. 9	144-S 144-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Leases and change orders; Five-year Capital Improvement Plan Review.
Sept. 8	TBA	TBA	Kansas Electric Transmission Authority	Agenda not available.
Sept. 9	152-S	8:00 a.m.	Joint Committee on Energy and Environmental Policy	Initial overviews on the Abandoned Oil and Gas Well Plugging Program, water availability, pore space ownership, innovative landfill programs, hydraulic fracturing, current research at Regents institutions on energy, water and general sustainability. Status updates on the smoke management plan, EPA regulations, and water litigation.
Sept. 13	144-S	10:00 a.m.	KAN-ED Study Committee	Background on KAN-ED; testimony from customers of KAN-ED and others.
Sept. 14	346-S	10:00 a.m.	Joint Committee on Legislative Budget	Review the duties, functions and responsibilities of the State Fire Marshal. Study if merging with other state agencies is possible.
Sept. 15	546-S	9:00 a.m.	Special Claims Against the State	Hearings on claims filed.
Sept. 19	548-S	9:00 a.m.	Joint Committee on Health Policy Oversight	Agenda not available.
Sept. 20	546-S	10:00 a.m.	Joint Committee on Corrections & Juvenile Justice Oversight	Overview of Department of Corrections, Prisoner Review Board; Operation of Prison Programs; Update on Parole and Community Corrections; Inmate Mentoring; LSI-R Progress Update.
Sept. 21	546-S	9:00 a.m.	Joint Committee on Corrections & Juvenile Justice Oversight	Overview of Programs and Current Information on JJA; Return of JJA Youth to Child in Need of Care (CINC) Status; Presumptive Case Closure; Status Report – Federal Legislation Regarding Incarceration of State Offenders; Status Report – Separation of JJA/CINC Youth in Custody; Education Accreditation; Children's Community Service Fund; Moving Females at Juvenile Correctional Facility (JCF); Tour Topeka JCF New Female Residence.
Sept. 22	152-S	10:00 a.m.	Joint Committee on Legislative Educational Planning	Agenda not available.
Sept. 22 Sept. 23	346-S 346-S		KPERS Study Commission	Agenda not available.
				Inffragr M. Dungall

Jeffrey M. Russell Director of Legislative Administrative Services

(Published in the Kansas Register September 8, 2011.)

City of Lenexa, Kansas

Notice to Bidders

Separate, sealed bids for **79th and Lackman Road Traffic Signalization** *and* **Lackman Tributary Stormwater Improvements** will be accepted by the city of Lenexa, Kansas, at the Community Development Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 1 p.m. October 6, 2011, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

This bid opening consists of two separate contract lettings, which shall be read individually but will be awarded to the lowest, qualified, combined bid. Bids submitted on only one project will not be considered.

Bidders desiring to bid on the two projects shall submit bid documents to the Community Development Department customer service staff (main level) in separate sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk. One envelope shall contain the bid for the 79th and Lackman Road Traffic Signalization and shall be marked "Bid For: 79th & Lackman Road Traffic Signalization." The second envelope shall contain the bid for the Lackman Tributary Stormwater Improvements and shall be marked "Bid For: Lackman Tributary Stormwater Improvements."

Copies of plans, specifications, bidding documents and other contract documents are on file at Drexel Technologies, Inc., 10840 W. 86th St., Lenexa, 66214.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above. Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at http://planroom.drexeltech.com/.

Note: Davis Bacon wage rates apply to the 79th and Lackman Road Traffic Signalization Project only.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city for both projects in accordance with IB-10 of the instructions to bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with each bid:

- a. Bid form;
- b. 5% bid security—bid bond, cashier's check or certified check (see below); and
- c. Acknowledgment of addenda issued by city.
- d. Federal contract provisions I through IV:
 - I. 08-10-66-R05(LPA) Certification-Noncollusion & History of Debarment

II. 04-26-90-R04(LPA) Declaration-Limitations on Use of Federal Funds for Lobbying

III. 07-19-80-R12(LPA) DBE Contract Goal

IV. 01-01-11(LPA) Tax Clearance Certificate

Note: Item d applies to the 79th and Lackman Road Traffic Signalization Project only.

Each bidder shall file with its separate bid for 79th and Lackman Road Traffic Signalization and Lackman Tributary Stormwater Improvements a bid bond, a cashier's check or a certified check drawn on an acceptable bank, made payable to city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid for each project, which shall be retained by city of Lenexa until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contracts for each project, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited, and city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above-referenced projects—including its officers, employees, agents or contractors—is specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the projects listed above, except as specifically authorized by the instructions to bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

A mandatory pre-bid conference will be held at 2 p.m. September 29 in the Executive Conference Room, upper level, Lenexa City Hall.

David F. Bryant III, City Clerk City of Lenexa, Kansas

Department of Administration Division of Accounts and Reports

Public Notice

Under requirements of K.S.A. 2010 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$3,443,595.28 in the Underground Petroleum Storage Tank Release Trust Fund and \$6,683,552.87 in the Aboveground Petroleum Storage Tank Release Trust Fund at August 31, 2011.

Dennis Taylor Secretary of Administration

Doc. No. 039781

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-11-169 Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant David Hartter 2225 192nd Road Sabetha, KS 66534

Owner of Property Where Facility Will Be Located

Elden Plattner T Road halfway between 184th Road & 192nd Road Sabetha, KS 66534

Legal Description SE/4 of Section 06, T02S, R14E, Nemaha County Receiving Water Missouri River Basin

Kansas Permit No. A-MONM-S073

This is a new application for a new permit for a proposed enclosed swine building for 2,400 head (960 animal units) of swine weighing more than 55 pounds. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-11-170/175 Pending Permits for Confined Feeding Facilities

Name and Address Legal Receiving
of Applicant Description Water

Hall Farm Inc. SE4 of Section 24,
Galen Dreier T22S, R01W, River Basin

2714 N.W. 60th Harvey County
Newton, KS 67114

Kansas Permit No. A-LAHV-H002 Federal Permit No. KS0094331

This permit is being reissued for an existing facility for 3,000 head (1,200 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units from the previous permit. An approved Nutrient Management Plan for the facility is on file with KDHF

Name and Address Legal Receiving
of Applicant Description Water

Henry Pork NE/4 of Section 05, Missouri River
Fred Henry T04S, R13E, Basin
1478 96th Road Nemaha County
Goff, KS 66428

Kansas Permit No. A-MONM-S053

This is a permit renewal for an existing facility with a maximum capacity of 1,800 head (720 animal units) of swine weighing greater than 55 pounds, 500 head (50 animal units) of swine weighing 55 pounds or less, 14 head (14 animal units) of cattle weighing greater than 700 pounds and 430 head (215 animal units) of cattle weighing 700 pounds or less, for a total of 999 animal units of livestock. There is no change in the permitted animal units from the previous permit.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Henry Creek Farms, Inc.	NE/4 of Section 36,	Walnut River
Doug Claassen	T23S, R03E & SW/4	Basin
10636 N.W. 110th St.	of Section 31,	
Whitewater, KS 67154	T23S, R04E, Butler	
	County	

Kansas Permit No. A-WABU-S034

This permit is being reissued for an existing facility with a maximum capacity of 2,000 head (800 animal units) of swine more than 55 pounds and 150 head (75 animal units) of cattle 700 pounds or less, for a total of 875 animal units. There is no change in the permitted animal units from the previous permit cycle.

Name and Address
of ApplicantLegal
DescriptionReceiving
WaterRoderick Arnoldy
266 W. 190th Drive
Tipton, KS 67485SW/4 of Section 03,
T09S, R11W,
Osborne CountySolomon River
Basin

Kansas Permit No. A-SOOB-B007

A permit is being reissued to an existing facility with a maximum capacity of 300 head (300 animal units) of cattle weighing more than 700 pounds and 300 head (150 animal units) of cattle weighing less than 700 pounds. The animal unit capacity has not changed since the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
6-S Cattle Company Kent W. Smith 10168 S.W. 20th Ave.	SW/4 of Section 14, T28S, R14W, Pratt County	Lower Arkansas River Basin
Pratt KS 67124	-	

Kansas Permit No. A-ARPR-B004

This permit is being reissued for an existing facility for 950 head (950 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address Legal Receiving
of Applicant Description Water

Detweiler Farm SE/4 of Section 19 & Big Blue River
Wayne Detweiler NE/4 of Section 30, 2568 Deer Trail Road T015, R10E,
Summerfield, KS 66541 Marshall County

Kansas Permit No. A-BBMS-2048

A permit is being reissued to an existing facility with a maximum capacity for 620 head (248 animal units) of swine weighing more than 55 pounds and 1,460 head (146 animal units) of swine weighing 55 pounds or less. The animal units capacity has not changed since the previous permit.

Public Notice No. KS-GP-11-001

Name and Address Legal Type of of Applicant Location Discharge
All applicants for State of Kansas Stormwater stormwater from industrial

stormwater from industrial

General Permit No. S-ISWA-XXXX-1 Federal Tracking No. KSR000000 Legal Description: State of Kansas

The Kansas Department of Health and Environment has prepared a combined Kansas/NPDES Water Pollution Control General Permit for stormwater runoff from industrial activity. Details of the proposed general permit are located in a separate notice in this issue of the Kansas Register.

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 October 8 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-11-169/175, KS-GP-11-001) 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.

Robert Moser, M.D. Secretary of Health and Environment

Doc. No. 039775

State of Kansas

Department of Health and Environment

Notice Concerning Pending Water Pollution Control General Permit

The Kansas Department of Health and Environment has prepared a combined Kansas/NPDES Water Pollution Control General Permit for stormwater runoff from industrial activity. This permit, when finalized, will replace the existing general permit.

A general wastewater permit is provided for those entities engaged in similar activities and discharging the same types of wastewater. The wastewater from these types of activities has a low public health and environmental risk. A general permit is placed on public notice once during the life of the permit and then is made available, without further public notice, to all persons for industrial activities that meet the requirements of the permit. The permittees also are required to meet all other federal, state and local requirements, including local zoning ordinances.

Stormwater runoff from industrial activity means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial facility. The term does not include discharges from facilities or activities excluded or exempted from the Kansas/Federal Water Pollution Control Program requirements. These activities exclude areas located on the plant site that are separate from the plant's industrial activities. Areas such as office buildings and accompanying parking lots are excluded as long as the drainage from excluded areas is not mixed with stormwater drainage from areas with industrial activities subject to permit coverage.

New permittees are required to complete and submit the Notice of Intent along with the first year's permit fee of \$60 and receive a signed and dated authorization from KDHE. To maintain the permit, the permittee is required to achieve and maintain compliance with the permit requirements, pay the annual permit fee, and periodically review and update the Stormwater Pollution Prevention Plan.

Supporting documents include an Executive Summary, Notice of Intent form and instructions, No Exposure Certification form and instructions, a Notice of Termination form, a Notice of Transfer of Ownership form, and Definitions and Acronyms. Copies of these documents may be viewed at the KDHE website at www.kdheks.gov/stormwater or requested in hard copy by writing the Kansas Department of Health and Environment, Bureau of Water - Technical Services Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

Persons wishing to comment on the draft permit must submit written comments to the address above by October 8.

Robert Moser, M.D. Secretary of Health and Environment

Department of Agriculture Division of Conservation

Notice to Contractors

Sealed bids for the construction of a 29,000 cubic yard earthen detention dam, Site E-5 in Jefferson County, will be accepted by the Delaware Watershed Joint District No. 10 at the district office, 125 W. 4th St., Holton, 66436-0070, until 7 p.m. September 26. The bids will be opened and reviewed at that time. A copy of the invitation for bids and the plans and specifications can be reviewed at and obtained from the Delaware Watershed District No. 10 office, (785) 364-4309. If mailing is requested for plans and specifications, only a mailing fee will be charged to the recipient.

Greg A. Foley Executive Director

Doc. No. 039774

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. 2010 Supp. 12-1675(b)(c)(d) and K.S.A. 2010 Supp. 12-1675a(g).

Effective 9-5-11 through 9-11-11

Term	Rate
1-89 days	0.08%
3 months	0.03%
6 months	0.05%
1 year	0.12%
18 months	0.19%
2 years	0.20%

Scott Miller Director of Investments

Doc. No. 039768

(Published in the Kansas Register September 8, 2011.)

Summary Notice of Bond Sale Sedgwick County, Kansas

\$8,025,000* General Obligation Bonds Series A, 2011

\$6,505,000* General Obligation Refunding Bonds Series B, 2011

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated August 31, 2011, separate written and electronic bids will be received on behalf of the chief financial officer of Sedgwick County, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic

bids, through PARITY, until 10 a.m. September 21, 2011, for the purchase of each series of the above-referenced bonds (the Series A Bonds, the Series B Bonds, and collectively, the bonds). No bid for less than \$7,968,825 and accrued interest thereon to the date of delivery will be considered for the Series A Bonds, and no bid for less than \$6,470,849 and accrued interest thereon to the date of delivery will be considered for the Series B Bonds.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 2011, and will become due in principal installments on August 1 in the years set forth below and will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning February 1, 2012.

Series A Bonds

The Series A Bonds will become due in principal installments in the years as follows:

Year	Principal Amount*
2012	\$585,000
2013	580,000
2014	580,000
2015	585,000
2016	590,000
2017	600,000
2018	610,000
2019	260,000
2020	265,000
2021	270,000
2022	275,000
2023	285,000
2024	295,000
2025	300,000
2026	310,000
2027	305,000
2028	315,000
2029	325,000
2030	340,000
2031	350,000

Series B Bonds

The Series B Bonds will become due in principal installments in the years as follows:

	Principal
Year	Amount*
2014	\$1,310,000
2015	1,295,000
2016	1,280,000
2017	1,305,000
2018	1,315,000

*Adjustment of Issue Size

The issuer reserves the right to increase or decrease the total principal amount of each series of the bonds or any maturity of either series of bonds in accordance with the provisions of the Notice of Bond Sale.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$160,500 for the Series A Bonds or \$130,100 for the Series B Bonds.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 13, 2011, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2011 is \$4,836,739,081. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$84,715,000*.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the issuer, Attention: Chris Chronis, chief financial officer, at the address set forth below, (316) 660-7591, fax (316) 383-7729, or email cchronis@sedgwick.gov; or from the financial advisor, Springsted Incorporated, Attention: Bond Services, at the address set forth below, 223-3000, fax (651) 223-3046, or bond_services@springsted.com.

Written Bid and Good Faith Deposit **Delivery Address:**

Sara Jantz, Director of Accounting Sedgwick County Courthouse 525 N. Main, Suite 823 Wichita, KS 67203

Facsimile Bid and Good Faith Deposit **Delivery Address:**

Springsted Incorporated 380 Jackson St., Suite 300 St. Paul, MN 55101-2887

Dated August 31, 2011.

Sedgwick County, Kansas By: Chris Chronis

Chief Financial Officer

Doc. No. 039780

State of Kansas

Secretary of State

Usury Rate for September

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of September 1, 2011 through September 30, 2011, is 5.30 percent.

> Kris W. Kobach Secretary of State

Doc. No. 039771

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the corporations organized under the laws of Kansas and the authority of the foreign corporations authorized to do business in Kansas—listed in the linked document—were forfeited during the month of July 2011 for failure to timely file an annual report and pay the annual report fee as required by the Kansas general corporation code. The list of forfeited domestic and foreign corporations can be found at the following link under the September 8, 2011 issue of the Kansas Register:

http://www.kssos.org/pubs/pubs_kansas_register.asp

For more information, contact the Business Services Division at (785) 296-4564.

> Kris W. Kobach Secretary of State

Doc. No. 039770

(Published in the Kansas Register September 8, 2011.)

Fire District No. 8 Reno County, Kansas

Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2011

Notice is hereby given that the Fire District No. 8 of Reno 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 \$200,000. 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 September 8, 2011.

Shari Gagnebin County Clerk

Secretary of State

Code Mortgage Rate for September

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of September 1, 2011 through September 30, 2011, is 12 percent.

Kris W. Kobach Secretary of State

Doc. No. 039772

(Published in the Kansas Register September 8, 2011.)

Summary Notice of Bond Sale City of Maize, Kansas \$4,630,000

General Obligation Bonds, Series A, 2011

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated August 15, 2011, written bids will be received on behalf of the clerk of the city of Maize, Kansas (the issuer), at the address set forth below, until 11 a.m. September 19, 2011, for the purchase of the above-referenced bonds. No bid of less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 29, 2011, and will become due on October 1 in the years as follows:

Year	Principal Amount
2013	\$195,000
2014	200,000
2015	200,000
2016	200,000
2017	205,000
2018	210,000
2019	220,000
2020	225,000
2021	235,000
2022	240,000
2023	250,000
2024	265,000
2025	270,000
2026	280,000
2027	300,000
2028	215,000
2029	225,000
2030	240,000
2031	245,000
2032	210,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2012.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$92,600.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 29, 2011, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2011 is \$32,010,191. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold and the issuer's temporary notes in the principal amount of \$2,045,000 also dated as of the dated date, is \$25,480,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, or from the financial advisor, at the addresses set forth below.

Written and Facsimile Bid and Good Faith Deposit Delivery Address:

Jocelyn Reid, Clerk City Hall, 10100 Grady Ave. Maize, KS 67101 (316) 722-7561 Fax (316) 722-0346 Email: jreid@cityofmaize.org

Financial Advisor:

CityCode Financial, L.L.C. 7701 E. Kellogg, Suite 700 Wichita, KS 67207 Attn: Larry Kleeman (316) 685-5911 Fax (316) 685-1751 Email: larry@citycode.com

Dated August 15, 2011.

City of Maize, Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking a qualified consulting engineering firm, prequalified in Category 211 – Highway Design-Major Facility, for the T-Works Expansion and Modernization Projects as listed below. An electronic letter of interest (PDF format preferred and 1MB maximum size) must be emailed to David J. Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, at DavidN@ksdot.org. Letters of interest are limited to four pages, the subject line of the email and the PDF file name must contain the project number and the firm's name: "Project # - Firm Name," and must be received by noon September 29 for the consulting engineering firm to be considered.

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Route	County	Project No.	Project Limits
K-96	Reno	KA-1007-02	K-96 from 4.45 miles southeast of Nickerson, north and west to Reno/Rice county line
K-14	Rice	KA-1007-03	K-14 (K-96) from Reno/Rice county line, north to junction K-96/RS-571
US-69	Bourbon & Crawford	KA-1553-02 & KA-1554-02	Bourbon/Crawford county line north to 2L/4L section (6.0 miles north of Crawford/ Bourbon county line) and 3 miles north of Arma north city limits, north to Crawford/ Bourbon county line
I-70	Shawnee	KA-1266-02	I-70 Polk/Quincy Viaduct and approach roadway, Topeka, Kansas
K-92	Leavenworth	KA-2411-01	K-92: from US-73/K-92 north junction, east to Missouri state line

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. Firms not selected to be short-listed will be notified. Categories may be viewed at www.ksdot.org/divengdes/prequal.

The Consultant Selection Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select one firm to perform the professional services required for completing the advertised project. After the selection, the firms not selected will be notified of the outcome.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firm:

- 1. Size and professional qualifications.
- 2. Experience of staff.
- 3. Location of firm with respect to project(s).
- 4. Work load of firm.
- 5. Firm's performance record.

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

- Valid, reliable and current costs must be available within the system to support cost and pricing data.
- Capability to provide a means of measuring the reasonableness of incurred costs.
- Capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger.
- Ability to provide supporting documentation of actual expenditures for each billing, based on costs.

For more information, contact David Nagy at DavidN@ksdot.org.

Daniel L. Scherschligt, P.E., Director Division of Engineering and Design

Doc. No. 039784

State of Kansas

Department of Agriculture Division of Water Resources

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, November 9, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th St., Topeka, to consider the adoption of proposed regulations on a permanent basis.

- K.A.R. 5-16-1 updates references to amended K.S.A. 82a-736.
- K.A.R. 5-16-3 removes language that is inconsistent with the provision in K.S.A. 82a-736 that now allows an application to be filed in the same year that the flex account begins or to start in the next year.
- K.A.R. 5-16-5 synchronizes the years considered to calculate the quantity of water available in the flex account with the years stated in the amended statute. It also includes an adjustment in the calculation for applications that request the flex account to begin in the same year the application is filed.

Economic Impact: There will be a slight cost to the agency due to an increase in work to process flex account applications, maintain records of the five-year allocations, and ensure enforcement of the five-year quantity authorized by the flex account. The increase is offset with a \$400 filing fee for each application. This change should not result in any significant fiscal impact to the agency, based on the past history of the flex accounts.

There should be no significant fiscal impact to other government agencies. If a flex account application is located within the boundaries of a groundwater management district (GMD), the GMD will be part of the review process. This would be like any other application, therefore, there should not be a significant fiscal impact to a GMD. There will be a fiscal impact of a \$400 filing fee to a private business or individual that makes an application for a flex account.

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 to the rules and regulations. All interested parties may submit written comments prior to the hearing to the chief engineer, Division of Water Resources, Department of Agriculture, 109 S.W. 9th St., 2nd Floor, Topeka, 66612, or by e-mail at leslie.garner@kda.ks.gov. Comments also may be made through the department's website, http://www.ksda.gov, under the proposed regulations.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant 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 proposed regulation and impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and the economic impact statement may be obtained by contacting Leslie Garner or by accessing the department's website at http://www.ksda.gov.

David W. Barfield, P.E., Chief Engineer Division of Water Resources

Doc. No. 039788

State of Kansas

Department of Agriculture Division of Water Resources

Temporary Administrative Regulations

Article 16.—FLEX ACCOUNT

- **5-16-1. Definitions.** As used in this article, in the Kansas water appropriation act, and by the chief engineer 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) "Base amount" and "BA" mean the quantity of water deposited in a flex account.
- (b) "Base average usage factor" and "BAUF" mean the percentage of the "base average usage," as this term is defined in K.S.A. 82a-736 and amendments thereto, that is multiplied by five as a part of the calculations specified in K.A.R. 5-16-5 to determine the quantity of water that may be deposited into a flex account. The BAUF shall not exceed the maximum of 90% established by K.S.A. 82a-736, and amendments thereto.
- (c) "Base water right" means a vested or certified water right or rights for which the owner applies to the chief engineer to establish a flex account pursuant to K.S.A. 82a-736, and amendments thereto.
- (d) "BAU" means the "base average usage" as defined in K.S.A. 82a-736, and amendments thereto.
- (e) "Good standing," only as that term is used in K.S.A. 82a-736 and amendments thereto, in reference to base wa-

ter rights, means a base water right that meets the following conditions:

- (1) Has been lawfully exercised within the period specified in K.A.R. 5-16-5;
- (2) has had all required water use reports filed and any civil fines assessed for failure to timely file a complete and accurate water use report paid; and
- (3) has had no period of nonuse with a duration of five or more consecutive years since January 1, 1990, except for enrollment in the water right conservation program pursuant to K.A.R. 5-7-4 or L. 2011, ch. 89, sec. 25 and amendments thereto, enrollment in the federal conservation reserve program, or enrollment in another multiyear federal or state conservation program.
- (f) "Significant water conservation measures" means actual physical changes in a water distribution system or management practices that improve water use efficiency, including the following:
- (1) Conversion from flood irrigation to center pivot irrigation with a nozzle package designed to improve water use efficiency;
 - (2) irrigation scheduling;
 - (3) conversion to subsurface drip irrigation; and
- (4) removal of an end gun, resulting in a significant reduction in the number of irrigated acres. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 2010 Supp. 82a-736, as amended by L. 2011, ch. 89, sec. 28; effective Oct. 11, 2002; amended Jan. 6, 2006; amended, T-5-8-29-11, Aug. 29, 2011.)
- **5-16-3.** Establishing a flex account. (a) A flex account shall be established by filing an application for a flex account and a term permit on a form prescribed by the chief engineer. Each application shall meet the following requirements:
- (1) Show the location of all wells located within one-half mile of the proposed point of diversion and the names, addresses, and telephone numbers of the owners of those wells. Except as specified in subsection (e), a separate application shall be filed for each water right and each point of diversion for which the owner desires to establish a flex account. Each application shall be accompanied by the filing fee specified in K.A.R. 5-16-2;
- (2) be date-stamped showing the date the application was filed with the chief engineer;
- (3) indicate the five consecutive years that are to be designated as the flex account period; and
- (4) indicate whether the flex account period will commence with the year in which the application is filed or with the next year after the year in which the application is filed.
- (b) Before any application to establish a flex account and a term permit will be accepted for filing, the application shall be signed by at least one owner of the water right, or a duly authorized agent of an owner of the water right.
- (c) Before the flex account can be established or the term permit approved, all of the water rights owners, or a duly authorized agent of the owners, shall verify upon oath or affirmation that the statements contained in the application are true and complete.

- (d) If one or more owners refuse to sign the application or if a written request is filed by one or more of the owners to withdraw their signatures from the application before the application is approved, the application shall be dismissed.
- (e) A single application to establish a flex account and apply for a term permit may be filed in either of the following situations:
- (1) Multiple water rights authorize the diversion of water from a single point of diversion that diverts water to an identical place of use for a single type of use.
- (2) Multiple points of diversion are authorized by the chief engineer to divert water through a single water flowmeter before going to an identical place of use.
- (f) The flex account shall not be established and the term permit to exercise the flex account shall not be valid until both have been approved by the chief engineer. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 2010 Supp. 82a-736, as amended by L. 2011, ch. 89, sec. 28; effective Oct. 11, 2002; amended, T-5-8-29-11, Aug. 29, 2011.)
- **5-16-5.** Maximum annual quantity of water authorized by term permit. (a) Except as specified in subsections (b) through (e), the maximum quantity of water deposited in a flex account and authorized to be diverted in five consecutive calendar years under the authority of a term permit shall be determined in accordance with K.S.A. 82a-736, and amendments thereto, by means of performing the following calculations:
- (1) Add the actual, legal annual water use of the base water right or rights for the period of calendar years 2000 through 2009. This sum is the total quantity of water;
 - (2) divide that total quantity of water by 10;
- (3) multiply that resulting quantity in paragraph (a)(2) by the BAUF;
- (4) multiply that resulting quantity in paragraph (a)(3) by five; and
- (5) if the application required by K.A.R. 5-16-3 was filed after November 1 of the year designated as the first year of the flex account period, subtract the quantity of water used under the base water right during the year in which the application was filed from the resulting quantity in paragraph (a)(4).
- (b) If significant water conservation measures were implemented under the base water rights at any time during the period of calendar years 2000 through 2009, the average annual quantity of water actually used may be calculated using the five consecutive calendar years immediately preceding the implementation of significant water conservation measures, but these five calendar years shall not begin before calendar year 1995. The five-year allocation under the term permit shall be determined by performing the following calculations:
- (1) Add the actual, legal annual water use of the base water right or rights for the five consecutive calendar years. This sum is the total quantity of water;
 - (2) divide that total quantity of water by five;
- (3) multiply that resulting quantity in paragraph (b)(2) by the BAUF;
- (4) multiply that resulting quantity in paragraph (b)(3) by five; and

- (5) if the application required by K.A.R. 5-16-3 was filed after November 1 of the year designated as the first year of the flex account period, subtract the quantity of water used under the base water right during the year in which the application was filed from the resulting quantity in paragraph (b)(4).
- (c) If water use records for a base water right are inadequate to accurately determine actual water use during any calendar year during the period used to determine the base average usage, then that year shall be counted as having no water use.
- (d) No flex account shall be allowed if the flex account is inconsistent with the provisions of any intensive groundwater use control area created pursuant to K.S.A. 82a-1036 through K.S.A. 82a-1040, and amendments thereto
- (e)(1) If water was authorized to be diverted for less than the entire period used to determine the base average usage, the five-year allocation shall be determined by means of these calculations:
- (A) Add the actual, legal annual water use of the base water right or rights for the entire period used. This sum is the base average usage;
- (B) divide the base average usage by the number of years, or parts thereof, that water was authorized to be diverted by the chief engineer;
- (C) multiply that resulting quantity in paragraph (e)(2) by the BAUF;
- (D) multiply that resulting quantity in paragraph (e)(3) by five; and
- (E) if the application required by K.A.R. 5-16-3 was filed after November 1 of the year designated as the first year of the flex account period, subtract the quantity of water used under the base water right during the year in which the application was filed from the resulting quantity in paragraph (e)(4).
- (2) Water rights that authorized use of water for less than two calendar years during the period used to determine the base average usage shall not be eligible for a flex account. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 2010 Supp. 82a-736, as amended by L. 2011, ch. 89, sec. 28; effective Oct. 11, 2002; amended Jan. 6, 2006; amended, T-5-8-29-11, Aug. 29, 2011.)

David Barfield, P.E., Chief Engineer Division of Water Resources

Doc. No. 039773

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-260. 1603 Western Plains dba Jump Start lottery give-a-way. (a) During the term of this promotion players at all Western Plains dba Jump Start stores in Kansas shall be able to enter all non-winning \$1 instant scratch tickets purchased at participating Western Plains dba Jump Start Kansas lottery retailers.

- (b) The term of this promotion shall be June 1, 2011, through the end of the business day on June 30, 2011.
- (c) During the term of this promotion, drop boxes for the deposit of the non-winning \$1 instant scratch tickets shall be provided by the lottery and placed at all participating Western Plains dba Jump Start locations. All drop boxes shall be retrieved by the Kansas lottery at the end of the promotion.
- (d) After the term of this promotion has ended, two entries and two alternate entries shall be drawn by the Kansas lottery for each of the Western Plains dba Jump Start locations.
- (e) Two winners from each store will each win Kansas lottery instant ticket coupons valued at \$50.00. (Authorized by and implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-7-6-11, May 18, 2011.)
- **111-2-261. Method of entry.** (a) Entry into the Western Plains dba Jump Start "Lottery Give-A-Way" promotion shall be accomplished as follows:
- (1) During the term of this promotion, any non-winning \$1 scratch ticket, which was purchased at any Western Plains dba Jump Start retail location, may be entered into the provided drop box.
- (2) The purchaser must complete the information on the back of the non-winning ticket in a legible manner. Only one name shall appear on each non-winning ticket.
- (3) The completed non-winning ticket must be placed into the designated drawing receptacle provided at the participating Western Plains dba Jump Start store no later than the close of business for that store on June 30, 2011.
- (4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.
- (5) The drawing shall be conducted at Kansas lottery headquarters after the entry deadline for the promotion. Two entries and two alternate entries per store shall be drawn by lottery personnel.
- (6) Only non-winning \$1 tickets purchased during the stated period of time at any Kansas Western Plains dba Jump Start location may be entered in the drawing.
- (b) There is no limit on the number of entries a person may make, but each person may only win once regardless of the place of entry.
- (c) All eligible entries, which are deposited into a drawing receptacle by the end of business for that store on June 30, 2011, shall be entered into the drawing.
- (d) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of any Western Plains dba Jump Start store in Kansas.
- (e) Completing the information 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. 2010 Supp. 74-8710; effective, T-111-7-6-11, May 18, 2011.)
- **111-2-262.** Determination of "Western Plains dba Jump Start lottery give-a-way" winners and prizes. (a) The drawing for the "Western Plains dba Jump Start Lottery Give-a-way" will take place at Kansas lottery head-quarters during the week of July 4, 2011.
- (b) A Kansas lottery employee designated by the executive director of the Kansas lottery shall be the drawing

- official for the drawing. At the time of the drawing, the drawing official shall rotate the contents of the drop box for each store location. Using the bare-arm technique, and while looking away, the drawing official shall draw, one by one, two entries from the drop box for each store location as winners of prizes. The two winning entry forms drawn from each store location's drop box shall be marked in the order drawn, i.e., 1 and 2. After the draw official has drawn the appropriate number of winning entries from each drop box, two more entries shall be drawn from each store location's drop box and marked as 1A and 2A and shall serve as alternate entries.
- (c) All winning entries shall be verified by a Kansas lottery security representative or a Kansas lottery employee designated by the executive director of the Kansas lottery and verified as a valid entry. If any winning entry that was drawn is declared ineligible, the next alternate entry shall be declared a winner for that prize. (Authorized by and implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-7-6-11, May 18, 2011.)
- **111-2-263.** Certification of drawings. (a) The "Western Plains dba Jump Start Lottery Give-a-way" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery sales department or other person or persons designated by the executive director of the lottery ("event manager").
- (b) Upon completion of the drawing, the security official and the drawing official 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. 2010 Supp. 74-8710; effective, T-111-7-6-11, May 18, 2011.)

Article 4.—INSTANT GAMES AND DRAWINGS

- **111-4-3097.** "Veterans Cash" instant ticket lottery game number 461. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Veterans Cash" commencing on or after June 1, 2011. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3097.
- (b) The "play symbols" and "captions" for this game are as follows:

Game Symbols	Captions
Symbol of fireworks	FIREWKS
Symbol of a heart	HEART
Symbol of a canteen	CANTN
Symbol of a ship	SHIP
Symbol of an orange	ORANGE
Symbol of a horseshoe	SHOE
Symbol of a key	KEY
Symbol of a moneybag	MONEYBAG
Symbol of a clover	CLOVER
Symbol of a pot of gold	POTOGLD
Symbol of a flag	FLAG
Symbol of a star	STAR

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

Prize Symbols	Captions
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THREE\$
\$5.00	FIVE\$
\$7.00	SEVEN\$
\$10.00	TEN\$
\$15.00	FIFTN\$
\$20.00	TWENTY
\$25.00	TWEN-FIV
\$40.00	FORTY
\$100	HUNDRED
\$250	TWO-FTY
\$2,000	TWO-THOU
FREE	TICKET

(c) For this game, a play symbol shall appear in each of 12 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 six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
THR	=	\$3.00
FIV	=	\$5.00
SEV	=	\$7.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TWF	=	\$25.00
FRY	=	\$40.00
HUN	=	\$100.00
THF	=	\$250.00

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

(g) The "Veterans Cash" is an instant win game. A player will remove the scratch-off material covering the game play area to reveal six play symbols with a prize amount shown below each play symbol. If the player reveals a "FLAG" symbol, the player wins the prize amount shown below that symbol instantly. If the player reveals a "STAR" symbol, the player wins \$25 instantly.

(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 120,000 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:

	Prizes	Number of Prizes in Game	Expected Value in Game
\$1 Free Ticket	Free Ticket	60,000	\$0
\$1	\$1	44,000	44,000
\$2	\$2	20,000	40,000

\$3	\$3	1,000	3,000
(\$1 x 3)	\$3	3,000	9,000
\$5	\$5	1,000	5,000
\$3 + \$2	\$5	3,000	15,000
$(\$1 \times 3) + \2	\$5	4,000	20,000
\$7	\$7	1,000	7,000
$(\$1 \times 5) + \2	\$7	3,000	21,000
\$10	\$10	1,000	10,000
\$7 + \$3	\$10	1,000	10,000
\$15	\$15	200	3,000
(\$5 x 3)	\$15	800	12,000
$(\$1 \times 3) + \$2 + (\$5 \times 2)$	\$15	1,000	15,000
\$20	\$20	50	1,000
$(\$3 \times 5) + \5	\$20	300	6,000
(\$10 x 2)	\$20	150	3,000
\$25 (auto win)	\$25	2,000	50,000
\$40	\$40	100	4,000
\$25 (auto win) + \$15	\$40	300	12,000
$(\$15 \times 2) + (\$5 \times 2)$	\$40	100	4,000
\$100	\$100	10	1,000
(\$25 (auto win) x 4)	\$100	20	2,000
$(\$40 \times 2) + (\$5 \times 4)$	\$100	20	2,000
\$250	\$250	10	2,500
$(\$25 (auto win) \times 2) + (\$100 \times 2)$	\$250	10	2,500
\$2,000	\$2,000	5	10,000
TOTAL		147,075	\$314,000

(k) The odds of winning a prize in this game are approximately one in 4.08. (Authorized by K.S.A. 2010 Supp. 74-8710; implementing K.S.A. 2010 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-7-6-11, May 18, 2011.)

111-4-3098. "Super Red Hot Crossword" instant ticket lottery game number 387. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Super Red Hot Crossword" commencing on or after June 1, 2011. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-3098.

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

Prize Symbols	Captions
\$5.00	FIVE\$
$10^{.00}$	TEN\$
$15^{.00}$	FIFTEEN
20.00	TWENTY
25.00	TWEN-FIV
50.00	FIFTY
75.00	SVTYFIV
\$100\$	ONE-HUN

Captions

Play Symbols Α В C D Ε F G Η Ι K L M N 0 Р

Q R S T U V W X Y Z GOOD LUCK MAYBE NEXT TIME

- (c) For this game, a play symbol shall appear in each of 20 play spots within the "YOUR LETTERS" play area, a variable number of times within the two crossword puzzle grids, and one time in the "BONUS" play area.
- (d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.
- (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
TWF	=	\$25.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
THN	=	\$200.00

- (f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.
- (g) "Super Red Hot Crossword" will feature four separate play areas, "YOUR LETTERS" area, two "CROSS-WORD" puzzles, and a "BONUS" area. The top puzzle grid will be imaged in black. The bottom puzzle grid will be imaged in red.

In the "CROSSWORD" play area, a player will scratch the "YOUR LETTERS" play area to reveal 20 letters. Each of the "YOUR LETTERS" may be used in both crossword puzzles. A player will match the corresponding letters in both crossword puzzles by removing the scratch-off material covering the matching letter. If a player scratches four or more completed words across both puzzles, the player wins the corresponding prize in the prize legend. The entire word must be uncovered to win the corresponding prize. Only the highest corresponding prize can be won. Words revealed in the puzzle grid at the top of the ticket are the "black" words, and words revealed in the puzzle grid at the bottom of the ticket are the "red" words.

In the "BONUS" play area, if a player reveals any amount, the player wins that amount instantly. A player can win once in this game play area.

- (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 the "YOUR LETTERS" area 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 "Super Red Hot Crossword."
 - (i) Each ticket in this game may win up to two times.
- (j) Approximately 900,000 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:

Evpected

			Expected Number	Expected
			of Prizes	Value
Game 1	Bonus	Prizes	in Game	in Game
Free Ticket		Free Ticket	150,000	\$0
\$5		\$5	18,000	90,000
\$10		\$10	17,100	171,000
	\$10	\$10	3,000	30,000
\$5	\$5	\$10	6,000	60,000
\$20		\$20	8,700	174,000
	\$20	\$20	1,800	36,000
\$10	\$10	\$20	3,900	78,000
\$25		\$25	4,800	120,000
	\$25	\$25	1,800	45,000
\$10	\$15	\$25	3,000	75,000
\$50		\$50	4,200	210,000
	\$50	\$50	1,500	75,000
\$25	\$25	\$50	2,700	135,000
	<i>\$7</i> 5	<i>\$7</i> 5	300	22,500
\$50	\$25	\$75	600	45,000
\$100		\$100	2,400	240,000
	\$100	\$100	600	60,000
\$50	\$50	\$100	1,350	135,000
\$200		\$200	150	30,000
\$1,000		\$1,000	99	99,000
\$5,000		\$5,000	30	150,000
\$50,000		\$50,000	6	300,000
TOTAL			232,035	\$2,380,500

- (l) The odds of winning a prize in this game are approximately one in 3.88. (Authorized by K.S.A. 2010 Supp. 74-8710; implementing K.S.A. 2010 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-7-6-11, May 18, 2011.)
- **111-4-3099.** "Bonus Crossword" instant ticket lottery game number 388. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Crossword" commencing on or after June 1, 2011. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3099.
- (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 "BO-NUS" 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:

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

(l) The odds of winning a prize in this game are approximately one in 4.13. (Authorized by K.S.A. 2010 Supp. 74-8710; implementing K.S.A. 2010 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-7-6-11, May 18, 2011.)

Article 301.—SPECIFIC LOTTERY FACILITY GAMES AT LOTTERY GAMING FACILITIES

- **111-301-6. Play.** (a) After the cards have been shuffled, the dealer shall offer the stack of cards to a player to be cut. The player may cut the cards by placing a cutting card provided by the dealer. The cut card must be placed in the stack so there are no fewer than 52 cards on either side of the cut card for a six deck game or no fewer than 26 cards on either side of the cut card for a double deck game.
- (b) At the commencement of each round of play, the dealer shall, starting on his left and continuing around the table, deal the cards in the following order:
- (1) One card face upwards to each box on the blackjack layout in which a wager is contained;
 - (2) One card face upwards to himself; and,
- (3) A second card face upwards to each box in which a wager is contained.
- (4) A second card face down to himself and placed underneath the dealer's upcard.
- (c) After two cards have been dealt to each player and the appropriate number to the dealer, the dealer shall, beginning from his left, have each player indicate whether he wishes to double down, split pairs, stand or draw
- (d) As each player indicates his decision(s), the dealer shall deal face upwards whatever additional cards, if any, which are necessary to effectuate such decision.
- (e) After the decision(s) of each player have been implemented and all additional cards have been dealt, the dealer shall expose the dealer hole card. Any additional cards authorized to be dealt to the hand of the dealer shall be dealt face upwards.
- (f) If the dealer has a blackjack, no additional cards shall be dealt and each player's wager shall be settled.
 - (g) Payment of blackjack shall be made as follows:

- (1) If the first face up card dealt to the dealer is a 2, 3, 4, 5, 6, 7, 8, or 9 and a player has a blackjack, the dealer shall immediately pay the blackjack at odds of 3 to 2 and shall remove that player's cards before any player receives a third card. If the first face up card dealt to the dealer is a king, queen, jack or 10 and a player has a blackjack, the dealer shall check the dealer's hole card for an ace. If the dealer's hole card does not give the dealer a blackjack, the player having a blackjack shall immediately be paid at odds of 3 to 2. If the dealer's hole card gives him a blackjack, the wager of the player having a blackjack shall be void and constitute a "push" or a "tie."
- (2) Whenever the first card dealt to the dealer is an ace, each player shall have the right to make an insurance bet which, except as otherwise provided herein, shall win if the dealer's second card is a king, queen, jack or 10 and shall lose if the dealer's second card is an ace, 2, 3, 4, 5, 6, 7, 8, or 9. An insurance bet may be made by placing on the insurance line of the layout an amount not more than half the amount staked on the player's initial wager, except that a player may bet an amount in excess of half the initial wager to the next unit that can be wagered in chips, when because of the limitation of the value of chip denominations, half the initial wager cannot be bet. After all insurance wagers have been placed, the dealer will check the dealer's hole card for blackjack. If the dealer has a blackjack, the dealer will collect all of the losing original wagers and then pay all insurance wagers at odds of 2 to 1. The wager of a player having the blackjack shall be void and constitute a "push" or a "tie." If the dealer does not have a blackjack, the dealer will immediately collect all of the losing insurance wagers. When a player has a blackjack, the player shall be given the option of taking even money for the player's wager instead of making an insurance wager. In such circumstances, the dealer shall pay the wager at 1 to 1 odds before checking the dealer's hole card and shall remove that player's cards before any player receives a third card.
- (3) Except for a blackjack, a player may elect to double down, which means to make an additional wager not in excess of the amount of the player's original wager on the first two cards dealt to him on the condition that one and only one additional card shall be dealt to the hand on which he has elected to double down. If a dealer obtains a blackjack after a player doubles down, the dealer shall only collect the amount of the original wager of such player and shall not collect the additional amount wagered in doubling down. Upon a player's election to double down, the dealer shall deal the player's hand one additional card face upwards or sideways on the layout. In the alternative, if the one additional card is dealt face down, such card shall be turned face upward after the dealer has drawn additional cards to his hand and at such time as all players' wagers are to be settled at the conclusion of the round of play. A double down wager shall win if the total of the player's cards exceeds the total of the dealer's cards without exceeding a total of twentyone (21). A double down wager shall push or tie if the player's hand and the dealer's hand are equal. A double down wager shall lose if the total of the player's cards exceeds twenty-one (21) or is less than the total of the dealer's cards. A double down wager shall be paid at the

- rate of 1:1 on both the original wager and the double down portion of the wager.
- (h) If the initial two cards dealt to a player are identical in value, the player may elect to split the hand into two separate hands provided that he makes a wager on the second hand so formed in an amount equal to his original wager. When a player splits pairs, the dealer shall deal a card to and complete the player's decisions with respect to the first incomplete hand on the dealer's left before proceeding to deal any cards to any other hand. After a second card is dealt to a split pair, the player shall indicate his decision to stand or draw with respect thereto except that:
- (A) A player may split pairs a maximum of three times to make a total of four hands; and
- (B) A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards
- (i) A player may elect to draw one or more additional cards whenever his point count total is less than 21 except that:
- (1) A player electing to double down shall draw one and only one additional card;
- (2) A player splitting aces shall only have one card dealt to each ace and may not elect to receive additional cards.
- (j) A dealer shall draw additional cards to his or her hand until he or she has:
- (1) A hard total of 17, 18, 19, 20, or 21, whichever comes first; or
- (2) A soft total of 18, 19, 20, or 21, whichever comes first.

A dealer shall draw no additional cards to his hand, regardless of the point count, if decisions have been made on all players' hands and the point count of the dealer's hand will have no effect on the outcome of the round of play. A split bet shall win if the total of the player's cards exceeds the total of the dealer's cards without exceeding a total of twenty-one (21). A split bet shall lose if the total of the player's cards exceeds twenty-one (21) or is less than the total of the dealer's cards. A split bet shall tie or push if the player's hand and the dealer's hand are equal. A split bet shall be paid at the rate of 1:1 on both the original wager and the split wager.

- (k) A card found turned face upwards in the shoe shall not be used in the game and shall be placed in the discard rack.
- (l) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.
- (m) If the dealer has a hard total of 17 and accidentally draws a card for himself, such card shall be burned.
- (n) If the dealer misses dealing his first or second card to himself, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to himself. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-24-09, Dec. 3, 2009; amended, T-111-05-17-11, April 13, 2011; amended, T-111-7-6-11, May 18, 2011.)

Article 303.—SPECIFIC LOTTERY FACILITY GAMES AT LOTTERY GAMING FACILITIES; ROULETTE

- **111-303-3. Definitions** The following definitions, when used in the Southwest Kansas Lottery Gaming Zone, when pertaining to the game of "Roulette" shall have the following meanings unless the context clearly indicates otherwise:
- (a) "American wheel" shall mean a roulette wheel with 38 compartments containing the numbers one through thirty-six (1-36) and a zero (0) and double zero (00).
- (b) "Compartment" or "slots on the roulette wheel" shall mean where the roulette ball will land to decide the outcome of the bet. The numbers of the roulette wheel are numbered from 1 to 36, with background colors alternating between red and black. The background color of the zero and double zero compartments is green.
- (c) "Crown" shall mean a point marker used by the dealer to mark the corresponding number on the roulette table layout where the roulette ball has come to rest.
- (d) "Croupier" or "dealer" shall mean a person in charge of the roulette game. This person handles the wagers and payouts and spins the roulette wheel and ball.
- (e) "Inside bets" shall mean the following types of wagers:
 - (1) One number (straight bet)
 - (2) Two numbers (split bet)
 - (3) Three numbers (street bet)
 - (4) Four numbers (corner bet)
 - (5) First five numbers (top line bet)
 - (6) Six numbers (line bet).
- (f) "No more bets" shall mean that a dealer waves one hand over the layout prior to the roulette ball coming to rest in a compartment on the wheel and no more bets will be accepted on the roulette laylout.
- (g) "No spin" shall mean when a dealer states the spin is void because of an irregularity in the spin.
- (h) "Non-value chips" shall mean gaming chips of various colors that have no value amount imprinted on them. The value of these chips is established with the dealer by the player before any betting takes place on the roulette layout. Each player receives chips of a different color, thus eliminating possible confusion of which player placed the bet.
- (i) "Outside bets" shall mean the following types of wagers:
 - (1) Twelve numbers (column bet)
 - (2) Twelve numbers (dozen bet)
 - (3) Red or black
 - (4) Even or odd
 - (5) Low or high numbers
- (j) "Value chips" shall mean gaming chips that have specific dollar denominations imprinted on them, which chips may be redeemed by a player for cash from the lottery gaming facility manager. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-24-09, Dec. 3, 2009; amended, T-111-7-6-11, May 18, 2011.)
- **111-303-4.** Wagers. (a) All wagers (or "bets") at roulette shall be made by placing accepted gaming chips on the appropriate areas of the roulette layout. No verbal wagers or cash may be accepted by the dealer to wager

- on the table. Value chips, issued by the lottery gaming facility manager and used on other table games within the lottery gaming facility, may be accepted for any round of play provided that only one player is allowed to wager value chips of the same denomination on inside wagers. Multiple players will be allowed to wager value chips of the same denomination on outside wagers.
- (b) Non-value chips issued by the dealer on a roulette table have no value off the table and may not be taken off the table to be exchanged for value cash chips or cash. Non-value chips may only be redeemed at the table at which they were originally purchased. Each roulette table shall have non-value chips that are of a different design from chips at any other roulette table at the lottery gaming facility. Non-value chips shall only be used and redeemed at the roulette table where issued. The lottery gaming facility manager may limit or prohibit the use of value chips at any roulette table.
- (c) No player at a roulette table shall be issued or permitted to game with non-value chips that are identical in color and design to cash value chips or to non-value chips being used by another player at the same table.
- (d) Each player shall be responsible for the correct positioning of their wager on the roulette layout regardless of whether the player is assisted by the dealer. Each player shall be responsible for ensuring that instructions given to the dealer regarding the placement of a wager are correctly carried out.
- (e) Each wager shall be settled strictly in accordance with its position on the layout when the ball falls to rest in a compartment of the wheel.
- (f) The permissible wagers in the game of roulette shall be:
- (1) "Straight bet" (one number) is a wager that the roulette ball will come to rest in the compartment of the roulette wheel that corresponds to a single number selected by the player. The player shall select a number by placing a wager within the box on the roulette layout that contains the selected number.
- (2) "Split bet" (two numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to either of two numbers selected by the player. The player shall select the numbers by placing a wager on the line between the two boxes on the roulette layout that contain the two selected numbers, except that a split wager on "0" and "00" may also be placed on the line between the "2nd 12" and the "3rd 12" boxes
- (3) "Street bet" (three numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of three numbers in a single row on the roulette layout selected by the player. The player shall select a row of numbers by placing a wager on the outside line of the box on the roulette layout that contains the first number in the selected row.
- (4) "Three numbers" shall also include a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of the three numbers contained in one of the following groups of numbers: (0,1,2) (0,2,00) or (00,2,3). The player shall select one of the "three numbers" wagers by placing a wager

on the common corner of the three boxes containing the selected numbers.

- (5) "Corner bet" (four numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of four numbers in contiguous boxes on the roulette layout selected by the player. The player shall select the four numbers by placing a wager on the common corner of the four boxes containing the selected numbers.
- (6) "Top line bet" (first five numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of the numbers "0," "00," "1," "2," or "3." The player shall bet the "first" of the boxes on the roulette layout that contains the label "1st 12" and the numbers "0" and "1."
- (7) "Line bet" (six numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any one of six numbers contained in two contiguous rows of numbers on the roulette layout selected by the player. The player shall select the two rows of numbers by placing a wager on the outside common corner of the boxes on the roulette layout that contains the first number in each of the rows being selected.
- (8) "Column bet" (12 numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 12 numbers contained in a single column on the roulette layout selected by the player. The player shall select a column of 12 numbers by placing a wager in the box on the roulette layout that is at the bottom of the column being selected.
- (9) "Dozen bet" (12 numbers) is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 12 consecutive numbers from 1 through 12, 13 through 24, or 25 through 36 selected by the player. The player shall select the 12 numbers by placing a wager in the box on the roulette layout labeled "1st 12" (1 through 12) "2nd 12" (13 through 24), or "3rd 12" (25 through 36).
- (10) "Red" is a wager that the roulette ball will come to rest in any compartment with a red background on the roulette wheel. The player shall bet on "red" by placing a wager within the red box on the roulette layout used for such wagers.
- (11) "Black" is a wager that the roulette ball will come to rest in any compartment with a black background on the roulette wheel. The player shall bet on "black" by placing a wager within the black box on the roulette layout used for such wagers.
- (12) "Odd" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to any "odd" number. The player shall bet on an "odd" by placing a wager within the box on the roulette layout that is labeled "odd."
- (13) "Even" is a wager that the roulette ball will come to rest in any compartment of the roulette wheel that corresponds to any "even" number. The player shall bet on an "even" by placing a wager within the box on the roulette layout that is labeled "even."
- (14) "1 to 18" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 18 consecutive numbers from 1

- through 18. The player shall bet on "1 to 18" by placing a wager within the box on the roulette layout that is labeled "1 to 18." This is also referred to as a "low" bet.
- (15) "19 to 36" is a wager that the roulette ball will come to rest in a compartment of the roulette wheel that corresponds to any of 18 consecutive numbers from 19 through 36. The player shall bet on "19 to 36" by placing a wager within the box on the roulette layout that is labeled "19 to 36." This is also referred to as a "high" bet.
- (g) The maximum and minimum bets will be set by the Lottery and be posted on the game table at the time the game is operating.
- (h) The odds paid for winning wagers for roulette shall be:

Bet made	Payout Odds
Straight	35 to 1
Split	17 to 1
Street	11 to 1
Three numbers	11 to 1
Corner	8 to 1
Top line	6 to 1
Line	5 to 1
Column	2 to 1
Dozen	2 to 1
Red	1 to 1
Black	1 to 1
Odd	1 to 1
Even	1 to 1
1 to 18	1 to 1
19 to 36	1 to 1

(Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-24-09, Dec. 3, 2009; amended, T-111-7-6-11, May 18, 2011.)

- **111-303-5. Play.** (a) The roulette ball shall be spun by the dealer in a direction opposite to the rotation of the wheel and shall complete at least three (3) revolutions around the track of the wheel to constitute a valid spin.
- (b) Prior to the ball coming to rest in a compartment, the dealer shall wave a hand over the table layout.
- (c) Upon the ball coming to rest in a compartment, the dealer shall announce the number of such compartment and shall place a crown on that number on the roulette table layout.
- (d) After placing the crown on the layout, the dealer shall first collect all losing wagers and then pay off all winning wagers.
- (e) Irregularities necessitating a call of "no spin" and a subsequent re-spin of the ball shall be as follows:
- (1) If the ball is spun in the same direction as the wheel, the dealer shall state "no spin" and shall attempt to remove the roulette ball from the wheel prior to its coming to rest in one of the compartments.
- (2) If the roulette ball does not complete three (3) revolutions around the track of the wheel, the dealer shall announce "no spin" and shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.
- (3) If a foreign object enters the wheel prior to the ball coming to rest, the dealer shall announce "no spin" and

shall attempt to remove the ball from the wheel prior to its coming to rest in one of the compartments.

(4) If the ball leaves the wheel prior to the ball coming to rest, the dealer shall announce "no spin." The ball shall be recovered and inspected by the pit supervisor for any damage or tampering before being placed back into the wheel. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-24-09, Dec. 3, 2009; amended, T-111-7-6-11, May 18, 2011.)

Article 307.—SPECIFIC FACILITY GAMES AT LOTTERY GAMING FACILITIES; ULTIMATE TEXAS HOLD'EM POKER

111-307-4. Ultimate Texas Hold'em hand rankings. (a) The rank of the cards used in Ultimate Texas Hold'em, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a 2, 3, 4, and 5.

(b) The permissible poker hands at the game of Ultimate Texas Hold'em, in order of highest to lowest rank, shall be:

(1) "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;

(2) "Śtraight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with ace, king, queen, jack, and 10 being the highest ranking five-card straight flush and ace, 2, 3, 4, and 5 being the lowest ranking five-card straight flush, provided that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand (for example, queen, king, ace, 2, 3);

(3) "Four-of-a-kind" is a hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four-of-a-kind;

(4) "Full house" is a hand consisting of "three-of-a-kind" and a "pair," with the three aces and two kings being the highest ranking full house and three 2s, two 3s being the lowest ranking full house;

(5) "Flush" is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack, and 9 being the highest ranking flush and 2, 3, 4, 5, and 7 being the lowest flush;

(6) "Straight" is a hand consisting of five unsuited cards of consecutive rank, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, 2, 3, 4, and 5 being the lowest ranking straight, provided that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand, (for example, queen, king, ace, 2, 3);

(7) "Three-of-a-kind" is a hand consisting of three cards of the same rank, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(8) "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair; and

(9) "One pair" is a hand consisting of two cards of the same rank, with two aces being the highest ranking pair and two 2s being the lowest ranking pair;

(c) When comparing two hands which are of identical poker rank as described herein as "permissible poker hands," or which contain none of the hands authorized in this section, the hand that contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this section, the hands shall be considered a push. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-6-18-10, May 19, 2010; amended, T-111-7-6-11, May 18, 2011.)

111-307-6. Play. (a) All wagers at Ultimate Texas Hold'em are made by placing gaming chips on the appropriate betting areas of the layout. Prior to the first card being dealt, each player will make a wager, which is placed in the box marked "Ante," and an equal bet on the section marked "Blind." Each player has the option of wagering on the trips bet, which must also be placed before the first card is dealt. Five community cards will be dealt face down directly in front of the dealer, and each patron and the dealer will receive two down cards. Players now have a choice to check and do nothing or make a play bet of three or four times their ante. Once a player bets, they cannot bet again and they cannot change their bet. The dealer then turns over the first three community cards face up on the layout. The players that have not yet made the play bet have another choice to check and do nothing or to make a play bet of two times their ante. The dealer then will turn over the final two community cards face up on the layout. Players again that have not made a play bet have a choice to fold or to bet a play bet equal to their ante. The dealer then reveals his two hole cards and announces the best five-card hand. The dealer needs a pair or higher hand to qualify. When the dealer does not qualify, it is not an automatic win for the players. Only players who are seated at the Ultimate Texas Hold'em table may place a wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play. Minimum and maximum wagers are posted at each table and are determined by supervisory casino operations personnel.

(b) If a player places a play wager, the wager shall be placed in the designated play betting area.

(c) After the flop has been dealt, the dealer shall, starting with the player farthest to his or her left and proceeding in a clockwise manner around the table, ask each player who has not placed a play wager if he or she wishes to place a play wager prior to the dealing of the final two community cards. The player may either check or place a play wager in an amount equal to two times the amount of the player's ante wager.

(d) If a player places a play wager, the wager shall be placed in the designated play betting area.

(e) If a player checks, the player shall remain in the game and defer his or her decision to place a play wager to the next betting opportunity.

- (f) Once all players have either placed a play wager or checked, the dealer shall then turn over the next two community cards face up and place them in the designated area for the community cards.
- (g) After the final two community cards have been dealt, the dealer shall, starting with the player farthest to his or her left and proceeding in a clockwise manner around the table, ask each player who has not yet placed a play wager whether he or she wishes to fold his or her hand or place a play wager equal in amount to his or her ante wager.
- (h) If a player places a play wager, the wager shall be placed in the designated play betting area.
- (i) If a player folds, the ante and blind wagers of the player shall be collected by the dealer and placed in the table inventory container.
- (j) If the player has also placed a trips wager, the dealer shall place the cards of the player face down underneath the player's trips wager pending its resolution at the conclusion of the round of play.
- (k) If the player has not placed a trips wager, the dealer shall immediately spread the cards of the folded hand face down and place them in a discard rack.
- (l) After each player has either folded or placed a play wager, the dealer shall then turn his or her two cards face up, position his or her cards near the three community cards that can be used to from the best possible five-card hand and announce the dealer's hand to the players.
- (m) If the dealer's best possible five-card hand is lower than a pair, the dealer shall, starting with the player farthest to the dealer's right who has placed a play wager and proceeding in a counterclockwise manner around the table, return each player's ante wager and resolve all other wagers in accordance with subsection (q) below.
- (n) If the dealer's best possible five-card hand is a pair or above, the dealer shall, starting with the player farthest to the dealer's right who has placed a play wager and proceeding in a counterclockwise manner around the table, turn the two cards of each player who has placed a play wager face up and announce the best possible five-card poker hand that can be formed using the player's two cards and the five community cards. The wagers of each player shall be resolved one player at a time regardless of outcome. After all wagers placed by a player are settled, the player's cards shall then be immediately collected by the dealer and placed in the discard rack.
- (o) If the player's five-card hand is ranked lower than the dealer's five-card hand, the player shall lose and the dealer shall immediately collect any ante, blind and play wagers made by the player and place the wagers in the table inventory container.
- (p) If the player's five-card hand is ranked higher than the dealer's five-card hand, the player shall win and the dealer shall pay any ante, blind and play wagers made by the player in accordance with the payout odds set forth below in the section "payment odds;" provided that the blind wager shall not be paid unless the player's winning hand has a rank of straight or higher.
- (q) If the player's five-card hand and the dealer's five-card hand are of equal rank, the player's hand shall be a push. In such case, the dealer shall not collect or pay the player's ante, blind, or play wagers.

- (r) After settling a player's ante, blind, and play wagers, the dealer shall settle any trips wager made by the player by determining whether the player's five-card hand qualifies for a payout in accordance with K.A.R. 111-307-7. A winning trips wager shall be paid without regard to the outcome of any other wager made by the player. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-6-18-10, May 19, 2010; amended, T-111-7-6-11, May 18, 2011.)
- **111-307-7. Payout odds.** (a) A lottery gaming facility manager shall pay each winning ante and play wager at odds of 1 to 1.
- (b) If a player's five-card hand ranks higher than the dealer's five-card hand, the lottery gaming facility manager shall pay the player's blind wager in accordance with the following odds:

Player's Five-Card Hand	Payout Odds
Royal flush	500 to 1*
Straight flush	50 to 1*
Four-of-a-kind	10 to 1*
Full house	3 to 1*
Flush	3 to 2*
Straight	1 to 1*
Less than a straight	Push

*This does not include the return of the player's original bet.

(c) The lottery gaming facility manager shall pay each winnings trips wager at no less than the odds set forth in the alternative pay table set forth below that is implemented by the lottery gaming facility manager as approved by the executive director of the Kansas lottery:

Hand	Paytable A	Paytable B	Paytable C	Paytable D
Royal flush	50 to 1	50 to 1	50 to 1	50 to 1
Straight flush	40 to 1	40 to 1	40 to 1	40 to 1
Four-of-a-kind	30 to 1	30 to 1	30 to 1	20 to 1
Full house	9 to 1	8 to 1	8 to 1	7 to 1
Flush	7 to 1	6 to 1	7 to 1	6 to 1
Straight	4 to 1	5 to 1	4 to 1	5 to 1
Three-of-a-kind	3 to 1	3 to 1	3 to 1	3 to 1

*The payouts listed above do not include the return of the player's original bet. The trips bets are paid as each hand decision is made.

- (d) The following irregularities shall apply:
- (1) If any card dealt to the dealer in Ultimate Texas Hold'em is exposed prior to each player having either folded or placed a play wager, all hands shall be void.
- (2) If any card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.
- (3) If a player is dealt an incorrect number of cards, all players' hands shall be voided. If the dealer is dealt an incorrect number of cards, all players' hands shall be void.
- (4) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled.
- (5) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal cards during a round of play, the round of play shall be void (continued)

and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with procedures approved by the Kansas lottery commission.

(6) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-6-18-10, May 19, 2010; amended, T-111-7-6-11, May 18, 2011.)

Article 312.—SPECIFIC LOTTERY FACILITY GAMES AT LOTTERY GAMING FACILITIES; MISSISSIPPI STUD POKER

- **111-312-3. Definitions.** The following definitions, when used in the Southwest Kansas Lottery Gaming Zone, when pertaining to the game of "Mississippi Stud Poker" shall have the following meanings unless the context clearly indicates otherwise:
- (a) "3rd street wager" means an additional wager made by a player, in an amount equal to one, two or three times the amount of the player's ante wager, after the player has been dealt his or her initial two cards.

(b) "4th street wager" means an additional wager made by a player, in an amount equal to one, two or three times the amount of the player's ante wager, after the first community card has been is revealed by the dealer.

- (c) "5th street wager" means an additional wager made by a player, in an amount equal to one, two, or three times the amount of the player's ante wager, after the second community card is revealed by the dealer.
- (d) "Ante wager" shall mean the initial wager placed prior to any cards being dealt in order to participate in the round of play.
- (e) "Bet wager" shall mean either a 3rd street wager, a 4th street wager, or a 5th street wager.
- (f) "Community card" means any of the three cards that are initially dealt face down in the designated area in front of the dealer and, once revealed, shall be used by each player with his or her two cards to form a five card hand.
- (g) "Hand" means the five (5) card hand formed for each player by combining the two (2) cards dealt to the player and the three (3) community cards.
- (h) "Fold" means the withdrawal of a player from a round of play by discarding his or her two cards prior to placing a bet wager.
- (i) "Push" means a player's hand resulting in neither payment on nor collection of the player's wagers.
- (j) "Rank or ranking" shall mean the relative position of a card or group of cards.
- (k) "Round of play" or "round" means one complete cycle of play during which all players then playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid or collected.
- (l) "Stub" means the remaining portion of the deck after all cards in the round of play have been dealt.
- (m) "Suit" shall mean one of the four categories of cards, i.e., diamond, spade, club, or heart. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-7-10, Sept. 8, 2010; amended, T-111-7-6-11, May 18, 2011.)

- **111-312-5. Wagers.** (a) All wagers at Mississippi Stud Poker shall be made by placing gaming chips and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.
- (b) Only players who are seated at the Mississippi Stud Poker table may touch the cards. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play.
- (c) All ante wagers at Mississippi Stud Poker shall be placed prior to the dealer dealing the first card. No ante wager at Mississippi Stud Poker shall be made, increased or withdrawn after the dealer has dealt the first card.
- (d) Prior to the first card being dealt for each round of play, each player at the game of Mississippi Stud Poker shall make an ante wager.
- (e) Players who make an ante wager will receive two cards face down. They either fold or buy the first community card by making a 3rd Street wager (equal to 1x, 2x, or 3x their ante). When that card is revealed, they either fold or buy the second community card making a 4th Street wager (equal to 1x, 2x, or 3x their ante). After that card is revealed a player may either fold or buy the last community card making a 5th Street wager (equal to 1x, 2x, or 3x their ante).
- (f) After each round of play is complete, the dealer shall collect all losing wagers and pay off all winning wagers in accordance with the payout table. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-7-10, Sept. 8, 2010; amended, T-111-7-6-11, May 18, 2011.)
- **111-312-6.** Play. (a) The starting position for the dealing of cards and the delivery of stacks of cards for the game of Mississippi Stud Poker may be determined in the following manner:
- (1) The dealer shall deliver the first stack of three cards to the dealer, also known as the community cards, and will then deliver two cards dealt by the shuffler to the player farthest to his/her left, continuing to deal each player two cards face down in a clockwise manner.
- (2) After all players have looked at their two cards, the players have a choice:
 - (A) Fold (and surrender their ante wager); or
- (B) Make a 3rd Street bet equal to 1x, 2x, or 3x their ante wager.
- (3) The dealer shall then reveal the first community card.
 - (4) The players have a choice:
- (A) Fold (and surrender their ante wager and 3rd Street bet); or
- (B) Make a 4th Street bet equal to 1x, 2x, or 3x their ante wager.
- (5) The dealer shall then reveal the second community card.
 - (6) The players have a choice:
- (A) Fold (and surrender their ante wager, 3rd Street bet, and 4th Street bet); or
- (B) Make a 5th Street bet equal to 1x, 2x, or 3x their ante wager.
- (7) The dealer shall then reveal the third community card.

- (b) Working from right to left, the dealer reveals each player's two-card hand and determines their hand combined with the three community cards.
- (c) The dealer pays and takes according to the pay table. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-7-10, Sept. 8, 2010; amended, T-111-12-29-10, Dec. 9, 2010; amended, T-111-7-6-11, May 18, 2011.)
- **111-312-8. Irregularities.** (a) A card that is found face up in the shoe or the deck while the cards are being dealt shall void all hands and require a reshuffle. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled.
- (b) If any player is dealt an incorrect number of cards, all hands shall be void.
- (c) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled in accordance with procedures approved by the commission.
- (d) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void and the cards shall be removed from the device and reshuffled with any cards already dealt, in accordance with procedures approved by the commission.

- (e) Any automated card shuffling device or automated dealing shoe shall be removed from a gaming table before any other method of shuffling or dealing may be utilized at that table.
- (f) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled.
- (g) If an automated dealing shoe is being used and the device jams, stops dealing cards, or fails to deal all cards during a round of play, the round of play shall be void, and the cards shall be removed from the device and reshuffled with any cards already dealt.
- (h) If cards become soiled in the course of play and the dealer finds that a card is unsuitable for use, a table games floor supervisor or higher ranking employee will bring a substitute card from the card reserve in the pit stand and the unsuitable card is placed in a sealed envelope or container. The table games floor supervisor or higher ranking employee will maintain the envelope in a secure place within the pit until collection by security. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-12-7-10, Sept. 8, 2010; amended, T-111-12-29-10, Dec. 9, 2010; amended, T-111-7-6-11, May 18, 2011.)

Dennis Wilson **Executive Director**

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