

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use  
 Point of Diversion  
 Use Made of Water

(Check one or more)

WATER RESOURCES  
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NOV 09 2017

11:24

KS DEPT OF AGRICULTURE

File No. 35809

2. Name of applicant: City of Kiowa

Address: PO Box 228

City, State and Zip: Kiowa KS 67070-0228

Phone Number: (620)825-4127 E-mail address: \_\_\_\_\_

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

Name of water use correspondent: City of Kiowa

Address: PO Box 228

City, State and Zip: Kiowa KS 67070-0228

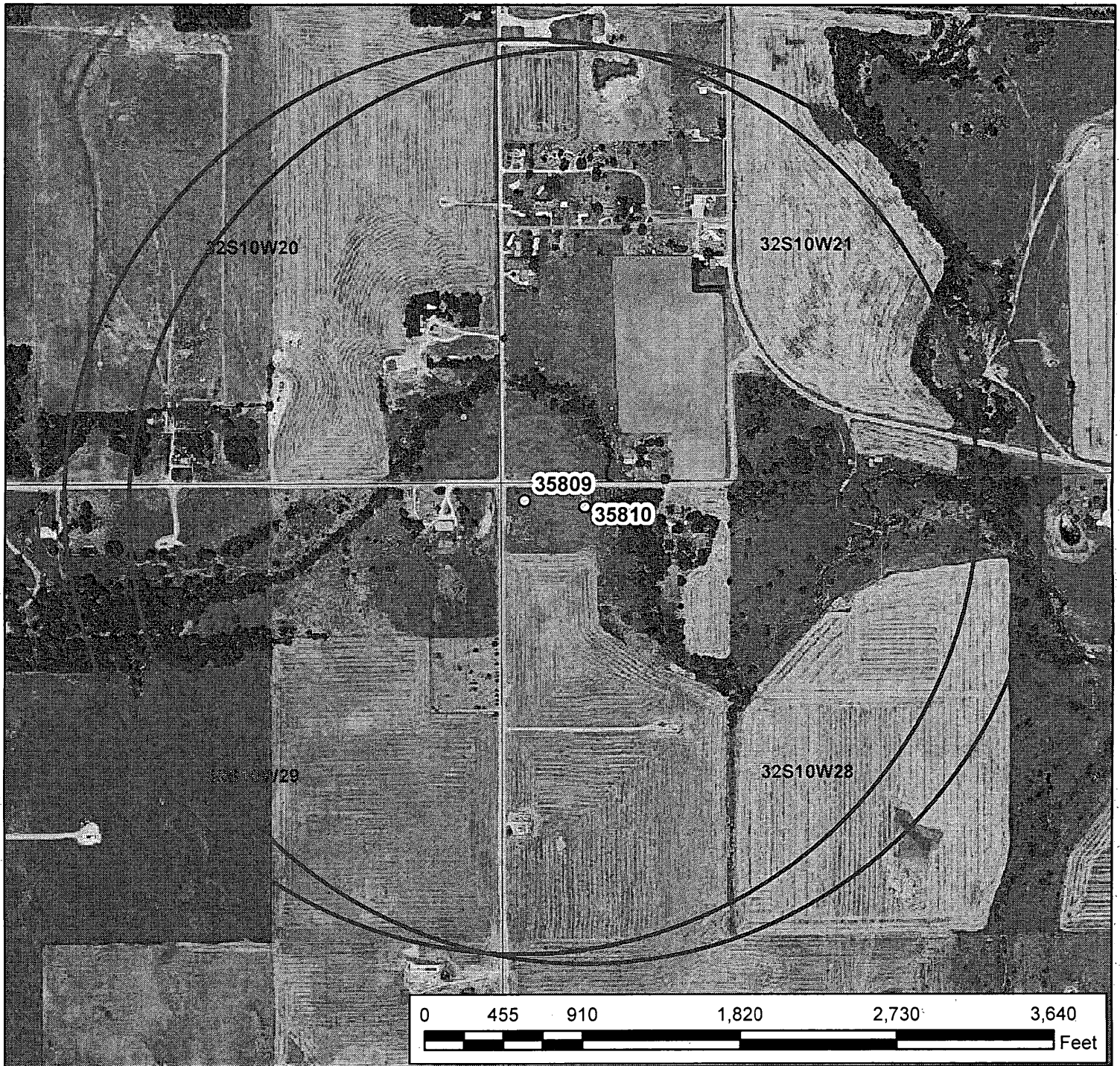
Phone Number: (620) 825-4127 E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): There is an emergency connection between the City of Kiowa's pipeline and Barber County Rural Water District No. 2. The rural water district is not currently on the place of use for the City's water rights.

The change(s) was completed by \_\_\_\_\_ (Date)

For Office Use Only:	
F.O. <u>2</u> GMD <u>2</u> Meets K.A.R. 5-5-1 (YES/NO) Use <u>MUN</u> Source <u>G/S</u> County <u>BA</u> By <u>AJW</u> Date <u>11/13/17</u>	
Code <u>CPD</u> Fee \$ <u>200</u> TR # _____ Receipt Date <u>11/13/17</u> Check # <u>30558</u>	

11/15/17 DW



**Legend**

- Water Appropriations
- ☆ Domestic Well
- Half Mile Circle
- Section Line

## Water Appropriation, File No. 35809 & 35810

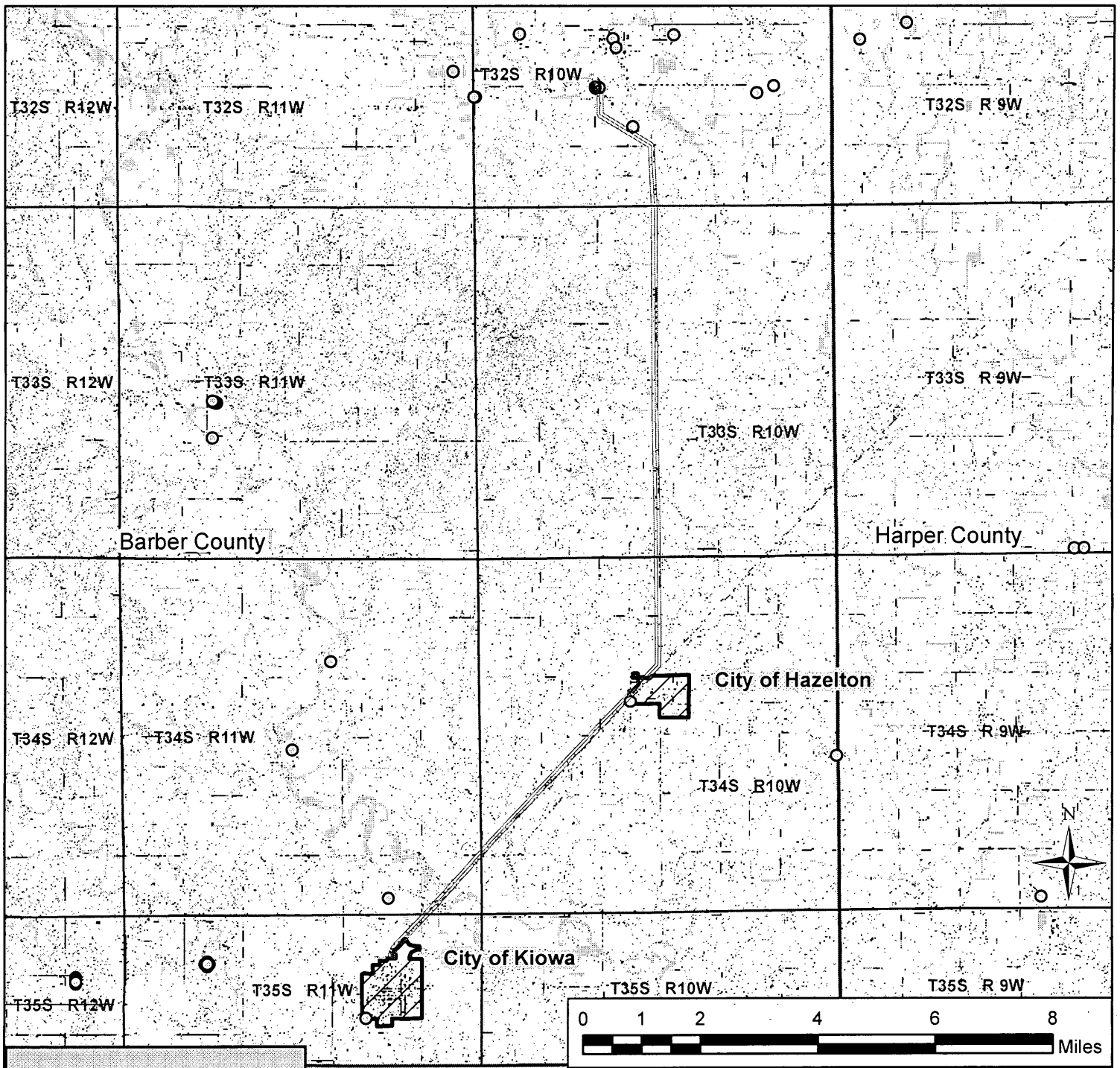
Change in Place of Use Application Map 1 of 3  
 City of Kiowa // Barber County

To the best of my knowledge, all wells within 1/2 mile of the proposed point of diversion have been shown.



NOV 09 2017

Signature



**Legend**

- Water Appropriations
- Authorized P/Ds
- Transmission Line
- ▨ City Boundary
- ▭ Township Line
- ▭ County Line

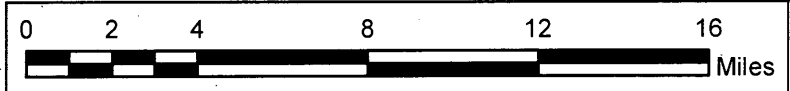
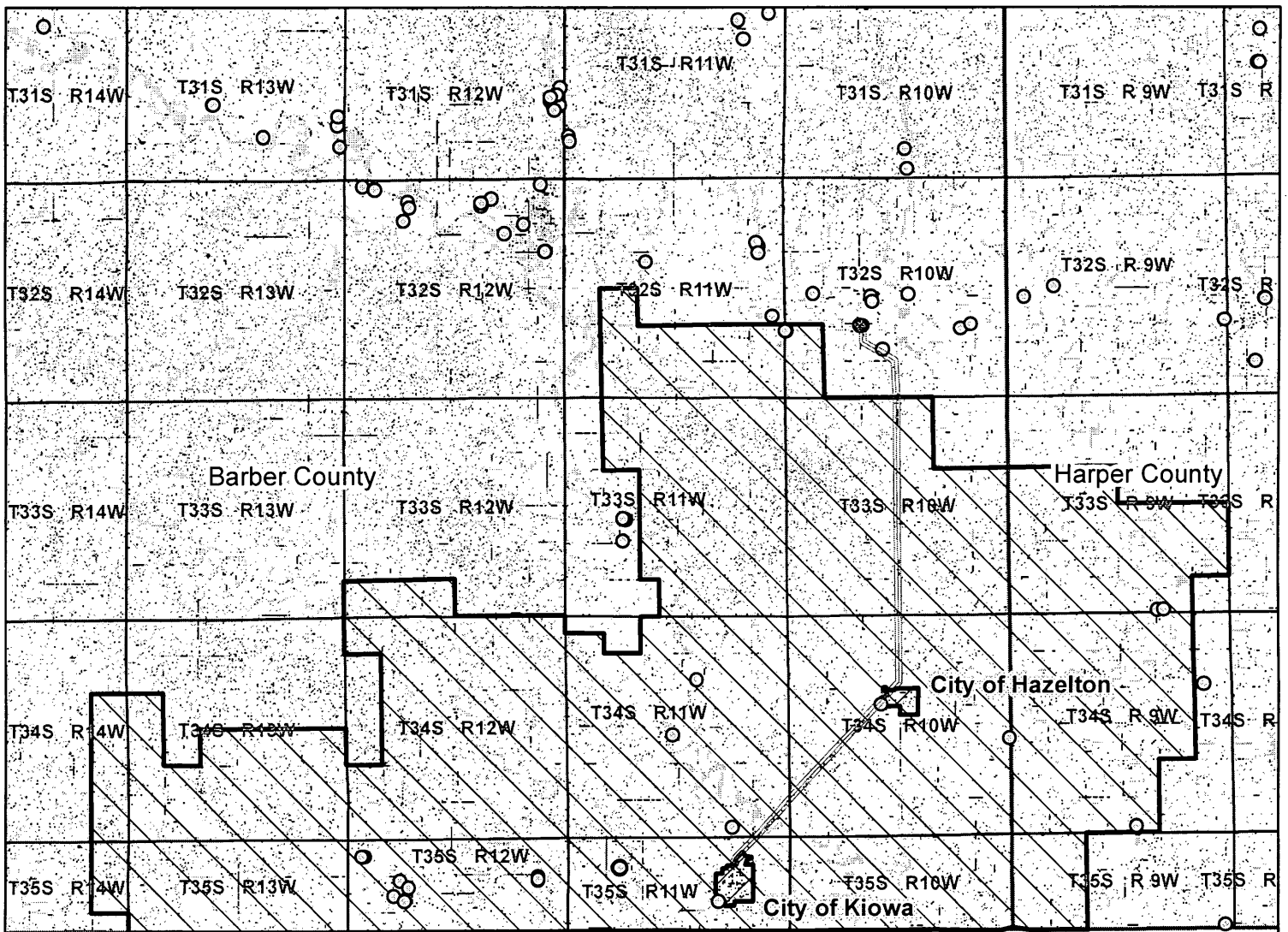
## Water Appropriation, File No. 35809 & 35810

### Change in Place of Use Application Map 2 of 3 City of Kiowa // Barber County

This map shows the Authorized Place of Use, which includes:

- the City of Kiowa and immediate vicinity,
- the City of Hazelton and immediate vicinity, and
- the Transmission Pipeline and immediate vicinity.

WATER RESOURCES  
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 KS DEPT OF AGRICULTURE  
 11/2/17 EKF-SFFO 1:173,000 scale



**Legend**

- Water Appropriations
- Authorized P/Ds
- Transmission Line
- ▨ City Boundary
- ▩ Barber RWD #02
- ▭ Township Line
- ▭ County Line

## Water Appropriation, File No. 35809 & 35810

### Change in Place of Use Application Map 3 of 3 City of Kiowa // Barber & Harper County

This map shows the Proposed Place of Use, which includes:  
 the City of Kiowa and immediate vicinity,  
 the City of Hazelton and immediate vicinity,  
 the Transmission Pipeline and immediate vicinity and  
 Barber County Rural Water District No. 2 and immediate vicinity.

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# CITY OF KIOWA

*Living in the Heartland*

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Chief Engineer  
Division of Water Resources  
KS Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502

WATER RESOURCES  
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NOV 09 2017

KS DEPT OF AGRICULTURE

November 7, 2017

Re: CITY OF KIOWA WATER RIGHTS

To the Chief Engineer:

Please find enclosed a check for \$600 payable to the KS Department of Agriculture and signed copies of the following:

1. Change of Use Application for File No. 35809
2. Change of Use Application for File No. 35810
3. Change of Use Application for File No. BA-04

Feel free to contact me at the City Office number: 620-825-4127 if you have any questions or concerns.

Thank you for your time.

Respectfully,

A handwritten signature in black ink, appearing to read "Lou Leone", with a long horizontal flourish extending to the right.

Lou Leone  
City Administrator





1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

CITY OF KIOWA 11/15/17  
PO BOX 228  
KIOWA, KS 67070

**FILE COPY**

RE: File No 35809

Dear Sir or Madam:

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

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

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

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

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

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

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

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

Sincerely,

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

BAT: DLW  
pc: STAFFORD Field Office GMD