


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

September 14, 2017

Rodney Strate
1229 120th Ave
Kinsley, KS 67547

Re: Pending Application, File No. 49,717

Dear Sir or Madam:

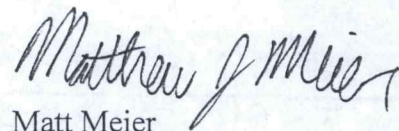
This is to advise you that Kinsley Ready Mix Inc has filed the application referred to above for a permit to appropriate 4.87 acre-feet of groundwater per calendar year for industrial use to be diverted at a maximum rate of 99 gallons per minute. The proposed point of diversion for 49,717 is an existing well (1 well), which is located as follows:

Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 35, Township 24 South, Range 19 West, Edwards County, Kansas.

A map is enclosed indicating the location of the proposed well. Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of this application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office **within 15 days** from the date of this letter.

If you have any questions or comments, you may also contact me at (620) 234-5311. If you call, please reference the file number so I can help you more efficiently. Mailed comments can be sent to the Stafford Field Office at 300 S. Main St. Stafford, KS 67578-1521.

Sincerely,



Matt Meier
Environmental Scientist
Water Appropriations Program

Enclosure

pc:

SCANNED

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Legend
 + Section Corners
 [] Section Lines

MJM-DWR 9/14/17

0 650 1,300 2,600 3,900 5,200 Feet

Proposed Water Appropriation, File No. 49717
35-24S-19W
Edwards County




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Russell Strate
1231 120th Ave
Kinsley, KS 67547

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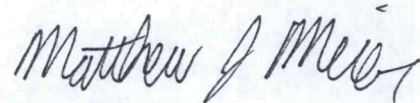
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MJM-DWR 9/14/17

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Troy and Tammi Sidebottom
1218 US Highway 50
Kinsley, KS 67547

Re: Pending Application, File No. 49,717

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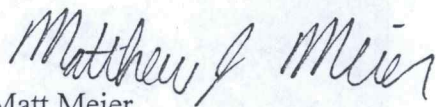
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Legend

⊕ Section Corners

▭ Section Lines

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Jorge & Maria Holguin
1209 US Highway 50
Kinsley, KS 67547

Re: Pending Application, File No. 49,717

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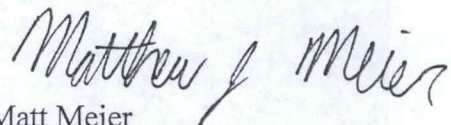
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September 14, 2017

William & Janet Strawn
1231 US Highway 50
Kinsley, KS 67547

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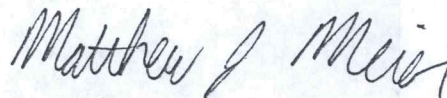
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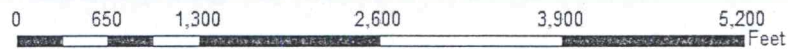
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Legend

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MJM-DWR 9/14/17



Proposed Water Appropriation, File No. 49717
35-24S-19W
Edwards County



SCANNED

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

File Number 49,717
This item to be completed by the Division of Water Resources.

**APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE**
Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

WATER RESOURCES
RECEIVED

OCT 17 2016

12:41

KS DEPT OF AGRICULTURE

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

1. Name of Applicant (Please Print): KINSLEY READY MIX INC
Address: 220 W 10TH ST
City: Kinsley State KS Zip Code 67547
Telephone Number: (620) 659-2251

2. The source of water is: surface water in _____ (stream)
OR groundwater in Arkansas River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 4.87 acre-feet OR 1.587 mil gallons per calendar year, to be diverted at a maximum rate of 99 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
(a) Artificial Recharge (b) Irrigation (c) Recreational (d) Water Power
(e) Industrial (f) Municipal (g) Stockwatering (h) Sediment Control
(i) Domestic (j) Dewatering (k) Hydraulic Dredging (l) Fire Protection
(m) Thermal Exchange (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:							
F.O. Code	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-3-1	(YES / NO)	Use	<u>IND</u>
	<u>REG</u>			Fee \$	<u>200</u>	TR #	
Source	<u>G/S</u>	County	<u>ED</u>	By	<u>KAB</u>	Date	<u>10/17/16</u>
Receipt Date	<u>10/17/16</u>	Check #	<u>33517</u>				

whitaker 11M

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

- (A) One in the SE quarter of the NE quarter of the NE quarter of Section 35, more particularly described as being near a point 4,518 feet North and 246 feet West of the Southeast corner of said section, in Township 24 South, Range 19 West, Edwards County, Kansas.
- (B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.
- (D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

Same as Applicant

 (name, address and telephone number)

 (name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10-7, 2016 [Signature]
 Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 well & Pump

 (number of wells, pumps or dams, etc.)
 and was completed (by) 1/31/00

 (Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be ASAP

 (Mo/Day/Year)

- 9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

- 10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required N.A.

- 11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

- 12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

Overlaps PD & PU with File No. 43,689 which is to be dismissed contingent on approval of new application.

1.7 AF of the requested 4.87AF will be covered by the dismissal of File No. 43,689. Remaining 3.17AF being offset by reduction in File No. 44,515.

WATER RESOURCES RECEIVED

OCT 17 2016

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

Same as Applicant
(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at KINSLEY, Kansas, this 7 day of OCTOBER, 2016.
(month) (year)

KINSLEY READY MIX INC
(Applicant Signature)

By Russell Strate
(Agent or Officer Signature)

RUSSELL STRATE
(Agent or Officer - Please Print)

Assisted by MJM/SFFO ESII Date: 9/16/2016
(office/title)

WATER RESOURCES
RECEIVED

DEPT OF AGRICULTURE

FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

CONVERSION FACTORS

1 acre-foot equals 325,851 gallons

1 million gallons equal 3.07 acre-feet

WATER RESOURCES
RECEIVED

OCT 17 2016

KS DEPT OF AGRICULTURE

SCANNED

(Date)

Kansas Department of Agriculture
Division of Water Resources
David W. Barfield, Chief Engineer
109 SW 9th Street, 2nd Floor
Topeka, Kansas 66612-1283

Re: Application
File No. 49717

Minimum Desirable Streamflow

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established by the legislature for the source of supply to which the above referenced application applies.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

KINSLEY READY H&K INC

Tuned Secord

Signature of Applicant

RUSSELL STRATZ

(Print Applicant's Name)

State of Kansas)

County of Edwards)

) ss
)

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 7TH day of October, 2016.

Patricia L. O'Brien

Notary Public

My Commission Expires: 10-16-2017



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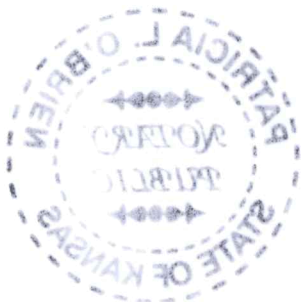
OCT 17 2016

**MINIMUM DESIRABLE STREAMFLOW FORM TO BE USED WHEN
APPLICABLE WHEN FILING AN APPLICATION FOR PERMIT
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River
Big Blue River
Chapman Creek
Chikaskia River
Cottonwood River
Delaware River
Little Arkansas River
Little Blue River
Marais des Cygnes River
Medicine Lodge River
Mill Creek (Wabaunsee Co. area)
Neosho River

Ninnescah River
North Fork Ninnescah River
Rattlesnake Creek
Republican River
Saline River
Smoky Hill River
Solomon River
South Fork Ninnescah
Spring River
Walnut River
Whitewater River



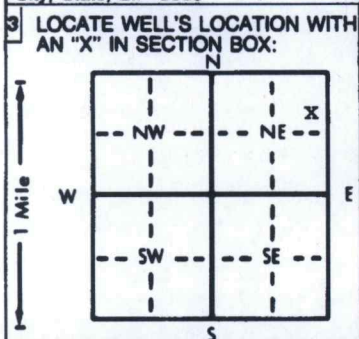
RECEIVED
WATER RESOURCES

#49717

1 LOCATION OF WATER WELL: County: Edwards	Fraction SE 1/4 NE 1/4 NE 1/4	Section Number 35	Township Number T 24 S	Range Number R 19 E/W
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Distance and direction from nearest town or city street address of well if located within city?
 Approximately 1 1/2 miles east of Kinsley

2 WATER WELL OWNER: **Kinsley Ready Mix, Inc.**
 RR#, St. Address, Box #: **Route 1 - Box 45**
 City, State, ZIP Code: **Kinsley, KS 67547**
 Board of Agriculture, Division of Water Resources
 Application Number: **43,689**



4 DEPTH OF COMPLETED WELL: **40** ft. ELEVATION: **unknown**

Depth(s) Groundwater Encountered 1. ft. 2. ft. 3. ft.

WELL'S STATIC WATER LEVEL **17.85** ft. below land surface measured on **mo/day/yr 1-31-00**

Pump test data: Well water was **not ch'd** ft. after hours pumping gpm

Est. Yield **unknown** gpm: Well water was ft. after hours pumping gpm

Bore Hole Diameter **11** in. to **50** ft., and in. to ft.

WELL WATER TO BE USED AS:

5 Public water supply	8 Air conditioning	11 Injection well
1 Domestic	3 Feedlot	6 Oil field water supply
2 Irrigation	4 Industrial	7 Lawn and garden only
		9 Dewatering
		10 Monitoring well
		12 Other (Specify below)

Was a chemical/bacteriological sample submitted to Department? Yes.....No...X.....; If yes, mo/day/yr sample was submitted

Water Well Disinfected? Yes **X** No

5 TYPE OF BLANK CASING USED:

1 Steel	3 RMP (SR)	5 Wrought iron	8 Concrete tile	CASING JOINTS: Glued X Clamped
2 PVC	4 ABS	6 Asbestos-Cement	9 Other (specify below)	Welded
		7 Fiberglass		Threaded

Blank casing diameter **6** in. to **28** ft., Dia. in. to ft., Dia. in. to ft.

Casing height above land surface **24** in., weight **3,32** lbs./ft. Wall thickness or gauge No. **255**

TYPE OF SCREEN OR PERFORATION MATERIAL:

1 Steel	3 Stainless steel	5 Fiberglass	7 PVC	10 Asbestos-cement
2 Brass	4 Galvanized steel	6 Concrete tile	8 RMP (SR)	11 Other (specify)
			9 ABS	12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE:

1 Continuous slot	3 Mill slot	5 Gauzed wrapped	8 Saw cut	11 None (open hole)
2 Louvered shutter	4 Key punched	6 Wire wrapped	9 Drilled holes	
		7 Torch cut	10 Other (specify)	

SCREEN-PERFORATED INTERVALS: From **28** ft. to **38** ft., From ft. to ft.

GRAVEL PACK INTERVALS: From **24** ft. to **45** ft., From ft. to ft.

6 GROUT MATERIAL: 1 Neat cement **Soil** 2 Cement grout 3 Bentonite 4 Other **Bentonite Holeplug**

Grout Intervals: From **0** ft. to **4** ft., From ft. to ft., From **4** ft. to **24** ft.

What is the nearest source of possible contamination:

1 Septic tank	4 Lateral lines	7 Pit privy	10 Livestock pens	14 Abandoned water well
2 Sewer lines	5 Cess pool	8 Sewage lagoon	11 Fuel storage	15 Oil well/Gas well
3 Watertight sewer lines	6 Seepage pit	9 Feedyard	12 Fertilizer storage	16 Other (specify below)
			13 Insecticide storage	None known

Direction from well? _____ How many feet? _____

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	9	Topsoil			
9	14	Clay, brown, sandy			
14	36	Sand and gravel, coarse, medium, fine			
36	41	Clay, tan			
41	50	Clay, red, yellow, and white			

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) **1-31-00** and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. **185**. This Water Well Record was completed on (mo/day/yr) **2-1-00** under the business name of **Clarke Well & Equipment, Inc.** by (signature) *[Signature]*

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

OFFICE USE ONLY
T
R
EW
SEC.
1/4
1/4
1/4



14th October 2017

[Handwritten signature]

RECEIVED
WATER RESOURCES

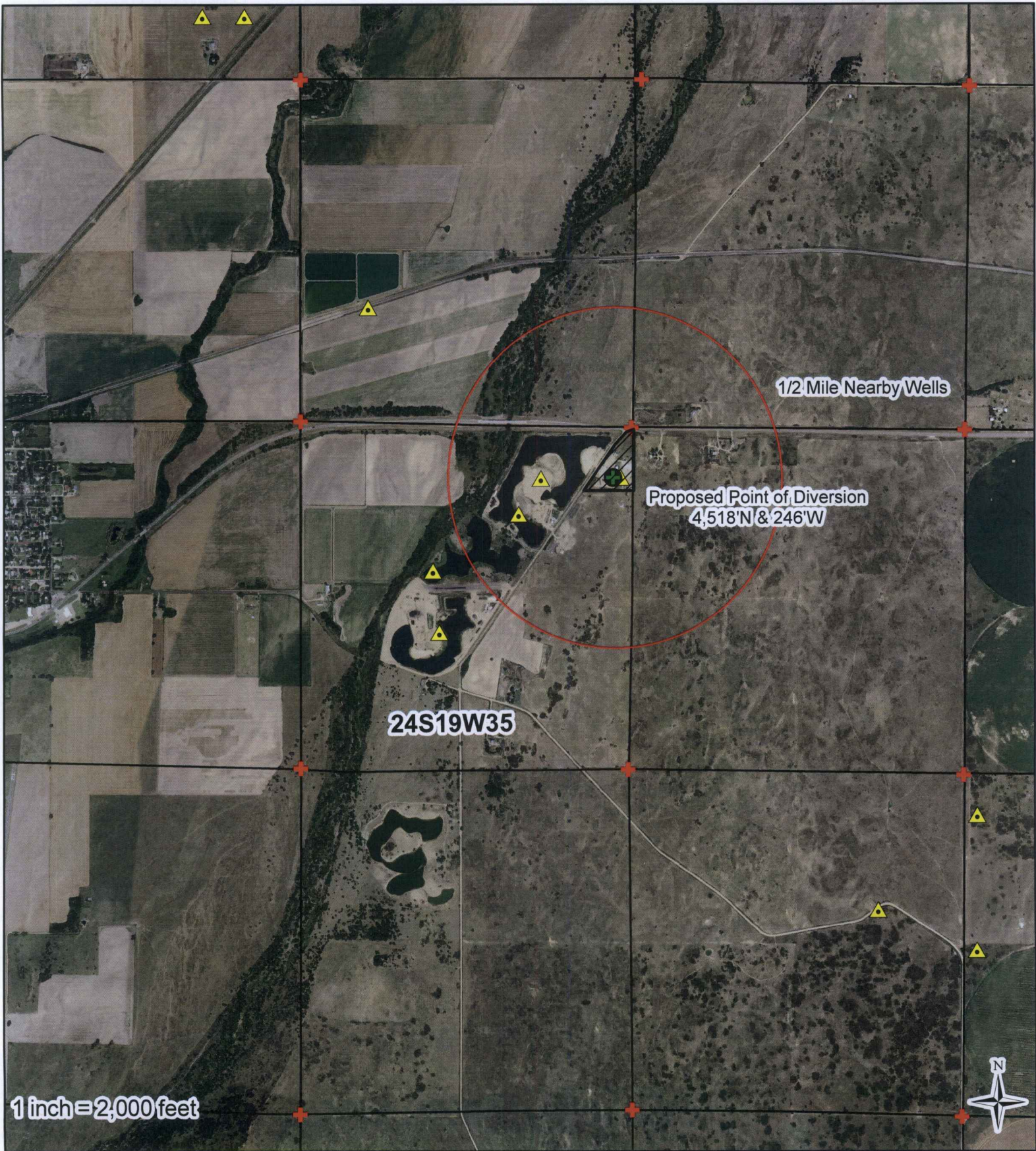
[Handwritten signature]
Russell Strate
250 W. 10th St
Kansas, Ks. 67243

[Handwritten signature]
Russell Strate

10-16-2017

File No. _____

#49717



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- ★ Domestic Wells
- ⊕ Proposed PD
- ▲ Water Rights
- ⊕ SFFOsec_corners

WATER RESOURCES RECEIVED

Tennell Scott
Signature

10-7-16
Date

OCT 17 2016

Created By: Matt Meier
F.O. 2

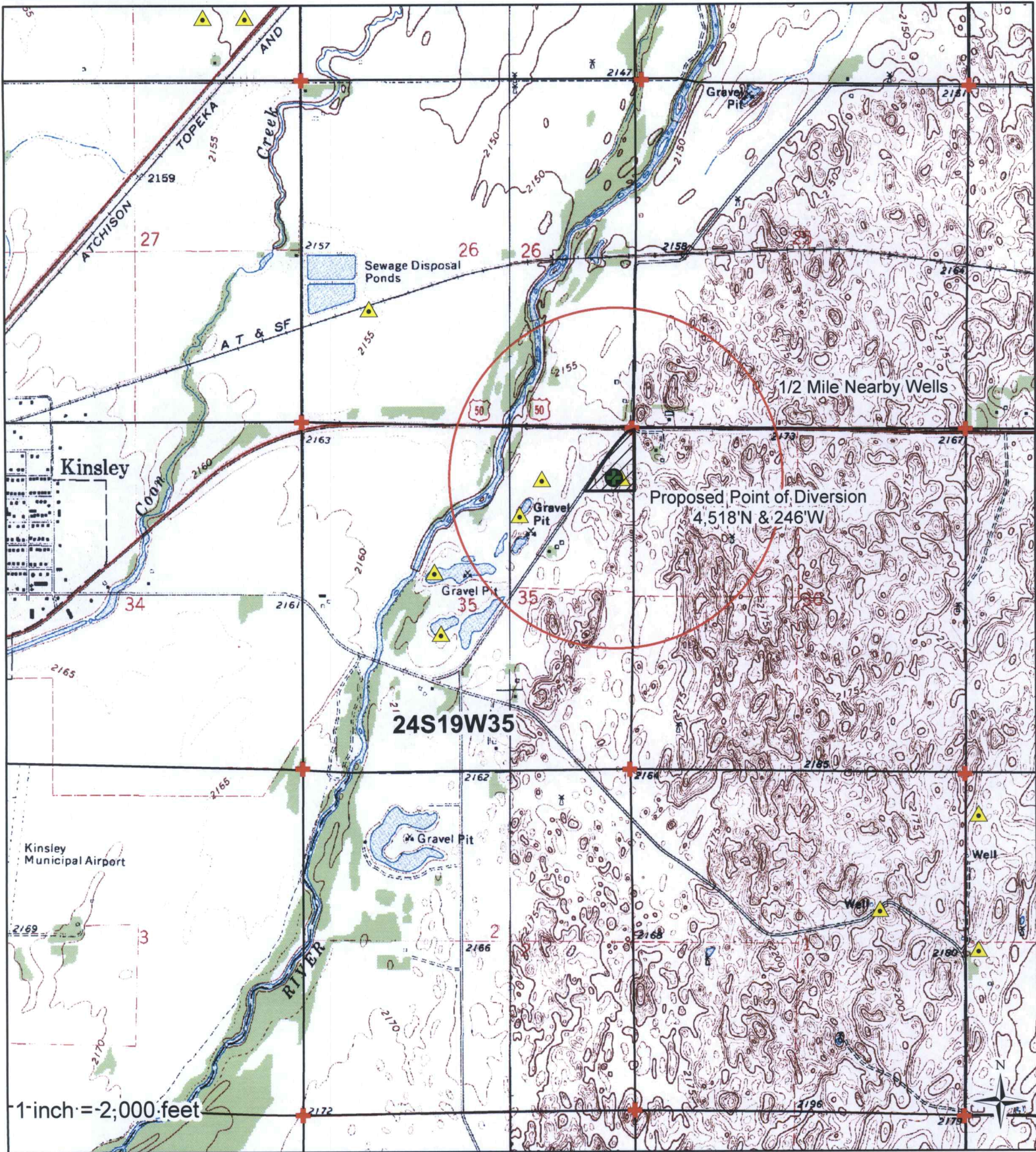
Date: 9/16/2016

0 800 1,600 3,200 4,800 6,400

KS DEPT OF AGRICULTURE CANNED

File No. _____

#49717



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- ★ Domestic Wells
- Proposed PD
- ▲ Water Rights
- ⊕ SFFOsec_corners

Tyrell Smith
Signature

10-7-16
Date

WATER RESOURCES RECEIVED

Created By: Matt Meier

OCT 17 2016

Date: 9/16/2016

SCANNED

0 800 1600 3200 4800 6400

DATA ENTRY SYSTEM ID NUMBER SHEET

FILE NUMBER 49717

APPLICANT

PDIV ID

BATTERY ID

PERSON ID & SEQ #

63307

31265

1

LANDOWNER

PUSE ID

PERSON ID & SEQ #

54681 (NE NE) Concrete Plant

31265

1

WATER USE CORRESPONDENT

PERSON ID & SEQ #

SIC code: 3273

31265

1



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

October 17, 2016

KINSLEY READY MIX INC
220 W 10TH ST
KINSLEY KS 67547

FILE COPY

RE: Application
File No. 49717

Dear Sir or Madam:

Your application for permit to appropriate water in 35-24S-19W in Edwards County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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 A Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STAFFORD Field Office
GMD 5

SCANNED

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

REQUEST TO REDUCE A PORTION OF AN EXISTING WATER RIGHT
(NO FEE REQUIRED)

Identify the file which is the subject of this request:

- (CHECK ONE)
- Vested Right, File No. _____
 - Water Right, File No. _____
 - Appropriation of Water, File No. 44,515

WATER RESOURCES RECEIVED

OCT 17 2016

12:43

KS DEPT OF AGRICULTURE

To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

From: (Names and addresses of owners of authorized place of use. Please see instructions on back.)

KINSLEY READY MIX INC

220 W 10TH ST

KINSLEY, KS 67547

REQUEST

The above listed owners request a:

[Complete only the sections that apply. Check only the boxes that apply. Fill in only the blanks that apply.]

A. REDUCTION IN AUTHORIZED MAXIMUM ANNUAL QUANTITY OF WATER.

It is requested that the maximum annual quantity of water be reduced to 136.83
(acre-feet) per calendar year.

B. REDUCTION IN AUTHORIZED MAXIMUM RATE OF DIVERSION OF WATER.

It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute
(_____ c.f.s.).

Assisted by: MJM/SFFO

C. REDUCTION IN THE SIZE OF THE AUTHORIZED **PLACE OF USE** OF WATER.
 (A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)

It is requested that the authorized place of use be reduced to:

Owner of Land - NAME: KINSLEY READY MIX INC
 ADDRESS: 220 W 10TH ST KINSLEY, KS 67547

IRRIGATION USE

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

OR

NON IRRIGATION USE

Describe: Sand and gravel pit located in the Northeast Quarter (NE 1/4) of Section 35, Township 24 South, Range 19 West, Edwards County, Kansas.

Reducing from currently Authorized 44 Acres to 43 Acres.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D. REDUCTION IN THE NUMBER OF **POINTS OF DIVERSION** AUTHORIZED.
 (A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)

It is requested that the number of authorized points of diversion be reduced to: _____ located as follows:
 (No. of points of diversion) (wells, pumps, or other works for diversion of water)

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas, and

One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached, showing the location of the remaining point(s) of diversion after the requested reduction.

E. REDUCTION IN THE **TYPES OF BENEFICIAL USE** AUTHORIZED.

It is requested that the types of beneficial use of water be reduced to: _____.

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at KINSLEY, Kansas, this 7 day of OCTOBER, 2016.
(City) (Month) (Year)

KINSLEY READY MIX INC
(Owner)

NA
(Spouse)

(Please Print)

(Please Print)

Russell Strate
(Owner)

(Spouse)

RUSSELL STRATE
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas)
County of Edwards) ss

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

7TH day of October, 2016.
(Month) (Year)

Patricia L. O'Brien
Notary Public

My Commission expires 10-16-2017



WATER RESOURCES RECEIVED

OCT 17 2016

KS DEPT OF AGRICULTURE

SCANNED

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit and his or her spouse, if married. All water right or permit owners, including spouses, must sign this request for it to be valid. Unless the water right or permit has been legally severed from the authorized place of use, the owners of the water right or permit are the owners of the authorized place of use. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as owner until such time as the contract is completed.

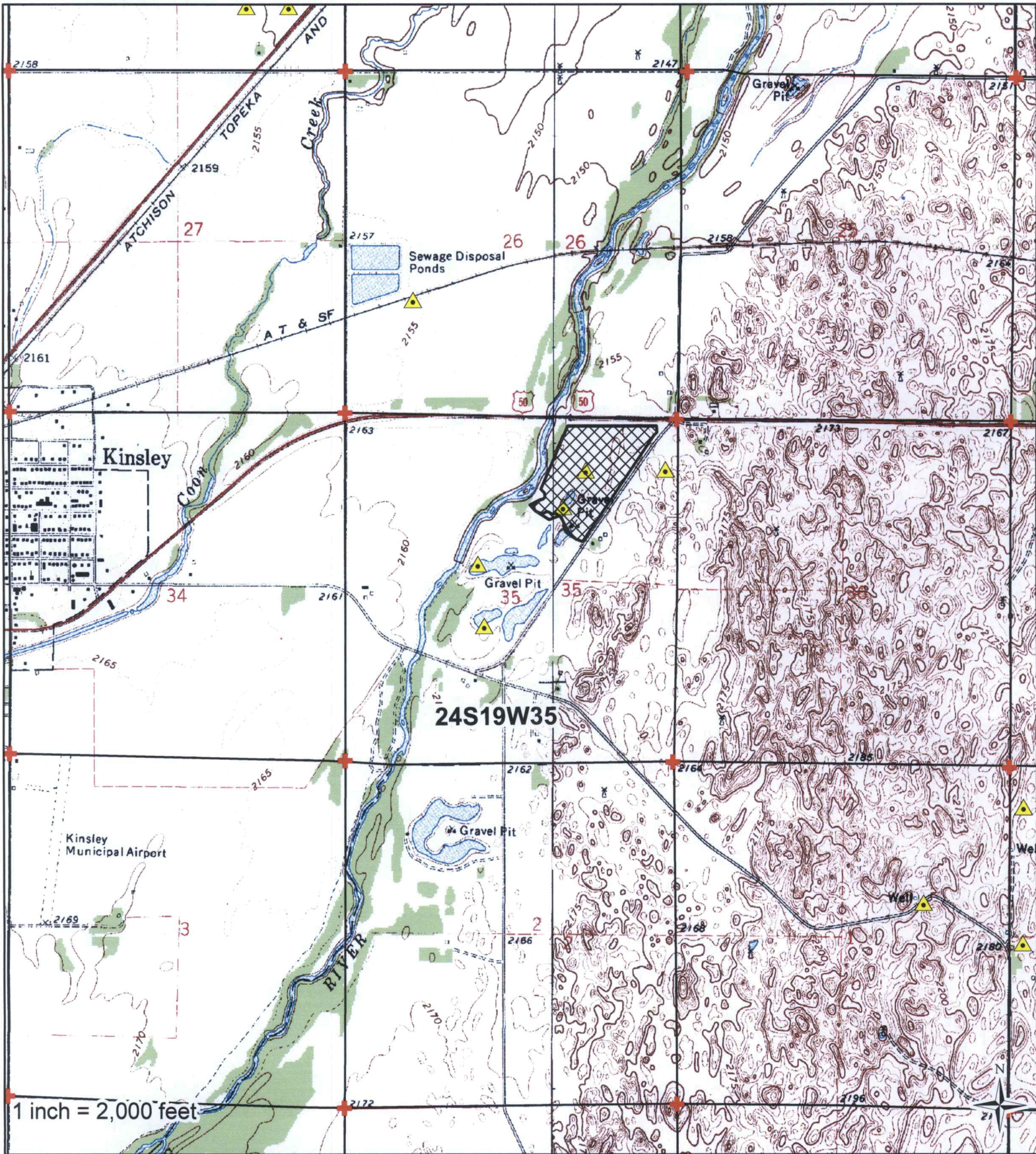
In the event that all owners cannot sign together in front of one notary public, they may, as necessary, sign appropriate copies of the request in front of any notary public conveniently available to them. All copies signed in this manner shall be accepted as valid parts of the request.

If the request is signed on behalf of any owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.



WATER RESOURCES RECEIVED

File No. 44,515 PU Reduction



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- Proposed PD
- Water Rights
- SFFOsec_corners

David Scott
Signature

10-7-2016
Date

OCT 17 2016

Created By: Matt Meier

F.O. 2

Date: 9/16/2016

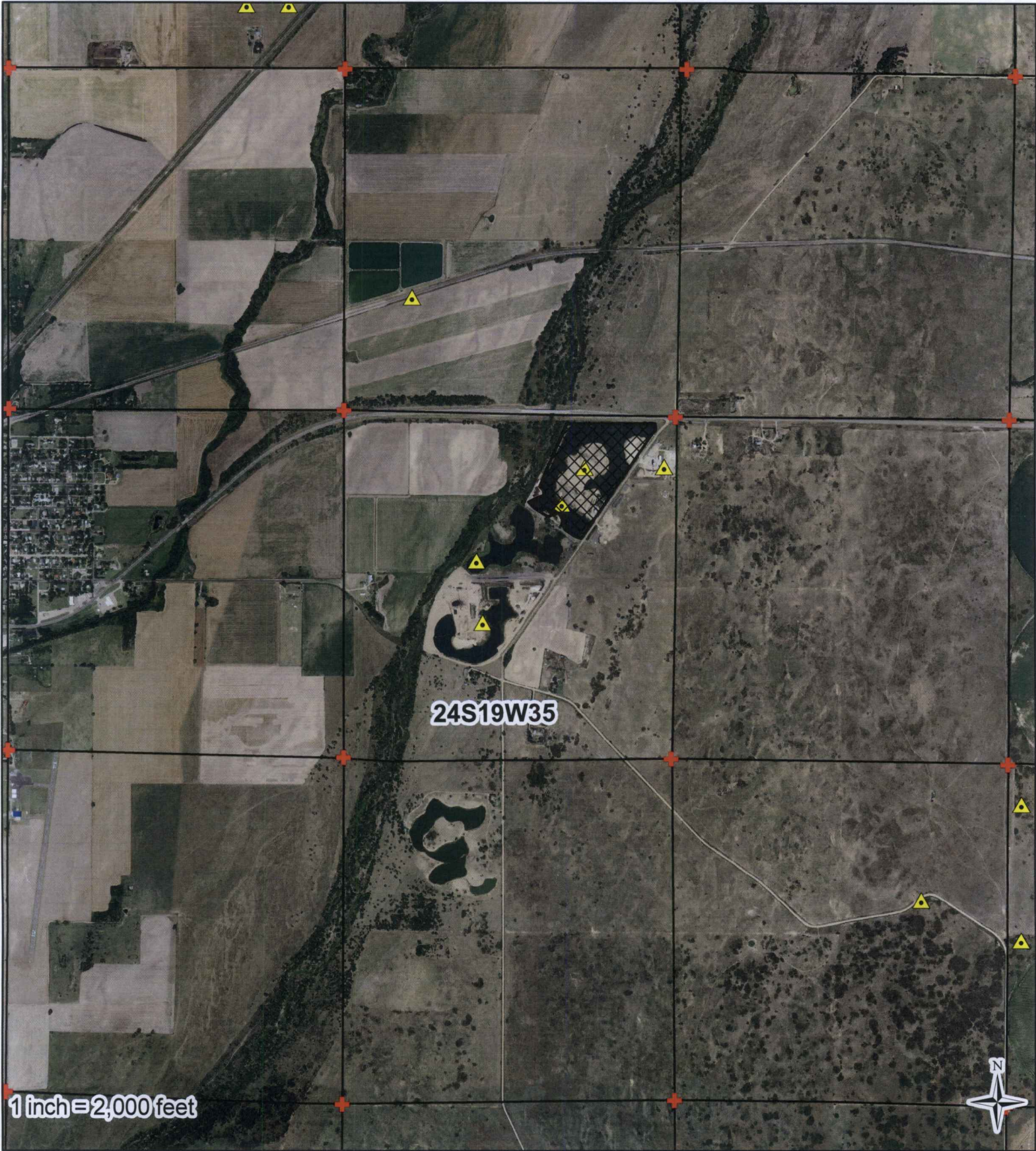
Proposed Place Of Use

0 800 1600 3200 4800 6400

KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED SCANNED

File No. 44,515 PU Reduction



24S19W35

1 inch = 2,000 feet

I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

- Proposed PD
- Water Rights
- SFFOsec_corners
- ProposedPlaceOfUse

Timothy Scott

Signature

10-7-2016

Date

0 800 1,600 3,200 4,800 6,400

WATER RESOURCES RECEIVED SCANNED

OCT 17 2016
 Created By: Matt Meier
 Date: 9/16/2016