

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.

John Harrison 12-17-20

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
- (Check one or more) Point of Diversion
- Use Made of Water

WATER RESOURCES
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3:43
KS DEPT OF AGRICULTURE

File No. 42041

2. Name of applicant: Harrison Farms Limited

Address: 11014 W 95th Ave

City, State and Zip: Nickerson KS 67561-9008

Phone Number: (620)921-5145 E-mail address: harrison5845@gmail.com

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

Name of water use correspondent: Harrison Farms Limited

Address: 11014 W 95th Ave

City, State and Zip: Nickerson KS 67561-9008

Phone Number: (620) 921-5145 E-mail address: harrison5845@gmail.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): A highway expansion project is proposed to cut through the authorized place of use. This change proposes to relocate the well authorized by File No. 42041 to a new well at the pivot point of the relocated center pivot system.

An application to change the place of use has already been filed.

The change(s) will be completed by Spring 2021

(Date)

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>2</u>	Meets K.A.R. 5-5-1 (YES/NO)	<input type="checkbox"/>	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>RN</u>	By	<u>BMM</u>	Date	<u>12/22/20</u>
Code	<u>CLT</u>	Fee \$	<u>100</u>	TR #		Receipt Date	<u>12-21-2020</u>	Check #	<u>6791</u>						

12/28/2020
LMoody

John Harrison 12-17-20

File No. 42041

4. The presently authorized place of use is:

Owner of Land — NAME: Harrison Farms Limited

ADDRESS: 11014 W 95th Ave. Nickerson KS 67561-9008

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					
11	22	7W																	32.5	32.5			65

List any other water rights that cover this place of use. none

Owner of Land — NAME: _____

ADDRESS: _____

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					

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

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5. It is proposed that the place of use be changed to:

Owner of Land — NAME: _____

ADDRESS: _____

DEC 21 2020

KS DEPT OF AGR

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					

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

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					

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

John Harrison 12-17-20

File No. 42041

6. The presently authorized point(s) of diversion is one (1) well and diversion works
(Provide description and number of points)
7. The proposed point(s) of diversion is one (1) well and diversion works
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC NE Quarter
 of Section 11, Township 22 South, Range 7 W,
 in Reno County, Kansas, 3,989 feet North 1,380 feet West of Southeast corner of section.
 Authorized Rate 1,000 gpm Authorized Quantity 97.5 AF
 (DWR use only: Computer ID No. 04 GPS 4,008 feet North 1,333 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the --- Quarter of the --- Quarter of the NC NE Quarter
 of Section 11, Township 22 South, Range 7 W,
 in Reno County, Kansas, 4,113 feet North 1,178 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change
 This point is: Additional Well Geo Center List other water rights that will use this point 44779

9. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the --- Quarter
 of Section ---, Township --- South, Range --- (E/W),
 in --- County, Kansas, --- feet North --- feet West of Southeast corner of section.
 Authorized Rate --- Authorized Quantity ---
 (DWR use only: Computer ID No. --- GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the --- Quarter of the --- Quarter of the --- Quarter
 of Section ---, Township --- South, Range --- (E/W),
 in --- County, Kansas, --- feet North --- feet West of Southeast corner of section.
 Proposed Rate --- Proposed Quantity ---
 This point is: Additional Well Geo Center List other water rights that will use this point ---

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10. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the --- Quarter
 of Section ---, Township --- South, Range --- (E/W),
 in --- County, Kansas, --- feet North --- feet West of Southeast corner of section.
 Authorized Rate --- Authorized Quantity ---
 (DWR use only: Computer ID No. --- GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the --- Quarter of the --- Quarter of the --- Quarter
 of Section ---, Township --- South, Range --- (E/W),
 in --- County, Kansas, --- feet North --- feet West of Southeast corner of section.
 Proposed Rate --- Proposed Quantity ---
 This point is: Additional Well Geo Center List other water rights that will use this point ---

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

John Harrison 12-17-20

File No. 42041

12. The presently authorized use of water is for Irrigation purposes.
It is proposed that the use be changed to no change purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
N/A

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(Please show any calculations here.)

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14. It is requested that the maximum annual quantity of water be reduced to --- (acre-feet or million gallons).

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

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

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.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Nickerson, Kansas, this 18 day of December, 2020.

Harrison Farms Ltd
(Owner)

Jane Harrison
(Spouse)

John M Harrison
(Please Print)

Jane Harrison
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

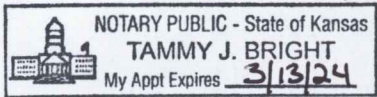
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Reno } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 18th day of December, 2020.

Tammy J. Bright
Notary Public

My Commission Expires 3/13/2024

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

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File No. 42041 Change in Point of Diversion Nearby Well Owners

Domestic Well 1 & 2 and Water Right, File No. 44779

Patrick F & Judith M Henke
8316 W 95th Ave
Nickerson SK 67561-9090

Domestic Well 3

John V & Susan Y Griffith Revocable Trust
9950 W Snokomo Rd
Hutchinson KS 67502

Water Right, File No. 36715

Applicant

Water Right, File No. 44779

Patrick F & Judith M Henke
8316 W 95th Ave
Nickerson SK 67561-9090

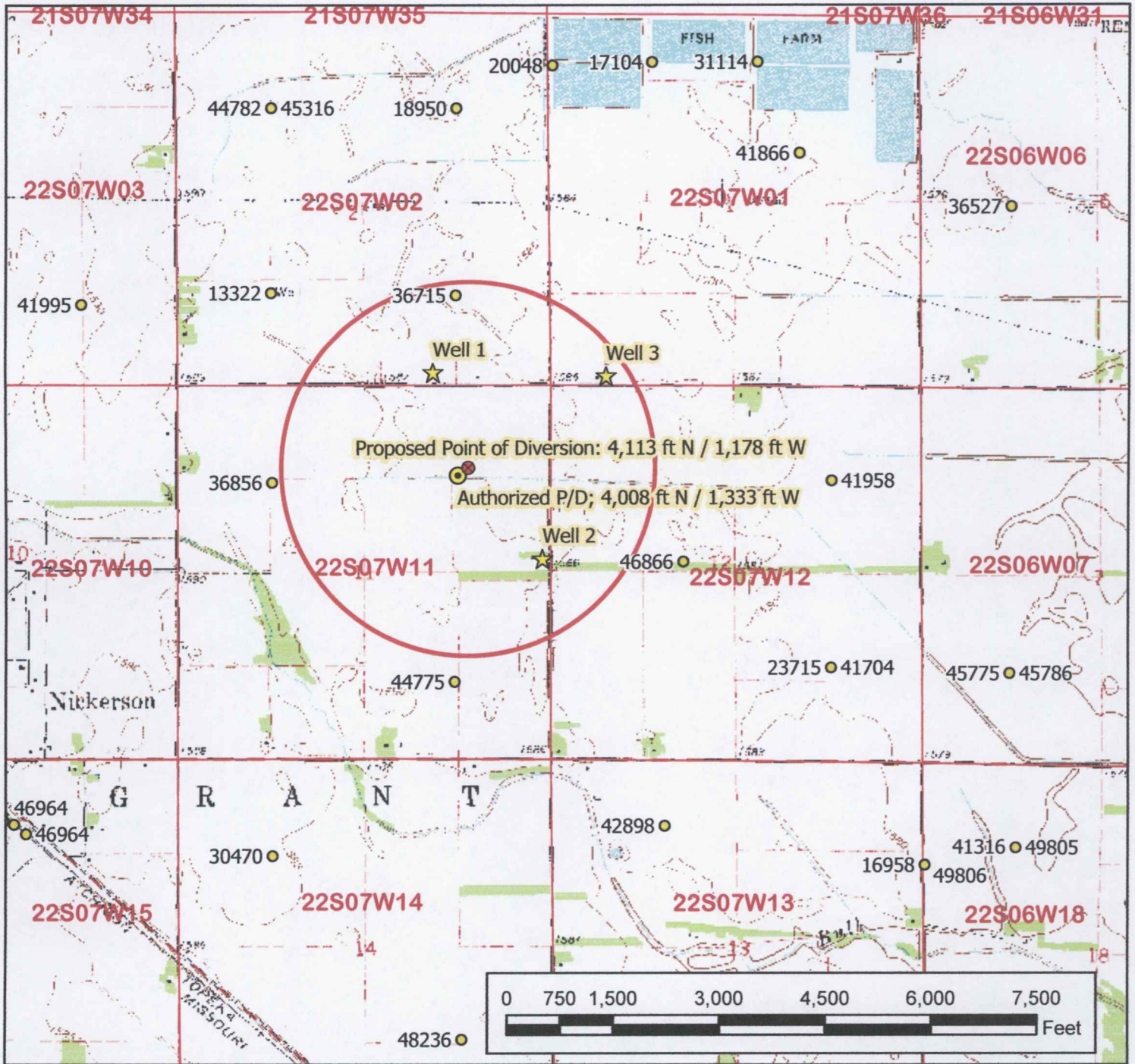
John Harrison
12-17-20

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John Harrison 12-17-20



Legend

- Water Appropriation
- ⊙ Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Section Line
- Half Mile Circle

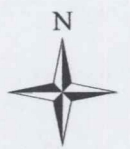
Water Right, File No. 42041

Change in Point of Diversion Map 11-22-7W // Reno County

To the best of my knowledge, all water wells within one-half mile of the proposed point of diversion have been shown.

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Signature / Date

KS DEPT OF AGRICULTURE
12/8/2020 EKF/SFFO 1:24,000 scale

John Harrison

12-17-20

REVISED

File No. 44779

6. The presently authorized point(s) of diversion is one (1) well and diversion works
(Provide description and number of points)
7. The proposed point(s) of diversion are two (2) wells and diversion works
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC NE Quarter
 of Section 11, Township 22 South, Range 7 W,
 in Reno County, Kansas, 3,989 feet North 1,380 feet West of Southeast corner of section.
 Authorized Rate 1,000 gpm (limited) Authorized Quantity 91 AF
 (DWR use only: Computer ID No. 04 GPS 4,008 feet North 1,333 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the _____ Quarter of the _____ Quarter of the NC NE Quarter
 of Section 11, Township 22 South, Range 7 W,
 in Reno County, Kansas, 4,113 feet North 1,178 feet West of Southeast corner of section.
 Proposed Rate 600 gpm (limited) Proposed Quantity 31.9 AF
 This point is: Additional Well Geo Center List other water rights that will use this point 42041

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the NW Quarter of the NE Quarter of the NE Quarter
 of Section 11, Township 22 South, Range 7 W,
 in Reno County, Kansas, 5,053 feet North 672 feet West of Southeast corner of section.
 Proposed Rate 400 gpm Proposed Quantity 56 AF
 This point is: Additional Well Geo Center List other water rights that will use this point none

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

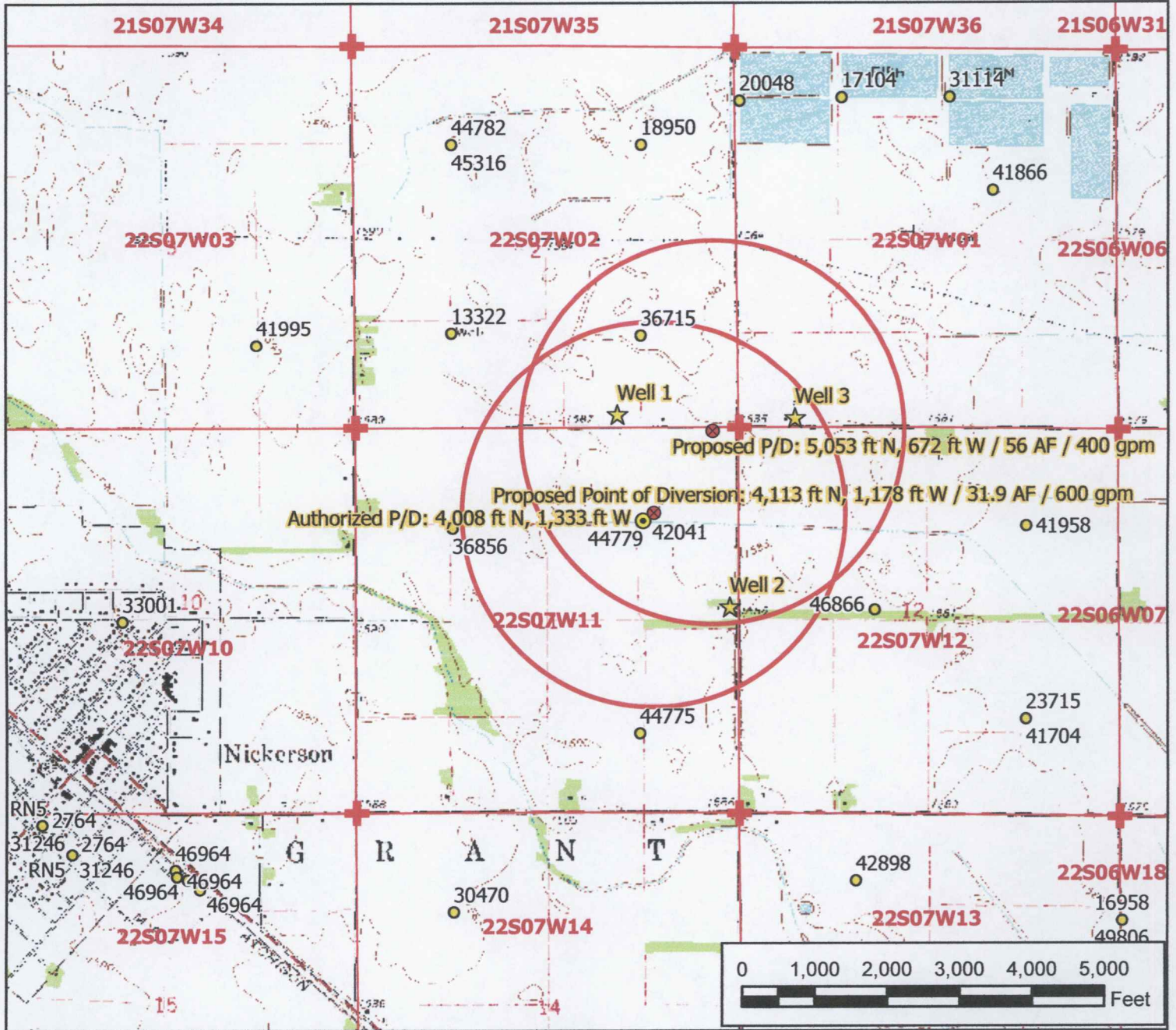
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

DEC 21 2020

KS DEPT OF AGRICULTURE

John M Harrison

12-17-20



Legend

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ⦿ Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line

Water Right, File No. 44779

REVISED Change in Point of Diversion Map 11-22-7W // Reno County

To the best of my knowledge, all wells within one-half mile of the proposed points of diversion have been shown.

DEC 21 2020

KS DEPT OF AGRICULTURE



Signature / Date

12/11/2020 EKF/SFFO 1:24,000 scale

Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

December 14, 2020

Harrison Farms Limited
Mike Harrison
11014 W 95th Ave
Nickerson KS 67561-9008

RE: Water Right, File Nos. 42041 & 44779

Dear Mr. Harrison,

You will find enclosed with this letter a new application to change the point of diversion for File No. 42041 and some revisions for the change already filed under File No. 44779.

The application for File No. 42041 is complete except for a notarized signature. Please review the application for accuracy before signing it. The revision page for File No. 44779 will need reviewed and an initial and date anywhere on the form to indicate your agreement with the revisions. In addition, each map will need reviewed and any additional wells within the one-half mile circle(s) will need added along with the owner's name and address. Once complete, the maps will both need a signature.

Enclosed is a draft letter that can be submitted along with the noted paperwork. This letter explains the revisions on the change already submitted for File No. 44779 and the addition of the change in point of diversion for File No. 42041. It is recommended that this letter, or one similar, be submitted along with the enclosed forms. The total fee for the enclosed application is \$200. Please include a check made payable to the Kansas Department of Agriculture with the signed application and associated documents when they are submitted to the Manhattan Office for processing. If I can be of any further assistance, or if you have any questions regarding the enclosed documents, please give me a call at 620.234.5311.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth K. Fitch".

Elizabeth K Fitch
Environmental Scientist
elizabeth.fitch@ks.gov

fee changed to \$100 because move
is less than 300 ft

Enclosures

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KS DEPT OF AGRICULTURE

Kansas Department of Agriculture
Division of Water Resources-Change Unit
1320 Research Park Dr
Manhattan KS 66652

RE: Change Applications for Water Right, File Nos. 42041 & 44779

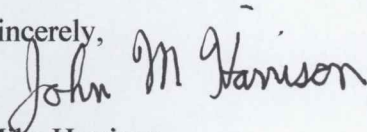
Dear Sir or Madam,

Please find enclosed an Application to Change the Point of Diversion for Water Right, File No. 42041. An application to change the place of use for this file was previously submitted in October of 2020. It is requested that the enclosed application be considered at the same time as the previously submitted change application.

In addition, there is enclosed a revised page 3 for a change application under File No. 44779, along with a revised map. This revision reflects the proposed change in point of diversion being submitted for File No. 42041, since these files authorize the same well. The revision also modifies the proposed additional well location for File No. 44779 in order to maintain the required quarter mile spacing to other permitted wells. It is requested that this revision be attached to the Application to Change the Point of Diversion and Place of Use submitted in October 2020 for File No. 44779.

If you have any question, please let me know. Or you could contact Elizabeth Fitch in the Stafford Field Office, as she assisted in drafting these enclosed documents.

Sincerely,



Mike Harrison
Harrison Farms Limited
620-921-5145

Enclosures

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KS DEPT OF AGRICULTURE

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

December 23, 2020

HARRISON FARMS LIMITED
11014 W 95TH AVE
NICKERSON KS 67561

RE: File No(s). **42041**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Justin Koehn".

Justin Koehn
Change Applications Lead
Water Appropriation Program