

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



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

August 3, 2021

Unified School District #459  
PO Box 8  
Bucklin, KS 67834-0008

Re: Water Right, File No(s). 44136

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at [www.ksda.gov/includes/document\\_center/dwr/Forms/ApprovalPack.pdf](http://www.ksda.gov/includes/document_center/dwr/Forms/ApprovalPack.pdf). If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No. 3

## CERTIFICATE OF SERVICE

On this **3 August 2021**, I hereby certify that the attached Change in Place of Use, File No. 44136 dated 8/3/2021 was mailed to the following:

Unified School District #459  
PO Box 8  
Bucklin, KS 67834-0008

pc: Water Rights Section  
GMD #3

A handwritten signature in blue ink, appearing to read "Faith C.", is written above a horizontal dashed line.

Staff

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET**

1. File Number: <b>44136</b>	2. Status Change Date:	3. Change Num: <b>1</b>	4. Field Office: <b>02</b>	5. GMD: <b>03</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return <i>8/3/21</i>	7. Filing Date of Change: <b>7/28/21</b>
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/>  <b>UNIFIED SCHOOL DISTRICT #459                  PO BOX 8                  BUCKLIN, KS 67834-0008</b>	Person ID <b>54472</b> Add Seq# <b>1</b>	8d. WUC New to system <input type="checkbox"/>  <b>8B</b>	Person ID <b>54472</b> Add Seq# <b>1</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/21**  N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter  
  Meter Seal  
  Check Valve  
  N & P Form  
  Water Tube  
  Driller Copy  
  H & E Letter

Conservation Plan  
 Date Required: \_\_\_\_\_  
 Date Approved: \_\_\_\_\_  
 Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **7/30/21**    By: **EKF**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **44136**      11. County: FORD    Basin: ARKANSAS RIVER      Stream: N/A      Formation Code: 211      Special Use: N/A

12. Points of Diversion  
 CHK  
 MOD  
 DEL    PDIV  
 ENT    Qualifier    S    T    R    ID    'N    'W    Comment (AKA Line)    Rate gpm    Quantity af    Additional Rate gpm    Quantity af    Overlap PD Files

CHK    64627

13. Storage: Rate \_\_\_\_\_ NF    Quantity \_\_\_\_\_ ac/ft    Additional Rate \_\_\_\_\_ NF    Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

15. 5YR Allocation:    Allocation Type \_\_\_\_\_    Start Year \_\_\_\_\_    5 YR Amount \_\_\_\_\_    Amount Unit \_\_\_\_\_    Base Acres \_\_\_\_\_    Comment \_\_\_\_\_

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
MOD	53236	5	29	21W	5																	5.5	5.5	8b	N	NONE	

Base Acres: **8.0** *multiple*    Year: **2006**    Minimum Reasonable Quantity:

Comments: *5.0 CRC 8/3/21*

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

**WATER METER REQUIRED**

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.  
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 44136

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

**RECEIVED**  
 9:10  
**Unacceptable for**  
 JUN 24 2021  
**Priority**  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES  
**RECEIVED**  
 12:44pm  
 JUL 28 2021

2. Name and address of Applicant: Unified School District No. 459

PO Box 8, Bucklin KS 67834-0008

Phone Number: (620)826-5892

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Unified School District No. 459

PO Box 8, Bucklin KS 67834-0008

Phone Number: (620)826-5892

Email address: \_\_\_\_\_

Stafford Field Office  
 Division of Water Resources

3. The presently authorized place of use is:

Owner of Land ---- NAME: Unified School District No. 459

ADDRESS: PO Box 8, Bucklin KS 67834-0008

(If there is more than one landowner, attach supplemental sheets as necessary.)

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		
5	29	21W																	5	5

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: Unified School District No. 459

ADDRESS: PO Box 8, Bucklin KS 67834-0008

(If there is more than one landowner, attach supplemental sheets as necessary.)

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		
5	29	21W																	5.5	5.5

For Office Use Only: Code <u>CPA</u> Fee \$ <u>200</u> TR # _____ Receipt Date _____ Check # <u>043560</u>
--

5. **Presently authorized point of diversion:**  
 One in the SE Quarter of the SE Quarter of the SE Quarter of Section 5, Township 29 South, Range 21 W, in Ford County, Kansas, 395 feet North 473 feet West of Southeast corner of section.  
 Authorized Rate 98 gpm Authorized Quantity 10 AF Depth of well 128 (feet)  
**(DWR use only: Computer ID No. 13 GPS 395 feet North 473 feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point NONE

6. **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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) To add the softball field to the place of use

8. If a well, is the test hole log attached?  Yes  No

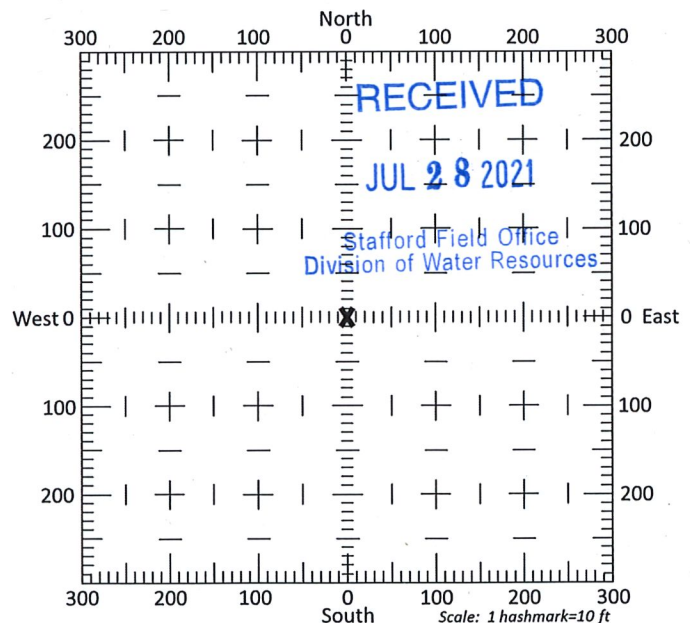
9. The change(s) (was)(will be) completed by?  
upon approval of change

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
N/A  
 (b) When will this be done? N/A

11. Groundwater Management District recommendation attached?  
 Yes  No  
7/3/21 cpc

12. Assisted by EKF/SFFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

**Unacceptable**  
**RECEIVED**  
**JUN 24 2021**  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Bucklin, Kansas, this 27<sup>th</sup> day of July, 2021.

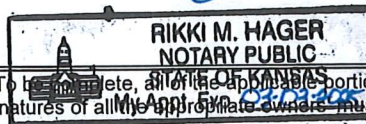
<p><u>Kelly Lampe</u> (Owner)</p> <p><u>KELLY LAMPE</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas }  
 County of Ford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27<sup>th</sup> day of July, 2021.

Rikki M. Hager  
 Notary Public

My Commission Expires 03-03-2025



**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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

RECEIVED

JUL 28 2021

File No. 44136

Stafford Field Office  
 Division of Water Resources

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Bucklin, Kansas, this 15th day of June, 2021.

USD 459 Bucklin Schools  
 (Owner)

Michael R. Fisher  
 (Spouse) Agent

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of Ford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of June, 2021.

Rikki M Hager  
 Notary Public

My Commission Expires 03-03-2025.

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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

JUL 28 2021

Stafford Field Office  
 Division of Water Resources  
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 Unacceptable for Priority  
 JUN 24 2021  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES



**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 44136.

1. A change application was received on July 24, July 28, 2021 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2021**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_**, or within any authorized extension of time. By March 1, 20\_\_\_\_ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
9. **The completed well log shall be submitted with the required notice.**  Applicable  Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
11. Additional Conditions are attached.  Yes  No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and **RECEIVED** dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND SUMMARY ORDER ISSUED** JUL 28 2021

By: Cameron R. Conant Stafford Field Office  
Division of Water Resources

Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Conant  
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: August 3, 2021

State of Kansas )

County of Stafford ) SS

Acknowledged before me on 8-3-2021

by Faith Curtis

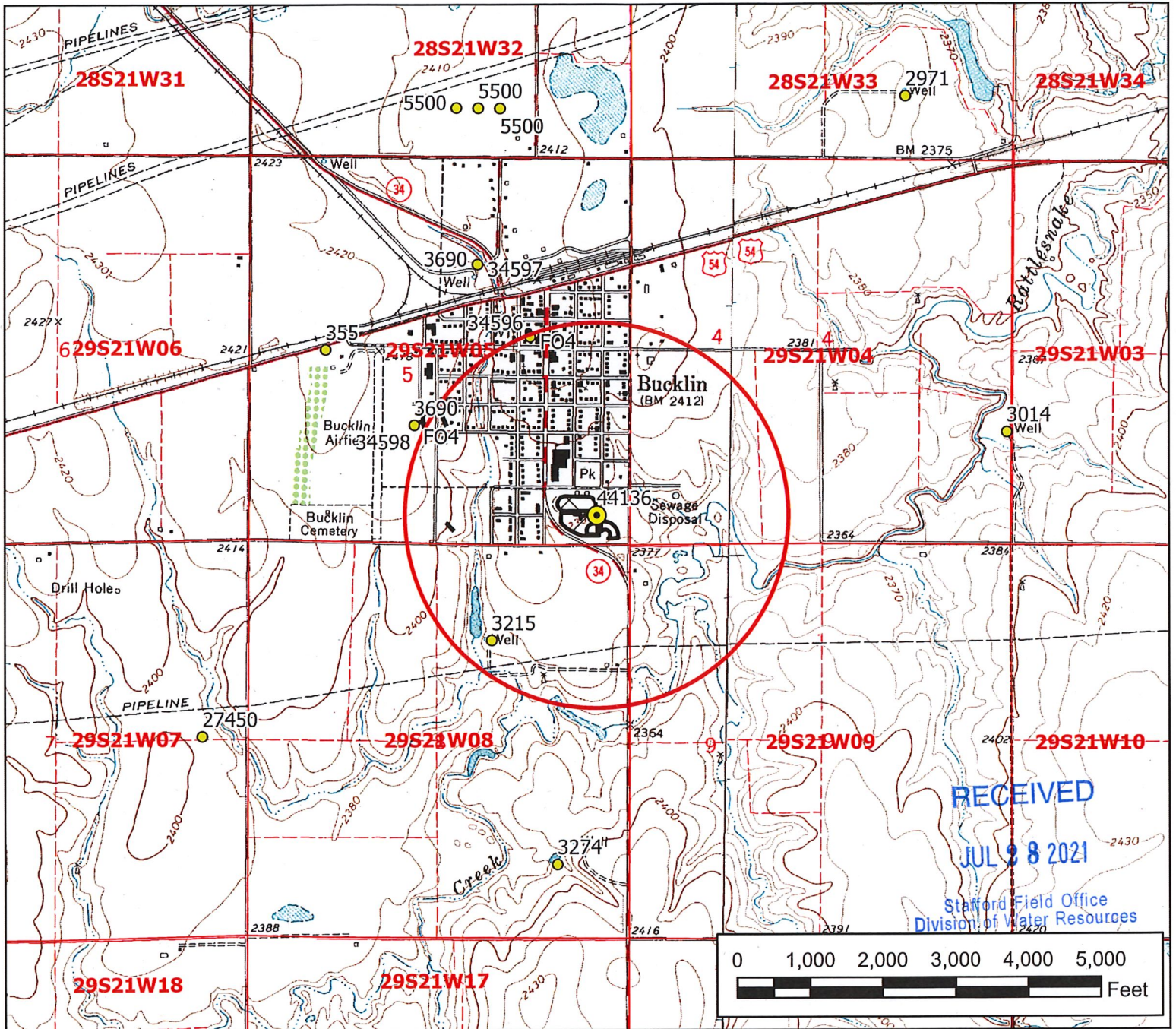
Signature: Faith Curtis  
 Notary Public

My Commission Expires \_\_\_\_\_



File No. 44136

**RECEIVED for**  
**Unacceptable Priority**  
 JUN 24 2021  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES



**Legend**

- Water Appropriation
- Proposed Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- Section Line
- Half Mile Circle
- ▨ Authorized Place of Use
- ▨ Proposed Place of Use

# Water Right, File No. 44136

Change in Place of Use Map  
5-29-21W // Ford County

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**Unacceptable for**  
**Priority**  
JUL 28 2021  
Stafford Field Office  
DIVISION OF WATER RESOURCES

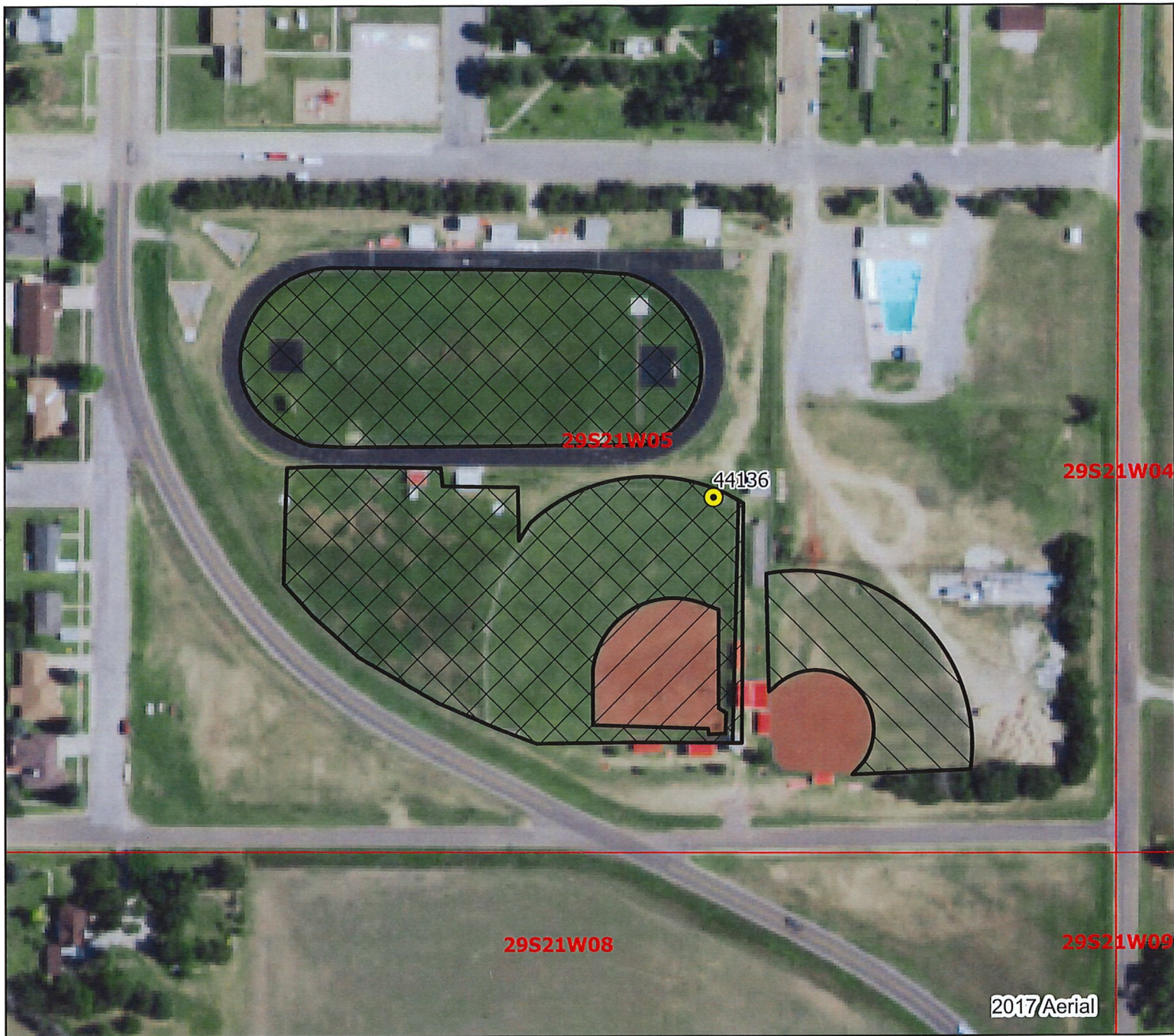
Due to the potential for a large number of groundwater wells within one-half mile of the authorized point of diversion, assistance with a public notice is requested.

*Michael R. Fisher*

6-15-2021

Signature/Date

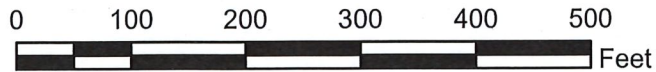
6/3/2021 EKF/SFFO 1:24,000 scale



**Legend**

- Water Appropriation
- Section Line
- Authorized Place of Use
- Proposed Place of Use

6/3/2021 EKF/SFFO 1:2,000 scale



**Water Right, File No. 44136**

Change in Place of Use Zoomed Map  
 5-29-21W  
 Ford County



RECEIVED  
 JUL 28 2021  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES

Unacceptable for  
 Priority  
 RECEIVED  
 JUN 24 2021

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** July 30, 2021

**FROM:** Elizabeth K Fitch

**RE:** Water Right, File No. 44136

Mike Fisher, on behalf of Bucklin Schools USD 459, the owner of the referenced water right authorized for irrigation use, has applied for approval to change the authorized place of use. Kelly Lampe, the superintendent signed as an authorized representative of the district.

The referenced file appears to be in compliance with 82a-732. *Annual water use report required; penalty for violations.* A review of the application found that it complies with K.A.R. 5-5-1, *Filing an application for change.* The referenced file does not appear abandoned as per K.S.A. 82a-718. *Abandonment of water rights; notices; hearing; review of action; exceptions.*

The referenced file authorizes five (5) acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section 5, Township 29 South, Range 21 West, Ford County. There are no overlapping water rights on the place of use or the point of diversion. All legal descriptions from here on are in Township 29 South, Range 21 West, Ford County.

File No. 44136 is certified and authorizes one (1) well in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 5. This well is permitted for 10 acre-feet (AF) per year at 98 gallons per minute (gpm). A recent field visit is not on file. The authorized point of diversion will not be modified.

The change application, received on July 28, 2021, proposes to change the authorized place of use to cover the softball field in addition to the current place of use. This will cover unauthorized acres being irrigated. The "Base Acres," as defined by K.A.R. 5-5-11 are 5.0. The proposed 5.5 acres comply with part (b) of K.A.R. 5-5-11 and the increase of 0.5 acres above the *Base Acres* is allowed by the regulation.

The proposed change will result in a total quantity of 10 AF irrigating 5.5 acres, resulting in an irrigation ratio of 1.8 AF per acre. It would appear this irrigation ratio is reasonable as the ratio is less than the pre-2000 maximum quantity per acre of 2.0 AF for Ford County found in K.A.R. 5-3-19, *Maximum reasonable annual quantity for water for irrigation use*, thus complying with K.A.R. 5-3-23, *Maximum reasonable annual quantity approvable for irrigation use for an application for change in place of use and a request to reduce a water right.* The generally accepted minimum quantity per acre for Ford County is 1.34 AF per acre, so the proposed quantity also meets this threshold.

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Change in Place of Use Memo  
July 30, 2021

The referenced application to change the place of use does not propose to add more than 10 acres or 10% of the base acres to the authorized place of use. Therefore, water well owners within one-half mile of the authorized points of diversion were not notified of the proposed change in place of use (EKF Memo dated 7/29/2021).

The referenced water right is not in a special use area.

The referenced water right is in the Southwest Kansas Groundwater Management District No. 3 (GMD3), so a recommendation request was sent to the District on July 28, 2021. A response was received from GMD3 Assistant Manager Jason Norquest on July 29, 2021. In his response, Mr. Norquest recommended approval for the change application filed under File No. 44136.

No structures permit appears to be needed.

A water flow meter is required for the authorized point of diversion. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that application be approved.

Elizabeth K Fitch  
Environmental Scientist - SFFO