

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

Document Signature _____

1. File Number: 12883	2. Status Change Date: <u>6/20/2017</u>	3. Change Num: C2	4. Field Office: 03	5. GMD:
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 27-FEB-2017
8a. Applicant(s) New to system <input type="checkbox"/> JULIE AND CHARLES H DIETZ ROGER W KELMAN 1102 HICKORY RD REPUBLIC KS 66964-8002		Person ID <u>65563</u> Add Seq# <u>1</u>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/> JULIE AND CHARLES H DIETZ ROGER W KELMAN 1102 HICKORY RD REPUBLIC KS 66964-8002		Person ID <u>65563</u> Add Seq# _____	8d. WUC New to system <input type="checkbox"/> JULIE AND CHARLES H DIETZ ROGER W KELMAN 1102 HICKORY RD REPUBLIC KS 66964-8002	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/17</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/17</u>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 05/24/17 By: RAK Date Entered: <u>6/21/2017</u> By: <u>UM</u>				

File No. **12883** 11. County: **RP** Basin: **REPUBLICAN RIVER** Stream: Formation Code: **113** Special Use:

12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity AF	Rate gpm	Quantity AF	
DEL	28847	NC SE¼ NW¼	31	1	4W	3	3381	3122						
ENT	53385	SW¼ SE¼ NW¼	31	1	4W	5	2679	3820		150 gpm	34 AF	150 gpm	34 AF	NO
MOD	83386	SW¼ SE¼ NW¼	31	1	4W	10	2675	3876		378 gpm	86 AF	378 g.p.m.	86 AF	NO

DATA ENTRY-PLEASE SEE ATTACHMENTS TO WORKSHEET AS MODIFICATIONS NEEDED ON ALL THREE PDS

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14 Limitation: _____ 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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
MOD DEL ENT	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
						¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼				
MOD	800	31	1	4W	3		40.00	40.00				32.00	40.00									152.00	8B	YES	NO				
Ownership change only - Helen Sankey deceased (pid 29063)																													

Comments: **OWNERSHIP PER 1/10/17 LETTER FROM JULIE DIETZ, REPUBLIC COUNTY PARCEL SEARCH, JILL KELMAN DECEASED**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files
FROM: Richelle A. Krueger

DATE: May 25, 2017
RE: Water Right
File No. 12,883

Julie and Charles H. Dietz, and Roger W. Kelman, water right owners, filed an application for approval to change the authorized point of diversion.

The referenced file does not appear abandoned as per K.S.A. 82a-718.

The above referenced file number is authorized two wells with assigned rates and quantities for a total of 120 acre-feet of groundwater for irrigation use on 152 acres in Section 31, Township 1 South, Range 4 West, Republic County, located in the Republican River Basin within the Lower Republican area. There are no overlaps in the authorized points of diversion or place of use. The water right owner proposes to move the authorized quantity and diversion rate of the northernmost well to a previously authorized well located 2,679 feet North and 3,820 feet West of the Southeast corner of the aforementioned Section 31, approximately 990 feet southwest of the current location.

The proposed existing well does not meet 1,320 feet spacing requirements to the other well authorized by File No. 12,883 since the wells appear to be approximately 56 feet apart. In addition, the proposed existing well does not appear to meet 1,320 feet spacing to a municipal well authorized by Vested Right, File No. RP 005 since the wells are approximately 1,066 feet apart. The application appears to meet K.A.R. 5-5-13 *Relocation of alluvial wells*.

In addition to the above referenced wells, WRIS and the signed application map indicate there are three(3) other irrigation wells and no domestic wells within one-half mile of the proposed existing well, so no public notice was required. Nearby non-domestic wells owners were notified of the proposed change in point of diversion by letters dated May 5, 2017; no responses have been received as of today's date.

The same local source of supply will remain the same, previously determined to be Main Stem Alluvium (113).

In an e-mail dated May 23, 2017, Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated he has no objection to approval of the referenced change application.

A water flow meter is required and a check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

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

June 22, 2017

FILE COPY

JULIE AND CHARLES H DIETZ
ROGER W KELMAN
1102 HICKORY RD
REPUBLIC KS 66964-8002

RE: Water Right, File No. 12,883

Dear Sir or Madam:

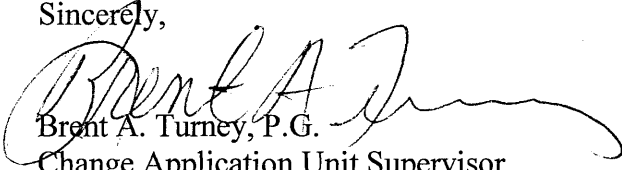
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number:

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stockton Field Office
Thayne A. Larson



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
WATER RIGHT
FILE NO. 12,883**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Julie and Charles H. Dietz, and Roger W. Kelman, 1102 Hickory Road, Republic, Kansas, 66964-8002, received in this office on February 27, 2017, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated June 13, 2014, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized locations of the points of diversion shall be:

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,679 feet North and 3,820 feet West of the Southeast corner of said section, at a diversion rate not in excess of 150 gallons per minute (0.33 c.f.s.) and in a quantity not to exceed 34 acre-feet of water per calendar year, and

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,675 feet North and 3,876 feet West of the Southeast corner of said section, at a diversion rate not in excess of 378 gallons per minute (0.84 c.f.s.) and in a quantity not to exceed 86 acre-feet of water per calendar year,

both in Township 1 South, Range 4 West, Republic County, Kansas,

located substantially as shown on the map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 12,883, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated October 2, 1987, as modified and amended by the aforementioned order.

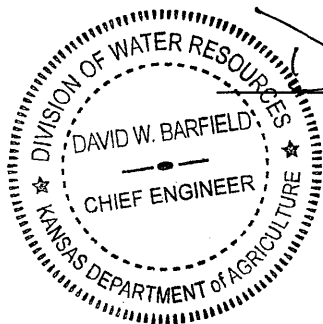
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

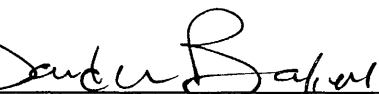
Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 20th day of June, 2017, in Topeka, Shawnee County, Kansas.





David W. Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 20th day of June, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.





Notary Public

CERTIFICATE OF SERVICE

On this ^{20th} day of *June* ²⁰¹⁷ I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 12,883, dated *June 20, 2017* was mailed postage prepaid, first class, US mail to the following:

JULIE AND CHARLES H DIETZ
ROGER W KELMAN
1102 HICKORY RD
REPUBLIC KS 66964-8002

With photocopies to:

THAYNE A LARSON
1325 US HIGHWAY 36
BELLEVILLE KS 66935-8097

Stockton Field Office



Division of Water Resources

Attachment to worksheet
 * 2675' N
 * 3876' W

Point of Diversion Details (wfp040)

Section: 31 Township: 1 Range: 4 Ring Dir: W ID: 10 PDVID: 83386

Desc Qualifiers: 2679 Num Wds: 1 Field Office: 3 Stockton
 S/W SE NW W Feet North: 2679 Feet West: 3870 County Code: RP REPUBLIC
 Lot Qualifiers OMD: Const. Date: Meas Tubelnd: Basin: 27 REPUBLICAN RIVER

Base Corner: SE Distance North: 2679 Dir N or S: N Distance West: 3870 Direction East West: W
 GPS Latitude: 39.92218
 New Longitude: 97.814433 GPS FT West: 3817 GPS Longitude: 97.8143

Point of Diversion Test

Test Date	Test Type	Test Meter	Test Rate	Meter Unit	Installed Mt. Rate	Installed Mt. Unit	Tester Name	Tester Type

Associations With Water Right Files

Right Type	County	Number	Qual	UMW	Active	Current Status	PD?	Supply	Battery ID	Priority Date	Complete By	Perfect By
A		12063	100	RR	<input checked="" type="checkbox"/>	CERT ISSUED	<input checked="" type="checkbox"/>			07-MAR-1987	01-DEC-1971	01-DEC-14

New Meter Trail Google Map Hydralprolog

use * 39.92214
 Lot
 use * 97.81451
 Long

* Data Entry: Please Change GPS LAT LONG of ID10 PDV ID 83386 to 39.92214 97.81451 per 1-29-15 Compliance investigation of per 4/5/17 phone conversation w/ Jodie Barber Stockton FO. The readings from 1/11/17 compliance investigation should not be used. Please fix GPS Feet Distances also - per 1-29-15 Compliance investigation to 2675' N 3876' W

Thanks! RAK

corrected 6/21/2017
 CCM

Attachment to worksheet

DIVISION OF WATER RESOURCES—KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 3 G.M.D. No. - County RP
File No. 12883 Overlap P/D or P/U File No(s). NONE
Agency DWR Inspector Means

In Compliance/ Date	
<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No, see comments <u>1-29-15</u>
<input type="checkbox"/>	Re-investigation

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other

Date of Order 6-13-14 Date of N of C Ack 11-24-14 Chg No. C 1 Date completed 5-19-14 If PD chg, old PD ID 5

Current Landowner Helen Sankey Phone No. _____

Address PO Box 87 Republic, KS 66964-0087
Additional landowners and addresses identified in remarks section.

Water Use Correspondent Same as above Phone No. _____

Authorized Water Use Classification:

<input type="checkbox"/> Domestic	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Irrigation	<input type="checkbox"/> Municipal	<input type="checkbox"/> Hydraulic Dredging
<input type="checkbox"/> Recreation	<input type="checkbox"/> Stockwatering	<input type="checkbox"/> Water Power	<input type="checkbox"/> Artificial Recharge	<input type="checkbox"/> Contamination Remediation
<input type="checkbox"/> Dewatering	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> Thermal Exchange	<input type="checkbox"/> Sediment Control	<input type="checkbox"/> Other

Water currently being used for IRR

Source: Groundwater Surface Water Basin/Stream Republican River

Authorized Point of Diversion: SW SE NW Sec. 31, T. 1 S. R. 4 W ID No. 10

Approximately 2679 ft. North and 3870 ft. West of SE corner of Sec 31.

Actual Point of Diversion: SW SE NW Sec. 31, T. 1 S. R. 4 W

Approximately 2675 ft. North and 3876 ft. West of SE corner of Sec 31.

PDW 2356
X 83386

How were distances determined? GPS/LEO Latitude 39.92214° Longitude 97.81951°

Distance from old pd 4 ft (N/S) and 56 ft (E/W) Old well: plugged capped equipped other: _____?

Location (site) map attached? Y/N Sketch or Map below

Comments: No WLMT is installed as required. (letter sent 2-5-15 JKB)

X PAR/DW 5/24/17

Attachment to Wksheet

3381' N
3122' W

Point Of Diversion Details (wrfpd4g)

Point Of Diversion Section: 31	Township: 1	Twnshp Dir: S	Range: 4	Rng Dir: W	ID: 3	PDIV ID: 28847			
Desc Qualifiers: NC SE NW	Feet North: 3381	Num V Wells: 1	Field Office: 3	Stockton					
Lot: []	Feet West: 3122	Chem Ind: []	County Code: RP	REPUBLIC					
Lot Qualifiers: []	OMD: []	Const. Date: []	Basin: 27	REPUBLICAN RIVER					
Meas Tube Ind: []	Stream: []								
Base Corner: SE	Distance North: 3381	Dir N or S: N	Distance West: 3122	Direction East West: W					
New Latitude: 39.92407645	GPS FT North: 2686	GPS Latitude: 39.92217							
New Longitude: 97.81182056	GPS FT West: 3932	GPS Longitude: 97.81471							
Point of Diversion Test Date: 17-JUN-1983	Test Type: Field Inspection Test	Test Meter: 150	Test Rate: []	Meter Unit: gpm	Installed Mtr Rate: []	Installed Mtr Unit: []	Testor Name: []	Testor Type: []	
Associations with Water Right Files									
Right Vested WR	Active UMW	UMV7	Current Status	PD?	Supply	Battery ID	Priority Date	Complete By	Perfect By
A	12883	100	RRR	<input checked="" type="checkbox"/>	G		07-MAR-1987	31-DEC-1971	31-DEC-16

New Meter trail | Google Map | Hydraproja

Lot 39.92408
Long 97.81182

⊗ Data Entry: Please change GPS LAT LONG to of ID3 PDIV ID 28847 to 39.92408 97.81182 per 12-9-10 compliance investigation & per 4/5/17 phone conversation w/ Jodie Barker Stockton FO. The readings from 1/11/17 compliance investigation are not correct for this well & in fact in WIMAS plots well in wrong location. Thanks! RAK PS Please fix GPS feet distances also per 12-9-10

Compliance investigation to ~~3381~~ 3381' N 3122' W
Please fix even though PD is being inactivated

corrected 6/21/2017
LMM

Attachment to worksheet

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 3 G.M.D. No. - County RP

File No. 12883 Overlap P/D or P/U File No(s). NONE

Agency DWR Inspector MEANS

In Compliance/ Date	
<input type="checkbox"/> Yes	<u>2/23/11</u>
<input checked="" type="checkbox"/> No, see comments	<u>12-9-10</u>
<input type="checkbox"/> Re-investigation	

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other STKFO CU MTR ORDER

Date of Order 10/14/09 Date of N of C Ack _____ Chg No. C _____ Date completed _____ If PD chg, old PD ID _____

Current Landowner Norman & Helen Sankey Phone No. 785-527-2450

Address PO Box 87 Republic, KS 66964-0087
Additional landowners and addresses identified in remarks section.

Water Use Correspondent _____ Phone No. _____

Authorized Water Use Classification: Domestic Industrial Irrigation Municipal Hydraulic Dredging
 Recreation Stockwatering Water Power Artificial Recharge Contamination Remediation
 Dewatering Fire Protection Thermal Exchange Sediment Control Other _____

Water currently being used for IRR

Source: Groundwater Surface Water Basin/Stream Republican River

Authorized Point of Diversion: NC SE NW Sec. 31, T. 1 S. R. 4 W ID No. 3

Approximately 3335 ft. North and 3265 ft. West of SE corner of Sec 31.

Actual Point of Diversion: _____ Sec. 31, T. 1 S. R. 4 W

Approximately 3391 ft. North and 3122 ft. West of SE corner of Sec 31.

How were distances determined? GPS/LEO Latitude 39.92408° Longitude 97.81182°

Distance from old pd _____ ft (N / S) and _____ ft (E / W) Old well: plugged capped equipped other: _____?

Location (site) map attached? Y / N Sketch or Map below

Comments: Meter only has 7" of upstream spacing. 2/23/11 - still does not meet spacing. Issue No NC. (SC) No NC issued 3-1-11. NO

WATER RESOURCES RECEIVED
MAR 03 2011

POWER UNIT INFORMATION:

Manufacturer _____ Model _____ HP _____ Serial No. _____ Fuel _____ Rated RPM _____

PUMP INFORMATION:

Manufacturer _____ Model _____ No. Stages _____ Serial No. _____ Size/Type _____ Rated RPM _____

GEAR HEAD INFORMATION:

Manufacturer _____ Model _____ Serial No. _____ Drive _____ Ratio _____

WELL INFORMATION:

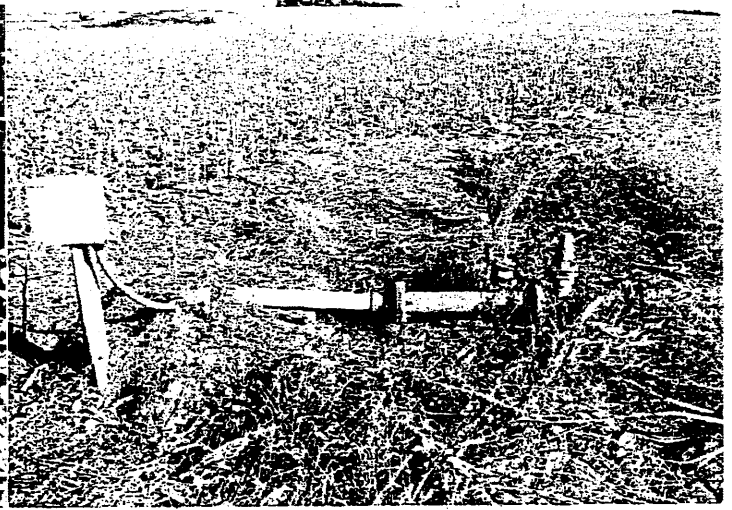
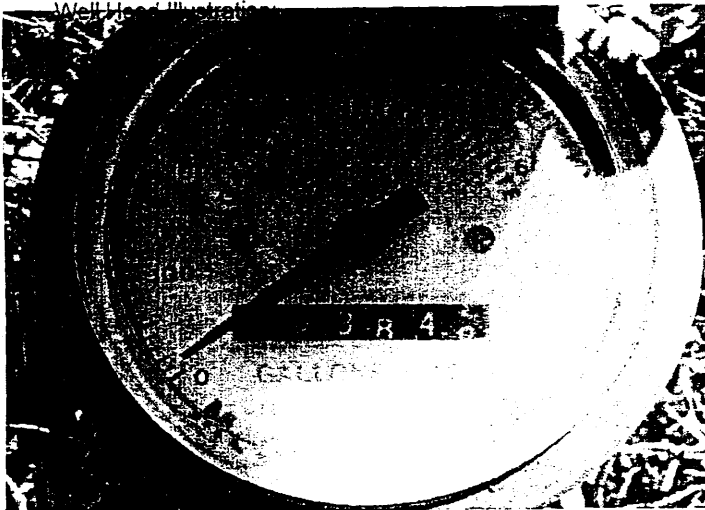
Date Drilled 1966 Original Depth 66 ft. Static Water Level When Drilled 49 ft.
Water level measurement tube required? Y N Water level measurement tube present? Y N Access Pipe on base plate.
Static Water Level Y/N DNM Depth to water _____ ft. below LSD Location of M.P. _____
If source of supply is a surface water reservoir, is a stage-measuring device installed? Y/N _____

METER REQUIREMENTS:

Required? Y N Date Installed 2003 Reading when installed 0
Manufacturer McCrometer Model No. M0304-2000 0V Type PROP
Serial No. 03-4-1085 Units: GAL Multiplier factor x100 Size 4.50"OD 4.231"ID
Acceptable? Y N Comparative test? Y N Installed properly? Y N If no, explain below.
Security Seal Installed? Y N Security Seal Stamp labeled GPM (manufacturer's seal name)
Distance upstream: 7' downstream: 18"
Reading 19384800 Instantaneous Rate: OFF GPM () CFS Other _____
Flow measurement chamber required? Y N Chamber present? Y N Straightening Vanes? Y N Strainer? Y N
Portable pump? Y N More than one pd? Y N Low pressure drain present? Y N Vacuum breaker present Y N
Injection port present? Y N Injection system being operated? Y N Check valve? Y N
Replacement meter? Y N If yes identify previous meter: Make: _____ Model: _____ Serial No.: _____
Reading at replacement time: _____ Date old meter removed: _____

ADDITIONAL REQUIREMENTS:

Chemigation equipment required? Y/N _____
Have conservation plans been followed? Y/N If no, explain: _____



Attachment to worksheet

✓ ok

Point Of Diversion Details (w/tpd4a)

Point Of Diversion		Section: 31	Township: 1	Twship Dir: S	Range: 4	Rng Dir: W	ID: 5	PDIV ID: 53385
Desc Qualifiers		Feet North: 2650	Num Wells: 1		Field Office: 3		Stockton	
SW SE NW		Feet West: 3795	Chem Ind:		County Code: RP		REPUBLIC	
Lot		Lot Qualifiers	OMD:	Const. Date:	Basin: 27		REPUBLICAN RIVER	
Base Corner:		Distance North:	Dir N or S: N	Distance West:	Direction East West: W			
New Latitude: 39.922075		GPS FT North: 2679		GPS Latitude: 39.92215				
New Longitude: 97.81422		GPS FT West: 3820		GPS Longitude: 97.81431				

Point of Diversion Test

Test Date	Test Type	Test Meter Test Rate	Test Meter Unit	Installed Mtr Rate	Installed Mtr Unit	Testor Name	Testor Type
17-JUN-1983	Field Inspection Test	378	gpm				

Associations with Water Right Files

Right Type	Vested	WR Number	Qual	UMW	Active UMW?	Current Status	PD?	Supply	Battery ID	Priority Date	Complete By	Perfect By
A		12883	00	RR	<input checked="" type="checkbox"/>	CERT ISSUED		IG		07-MAR-1987	31-DEC-1971	31-DEC-1971

New Meter trail Google Map Hydratorojg

Attachment to worksheet

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 3 G.M.D. No. - County RP
File No. 12883 Overlap P/D or P/U File No(s). NONE
Agency DWR Inspector MEANS

In Compliance/ Date
 Yes 7-1-10
 No, see comments _____
 Re-investigation _____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other STKPD (U MTR ORDER)

Date of Order 10/14/09 Date of N of C Ack _____ Chg No. C _____ Date completed _____ If PD chg, old PD ID _____

Current Landowner Norman & Helen Sankey Phone No. 785-527-2450

Address PO Box 87 Republic, KS 66964-0087
Additional landowners and addresses identified in remarks section.

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Authorized Water Use Classification: Domestic Industrial Irrigation Municipal Hydraulic Dredging
 Recreation Stockwatering Water Power Artificial Recharge Contamination Remediation
 Dewatering Fire Protection Thermal Exchange Sediment Control Other _____

Water currently being used for IRR

Source: Groundwater Surface Water Basin/Stream Republican River

Authorized Point of Diversion: SW SE NW Sec. 31, T. 1 S, R. 4 W ID No. 5

Approximately 2650 ft. North and 3795 ft. West of SE corner of Sec 31.

Actual Point of Diversion: SW SE NW Sec. 31, T. 1 S, R. 4 W

Approximately 2679 ft. North and 3820 ft. West of SE corner of Sec 31.

How were distances determined? GPS/LEO Latitude 39.92215° Longitude 97.91431°

Distance from old pd _____ ft (N / S) and _____ ft (E / W) Old well: plugged capped equipped other: _____?

Location (site) map attached? Y / N Sketch or Map below

Comments: _____



Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.
 Call for address:
 Topeka -- (785) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov/dwr

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



STATE OF KANSAS

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.

WATER RESOURCES
RECEIVED

FEB 27 2017

1:28
KS DEPT OF AGRICULTURE

File No. 12,883

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

2. Name and address of Applicant: Julie Dietz

1102 Hickory Rd, Republic, KS 66964-8002

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: Same as above

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Helen Sankey

ADDRESS: PO Box 87 Republic, Ks. 66964-0087

(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	
31	1	04w		40	40				32	40									152

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: Julie Dietz [no change in place of use - change in ownership only] Roger N. Kelm

ADDRESS: 1102 Hickory Rd, Republic, KS 66964-8002

(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	
31	1	04w		40	40				32	40									152

For Office Use Only: Code 3 Fee \$ 651 TR # _____ Receipt Date 2/27/17 Check # 28553

County RP
525 17
RK

* Modified per Republic Co Parcel Search
 Jill Kelm is deceased

SCANNED
 * P. Kelm 5/25/17
 3/1/2017 ULM

5. **Presently authorized point of diversion:** POIV 202884 / ID 03

One in the NC Quarter of the SE Quarter of the NW Quarter of Section 31, Township 1 South, Range 4 W, in Republic County, Kansas, 3381 feet North 3122 feet West of Southeast corner of section. Authorized Rate 150 gpm Authorized Quantity 34 af Depth of well ~50 (feet)

(DWR use only: Computer ID No. 03 GPS 3381 feet North 3122 feet West)

This point will not be changed This point will be changed as follows: UPDATE point of diversion better described with GPS as:

* **Proposed point of diversion: (Complete only if change is requested)** ID 5 POIV 53385 2679'N 3820'W

One in the SW Quarter of the SE Quarter of the NW Quarter of Section 31, Township 1 South, Range 4 W, in Republic County, Kansas, 2679 feet North 3820 feet West of Southeast corner of section. Proposed Rate 150 gpm Proposed Quantity 34 af Proposed well depth (feet) ~50

This point is: Additional Well Geo Center List other water rights that will use this point None

* proposed pt changed per 4/5/17 phone conversation w/ Kelly C. Stewart, DWR & 7/1/16 Compliance investigation

6. **Presently authorized point of diversion:**

One in the SW Quarter of the SE Quarter of the NW Quarter of Section 31, Township 1 South, Range 4 W, in Republic County, Kansas, 2679 feet North 3870 feet West of Southeast corner of section. Authorized Rate 378 gpm Authorized Quantity 86 af Depth of well ~50 (feet)

(DWR use only: Computer ID No. 10 GPS 2675 feet North 3876 feet West)

This point will not be changed This point will be changed as follows: UPDATE point of diversion better described with GPS as:

* **Proposed point of diversion: (Complete only if change is requested)** ID 10 POIV 2083386 2675'N 3876'W

One in the SW Quarter of the SE Quarter of the NW Quarter of Section 31, Township 1 South, Range 4 W, in Republic County, Kansas, 2675 feet North 3876 feet West of Southeast corner of section. Proposed Rate 378 gpm Proposed Quantity 86 af Proposed well depth (feet) ~50

This point is: Additional Well Geo Center List other water rights that will use this point None

* * per 4/5/17 conversation w/ Kelly & 1-29-15 Compliance investigation

7. Why do you need a new point of diversion? Old well not producing. This application is moving the north well (id03) to the old south well location (id05).

the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)

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

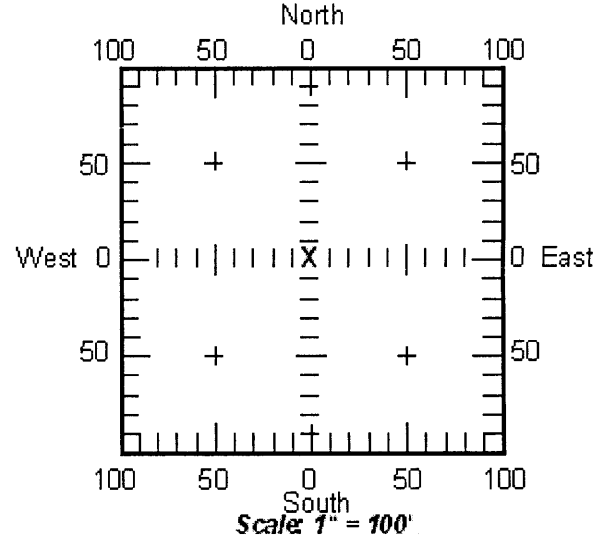
9. When do you propose to complete the new point of diversion? Immediately

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Cap it or plug it.

(b) When will this be done? Immediately

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by Kelly C. Stewart/jkb

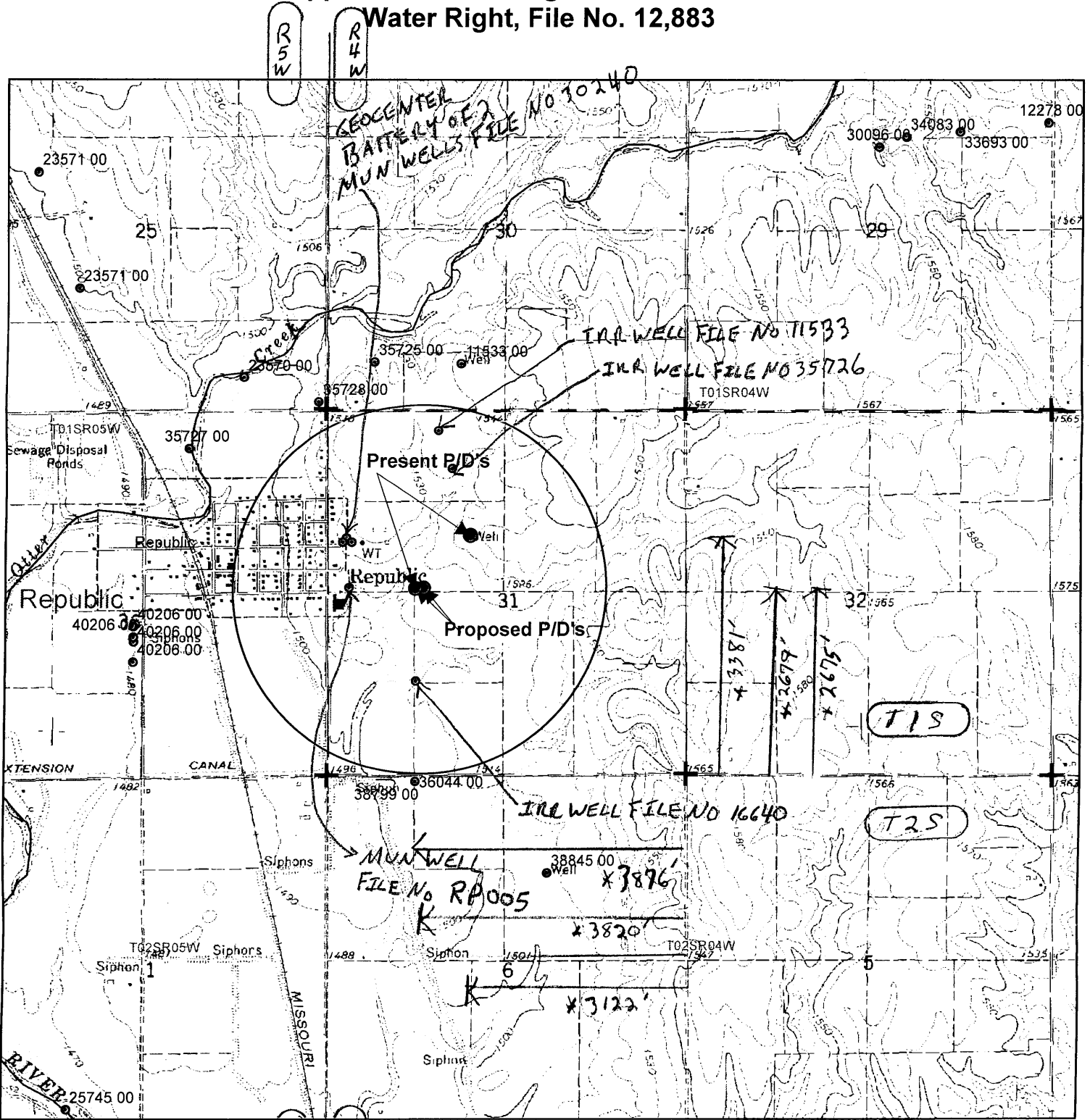


13b. If the proposed point of diversion will be relocated more than 100 feet but within 2640 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and 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.

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on DWR 1-121 (Revised 01/05/2010)

* ASK 10-20-17 4/5/17
 * * ASK 10-20-17 4/5/17

Application to Change the Point of Diversion, Water Right, File No. 12,883



WATER RESOURCES RECEIVED

1:24,000

MAY 02 2017

All water wells of any kind within 1/2 mile of the proposed points of diversion **KS DEPT OF AGRICULTURE**



○ 1/2 mile radius
WATER RESOURCES RECEIVED

* per Par Nos 5 & 6 FEB 27 2017

* 5/25/17 KS DEPT OF AGRICULTURE

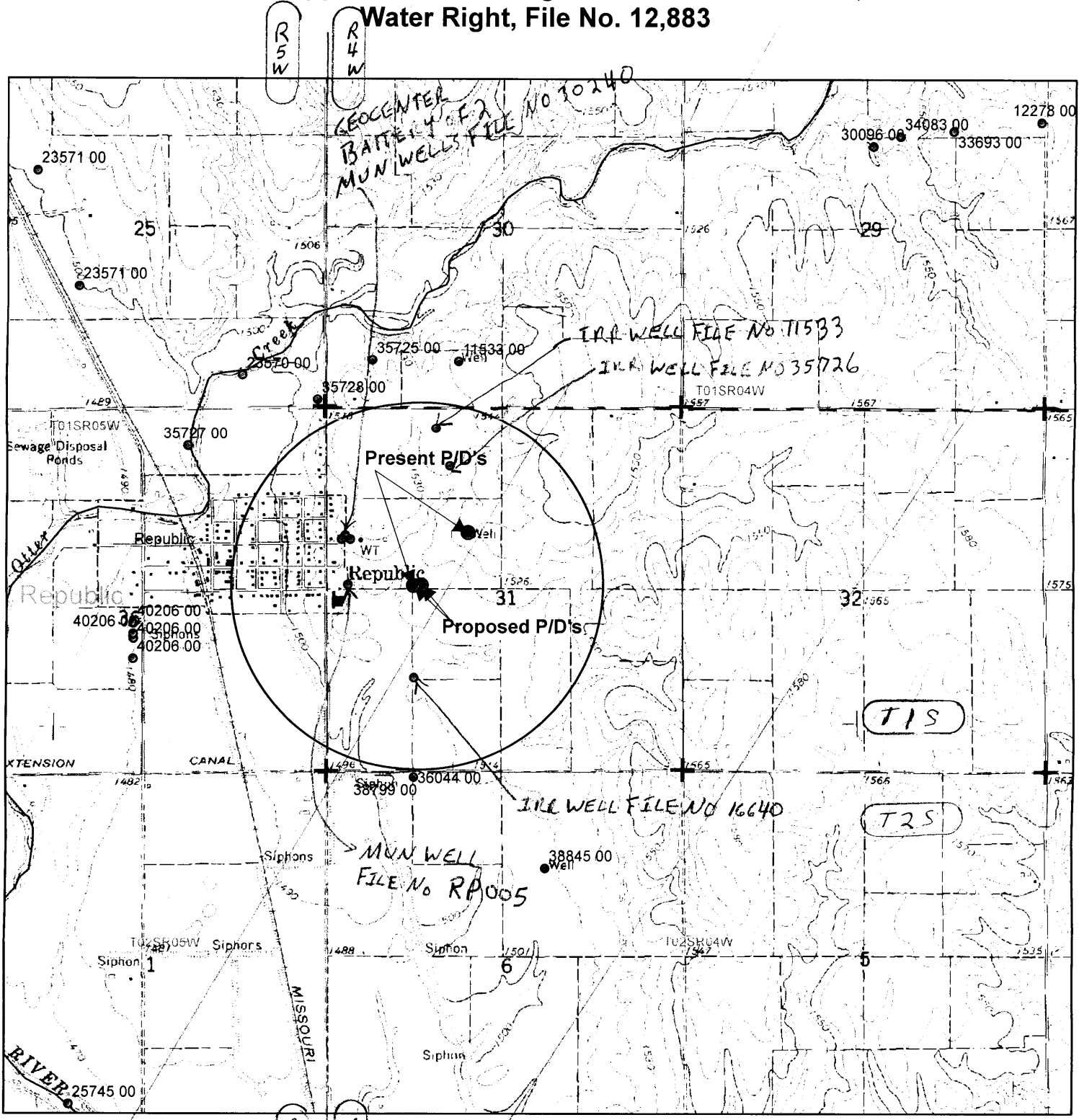
[Handwritten Signature]
Signature 4-17-17
Date


SCANNED

SCANNED

See Signal Map Received 5/2/17

Application to Change the Point of Diversion, Water Right, File No. 12,883



 1/2 mile radius
WATER RESOURCES
RECEIVED

All water wells of any kind within 1/2 mile of the proposed points of diversion are shown:

1:24,000



FEB 27 2017

Signature

Date

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 12,883.

- 1. A change application was received on _____ 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than NA feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 5. 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
- 6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017, 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
- 7. **Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. By March 1, 2018 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
- 8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
- 9. 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
- 10. Additional Conditions are attached. Yes No
- 11. 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 dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND
SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
) SS
County of _____)

Acknowledged before me on _____
by _____

Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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.)

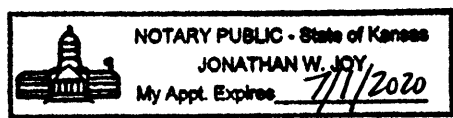
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 regard 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 Belleville, Kansas, this 23rd day of February, 20 17.

<p><u><i>Julie Dietz</i></u> _____ (Owner)</p> <p><u>Julie Dietz</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 Republic } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of February, 20 17.

My Commission Expires 7/1/2020 _____
Notary Public *Jonathan W. Joy*

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

WATER RESOURCES
RECEIVED

FEB 27 2017

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.

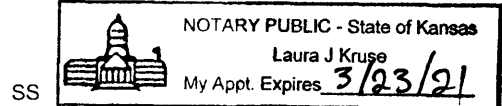
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 Belleverle, Kansas, this 17 day of April, 20 17.

_____	_____
(Owner)	<u>Charla H Dietz</u> (Spouse)
_____	_____
(Please Print)	<u>Charles H. Dietz</u> (Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)

State of Kansas }
County of Republie }



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of April, 20 17.

Laura J Kruse
Notary Public

My Commission Expires March 23, 2021

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.**

**WATER RESOURCES
RECEIVED**

MAY 02 2017

KS DEPT OF AGRICULTURE

SCANNED

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 Sublette, Kansas, this 24th day of April, 2017.

[Signature]
(Owner)

N/A
(Spouse)

(Please Print)

(Please Print)

N/A
(Owner)

N/A
(Spouse)

(Please Print)

(Please Print)

N/A
(Owner)

N/A
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Haskell } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24 day of April, 2017.

[Signature]
Notary Public
GINGER M. ORWIG
Notary Public - State of Kansas
My Appt. Expires 1-11-2021

My Commission Expires 1-11-2021

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.**

WATER RESOURCES RECEIVED

MAY 02 2017

KS DEPT OF AGRICULTURE

SCANNED

January 10, 2017

Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502

RE: Change of ownership/address

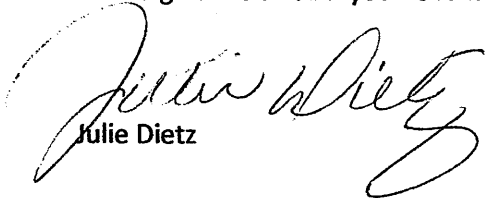
As Helen Sankey is now deceased, please change the mailing address on file number 12883 in Republic County, Kansas to:

Julie Dietz
1102 Hickory Road
Republic, KS 66964

785-361-2773 home 785-527-0157 cell

The property under file number 159949 has been sold to Thayne Larson.

Please give me a call if you need more information or have questions.



Julie Dietz

WATER RESOURCES
RECEIVED

FEB 27 2017

KS DEPT OF AGRICULTURE

COPY

SCANNED

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

April 11, 2017

JULIE DIETZ
1102 HICKORY RD
REPUBLIC KS 66964-8002

RE: Water Right, File No. 12,883

Dear Ms. Dietz,

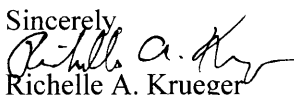
Reference is made to the application for approval of the Chief Engineer to change the point of diversion under the referenced file number which was received in the office of the Chief Engineer on February 27, 2017. Upon review of the application, we find that additional information is needed.

K.A.R. 5-5-5 *Signatures required on change applications* requires in part that all landowners and spouses holding an undetermined portion of the water right must sign the change application. Based on information in this office it appears we need the original notarized signatures of your spouse and those of Jill L. Kelman and spouse. Enclosed is a copy of the application along with additional blank signature forms. If this ownership information is not correct, please submit a copy of the recorded deed to clearly indicate all owners so that our records may be updated.

Effective July 1, 2016, Senate Bill No. 337 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. Please indicate on the enclosed map the location of all water wells (including domestic wells) of any kind within one-half mile of the proposed well and provide well owner names and mailing addresses on the map. In addition, you must sign where indicated on the application map certifying that all water wells of any kind located within one-half mile of the requested point of diversion have been plotted on the map. Alternatively, you may plot the location of any domestic wells within 1,000 feet of the proposed well, provide well owner's names and addresses and then publish a public notice in the official newspaper of record in your area at your expense. Please contact me for assistance if you decide to issue a public notice.

Please return the requested additional information to this office by May 11, 2017 so that we may continue with processing the referenced application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, 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,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures
pc: Stockton Field Office
Thayne Larson

SCANNED

Krueger, Richelle

From: Stewart, Kelly
Sent: Tuesday, May 23, 2017 12:03 PM
To: Krueger, Richelle
Cc: Billinger, Mark; Hageman, Rebecca
Subject: RE: Request for Recommendation Change in PD File No. 12883 Julie Dietz etal

Richelle,

I have no objection to the approval of this application.

Kelly

From: Krueger, Richelle
Sent: Tuesday, May 23, 2017 10:50 AM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>
Subject: Request for Recommendation Change in PD File No. 12883 Julie Dietz etal

Hi Kelly,
Attached is a draft memo for the referenced change in pd, do you recommend approval?
Thanks,
Richelle

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

May 5, 2017

FILE COPY

CITY OF REPUBLIC
607 WASHINGTON
PO BOX 128
REPUBLIC KS 66964

RE: Water Right
File No. 12,883

Dear Sir or Madam:

This is to advise you that Julie Dietz has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number. The application proposes the following change in the point of diversion.

from: one (1) well located near the center of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 3,381 feet North and 3,122 feet West of the Southeast corner of said section, at a diversion rate not in excess of 150 gallons per minute and in a quantity not to exceed 34 acre-feet of water per calendar year, and

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,675 feet North and 3,876 feet West of the Southeast corner of said section, at a diversion rate not in excess of 378 gallons per minute and in a quantity not to exceed 86 acre-feet of water per calendar year,

both in Township 1 South, Range 4 West, Republic County, Kansas,


to: one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,679 feet North and 3,820 feet West of the Southeast corner of said section, at a diversion rate not in excess of 150 gallons per minute and in a quantity not to exceed 34 acre-feet of water per calendar year, and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,675 feet North and 3,876 feet West of the Southeast corner of said section, at a diversion rate not in excess of 378 gallons per minute and in a quantity not to exceed 86 acre-feet of water per calendar year,

both in Township 1 South, Range 4 West, Republic County, Kansas.

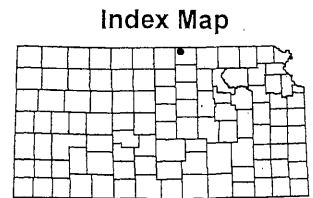
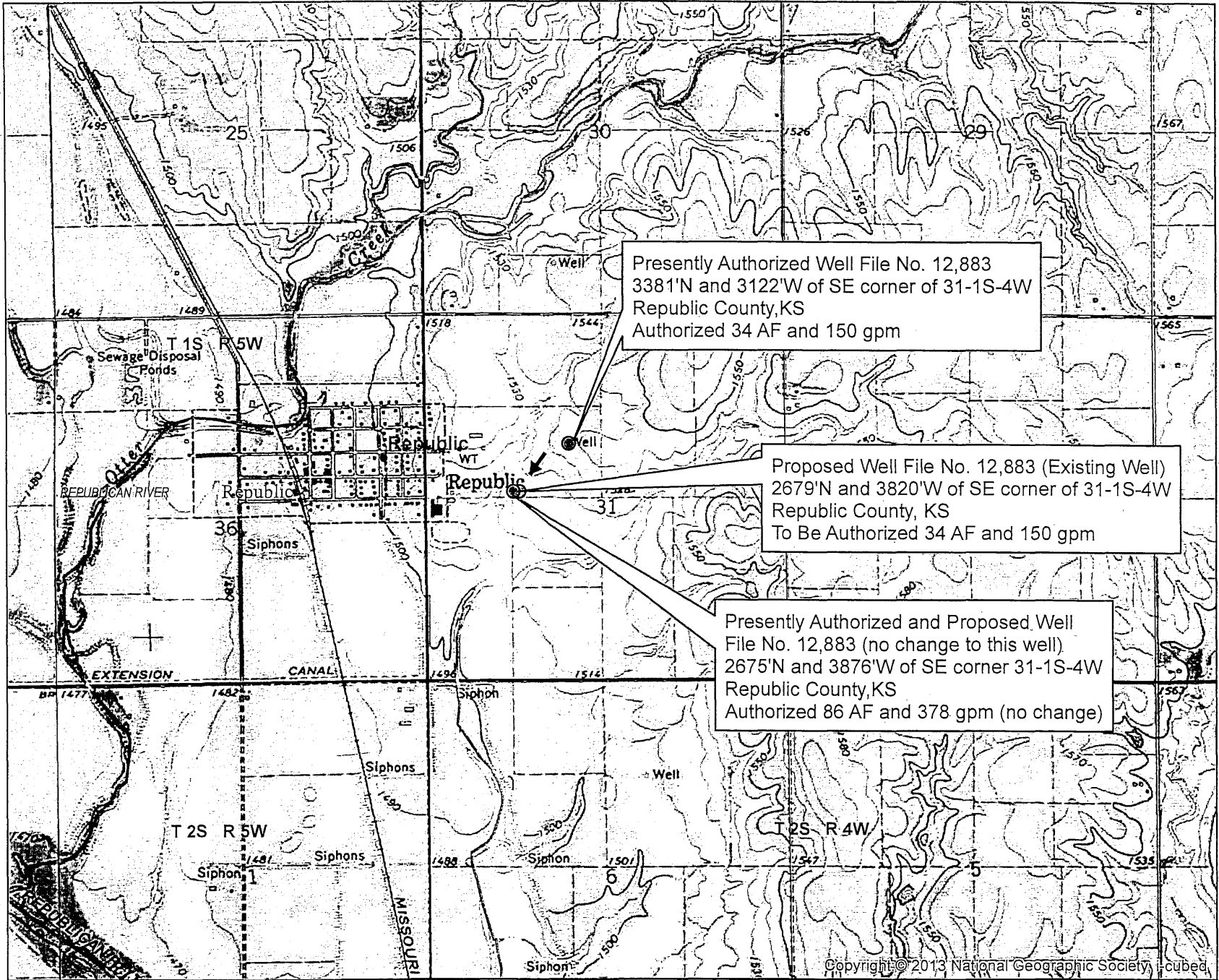
A map is on the reverse of this letter for your information. You are being notified of this proposed change in the point of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6635 or Brent Turney, Change Application Unit Supervisor 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.

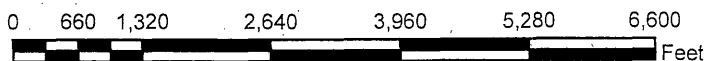
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Stockton Field Office
Julie Dietz

Application to Change the Point of Diversion File No. 12,883



1:24,000



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This map was created by WIMAS on 5/4/2017 10:38:52 AM

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

May 5, 2017

ROBERT L HAHN TRUST U/A
141 CHANNEL RD
SALINA KS 67401-3424

RE: Water Right
File No. 12,883

FILE COPY

Dear Sir or Madam:

This is to advise you that Julie Dietz has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number. The application proposes the following change in the point of diversion.

from: one (1) well located near the center of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 3,381 feet North and 3,122 feet West of the Southeast corner of said section, at a diversion rate not in excess of 150 gallons per minute and in a quantity not to exceed 34 acre-feet of water per calendar year, and

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,675 feet North and 3,876 feet West of the Southeast corner of said section, at a diversion rate not in excess of 378 gallons per minute and in a quantity not to exceed 86 acre-feet of water per calendar year,

both in Township 1 South, Range 4 West, Republic County, Kansas,


to: one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 2,679 feet North and 3,820 feet West of the Southeast corner of said section, at a diversion rate not in excess of 150 gallons per minute and in a quantity not to exceed 34 acre-feet of water per calendar year, and

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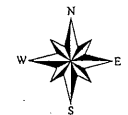
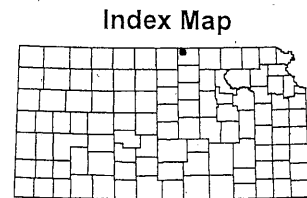
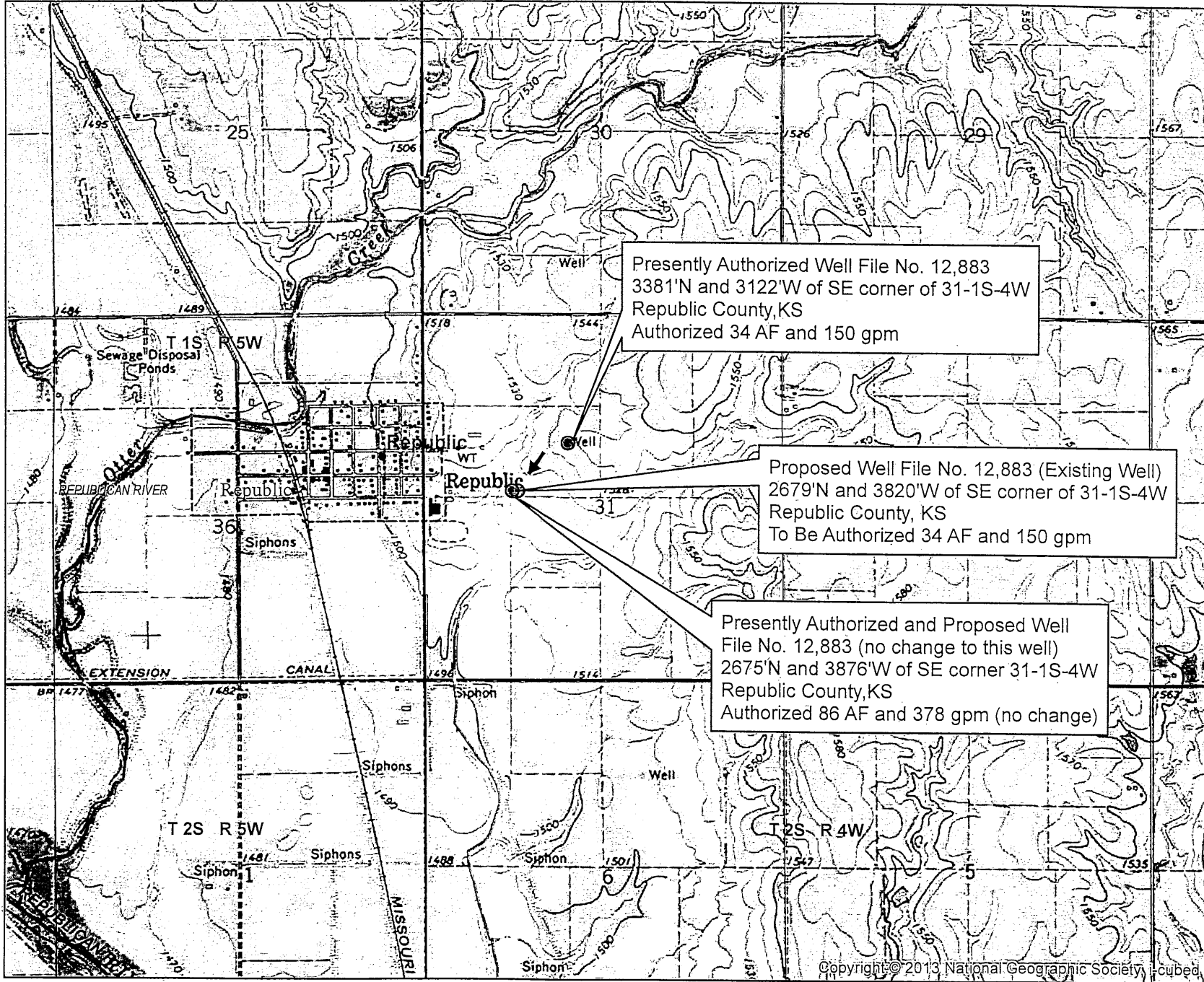
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If you have any questions, please contact me at (785) 564-6635 or Brent Turney, Change Application Unit Supervisor at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

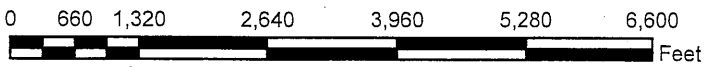
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Stockton Field Office
Julie Dietz

Application to Change the Point of Diversion File No. 12,883



1:24,000



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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 5, 2017

JACK H MCCLURE TRUST
JACK H MCCLURE TRUSTEE
PO BOX 171
TESCOTT KS 67484

RE: Water Right
File No. 12,883

FILE COPY

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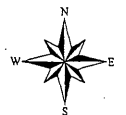
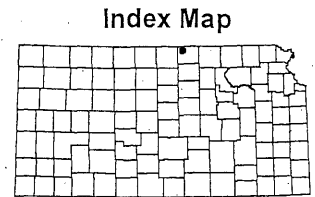
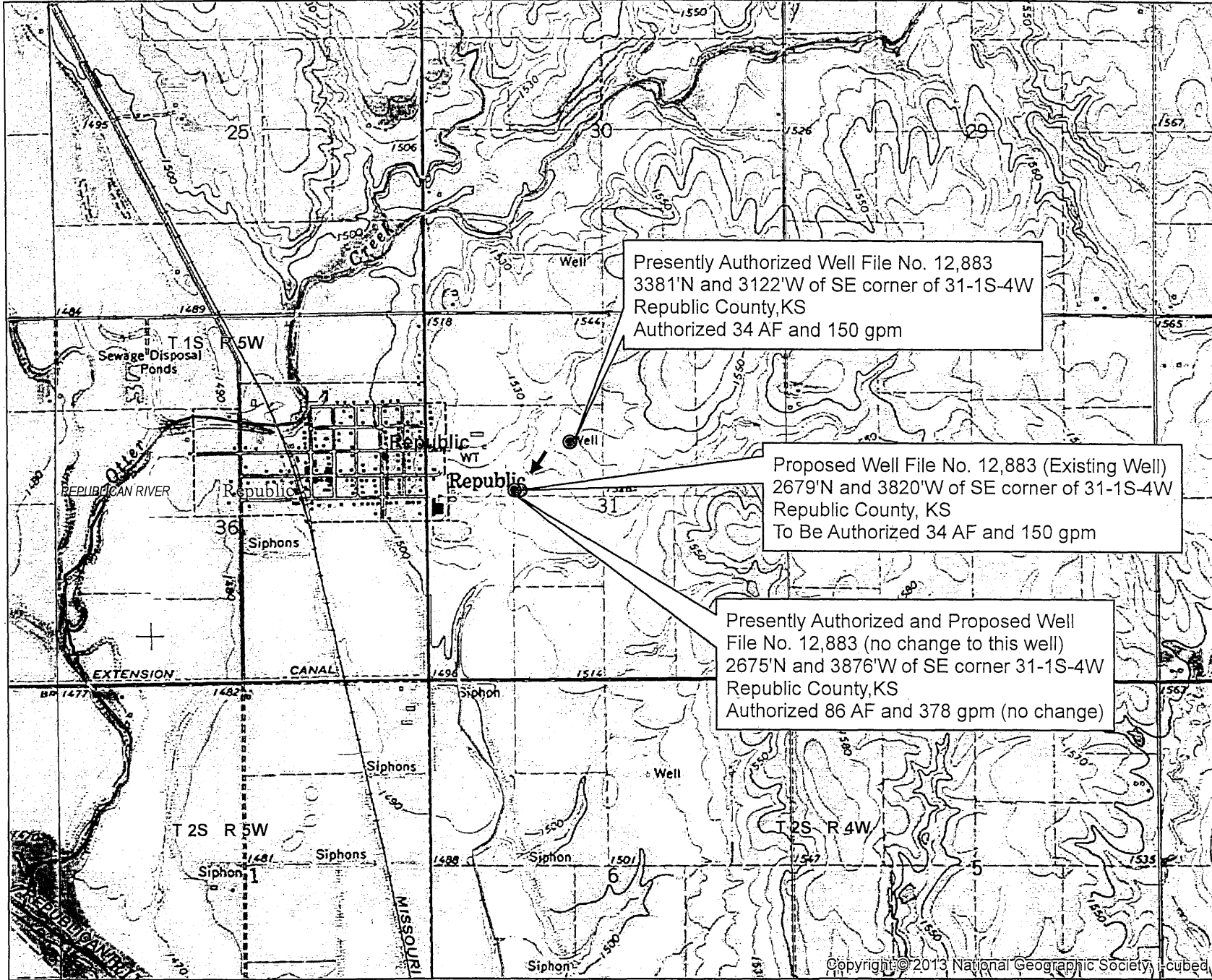
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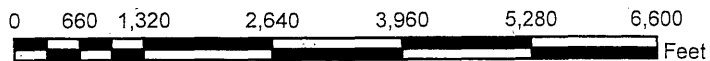

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Stockton Field Office
Julie Dietz

Application to Change the Point of Diversion File No. 12,883



1:24,000



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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 5, 2017

BRAD PETERSON
1315 20TH RD
COURTLAND KS 66939

RE: Water Right
File No. 12,883

FILE COPY

Dear Sir or Madam:

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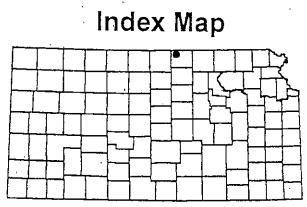
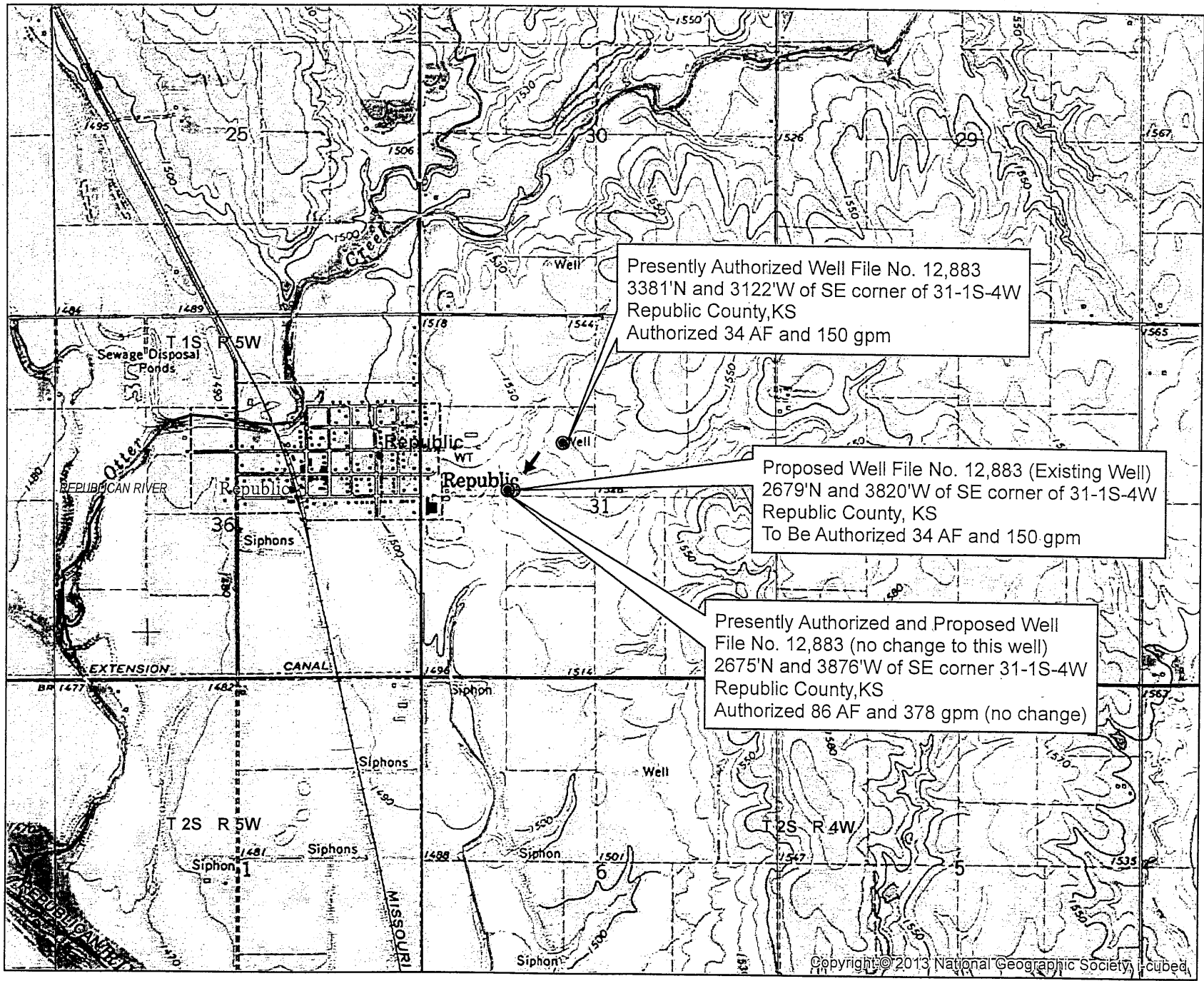
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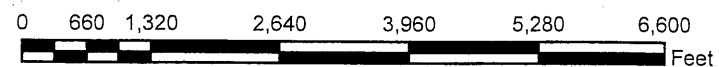
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Stockton Field Office
Julie Dietz

Application to Change the Point of Diversion File No. 12,883



1:24,000



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Jackie McClaskey, Secretary

Governor Sam Brownback

May 5, 2017

JAMES J & ALLEN L HURLEY
2055 REPUBLIC LN
REPUBLIC KS 66964

RE: Water Right
File No. 12,883

FILE COPY

Dear Sir or Madam:

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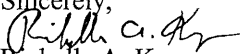
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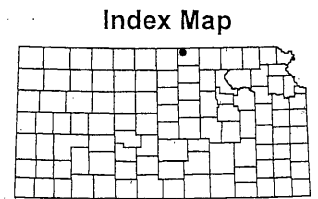
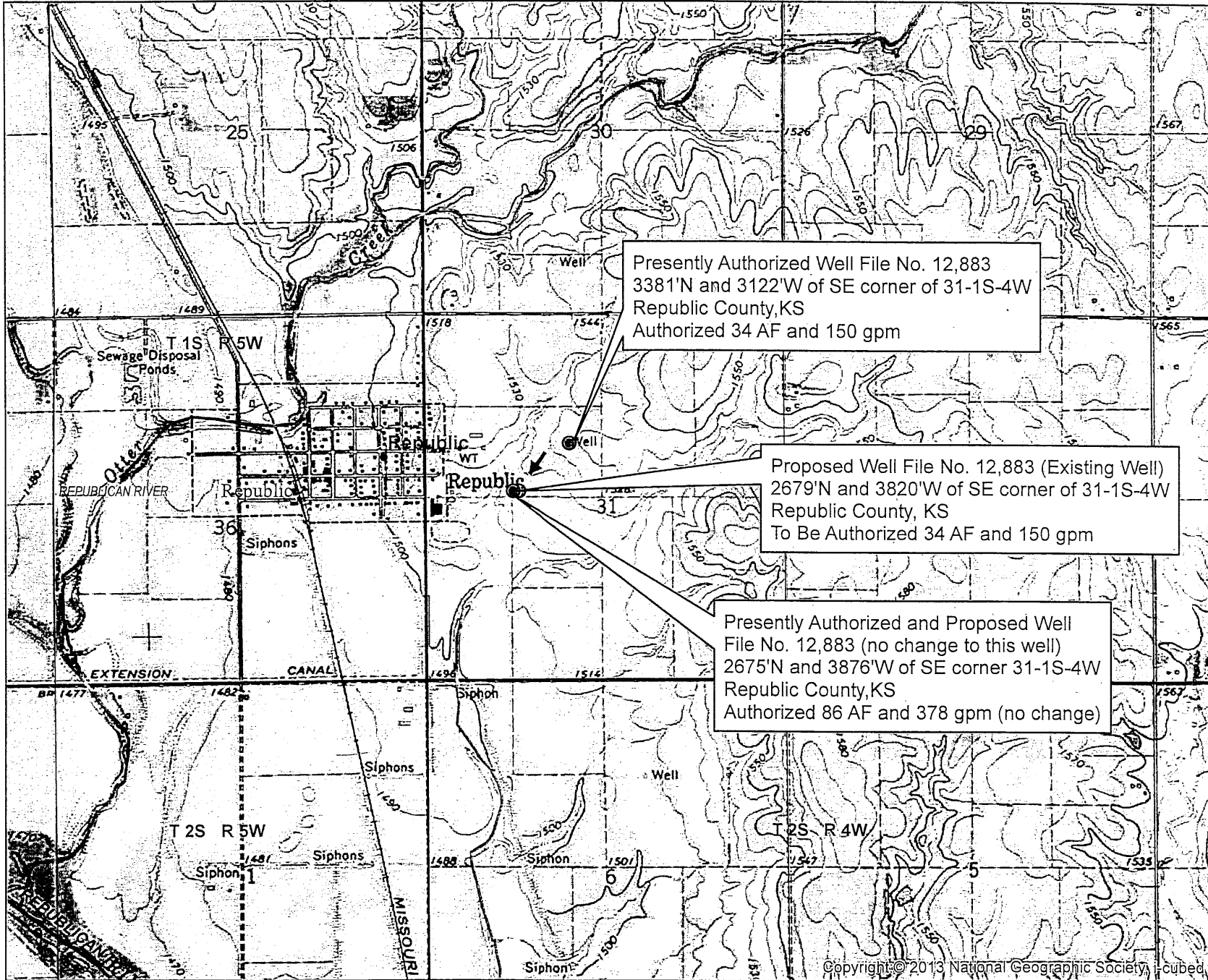
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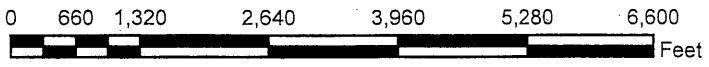
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Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Stockton Field Office
Julie Dietz

Application to Change the POINT OF DIVERSION FILE NO. 12,883



1:24,000



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Jackie McClaskey, Secretary

Governor Sam Brownback

May 5, 2017

JAMES J & EVELYN A HURLEY
EVELYN A HURLEY TRUST 1
706 FIR RD
REPUBLIC KS 66964-8048

FILE COPY

RE: Water Right
File No. 12,883

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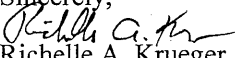
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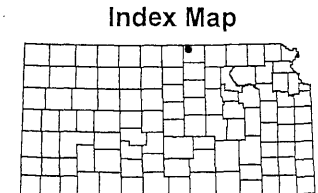
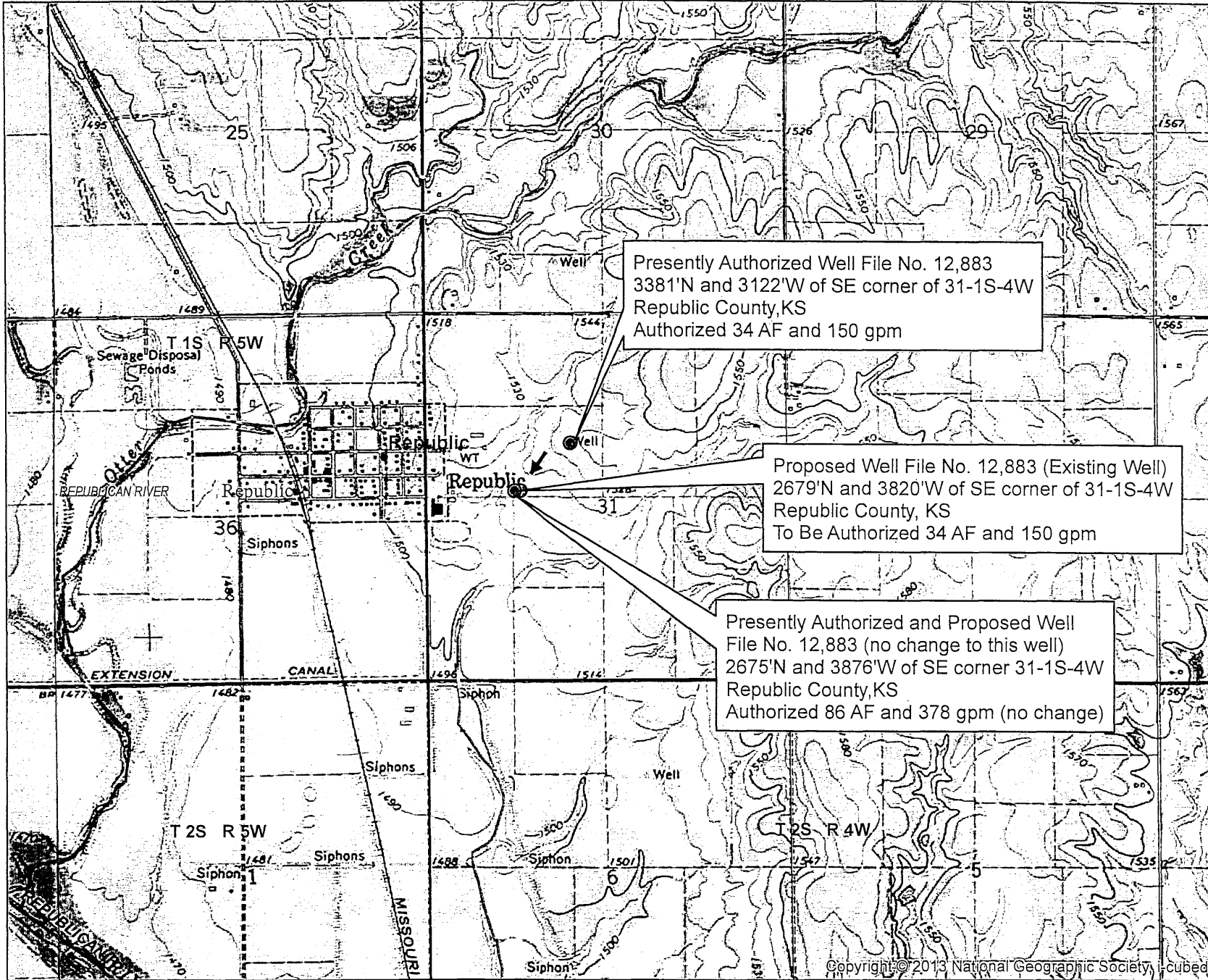
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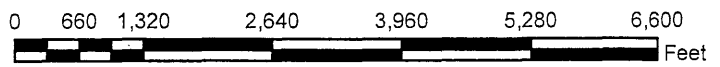
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Stockton Field Office
Julie Dietz

Application to Change the Point of Diversion File No. 12,883



1:24,000



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Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 11, 2017

JULIE DIETZ
1102 HICKORY RD
REPUBLIC KS 66964-8002

RE: Water Right, File No. 12,883

Dear Ms. Dietz,

Reference is made to the application for approval of the Chief Engineer to change the point of diversion under the referenced file number which was received in the office of the Chief Engineer on February 27, 2017. Upon review of the application, we find that additional information is needed.

K.A.R. 5-5-5 *Signatures required on change applications* requires in part that all landowners and spouses holding an undetermined portion of the water right must sign the change application. Based on information in this office it appears we need the original notarized signatures of your spouse and those of Jill L. Kelman and spouse. Enclosed is a copy of the application along with additional blank signature forms. If this ownership information is not correct, please submit a copy of the recorded deed to clearly indicate all owners so that our records may be updated.

Effective July 1, 2016, Senate Bill No. 337 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. Please indicate on the enclosed map the location of all water wells (including domestic wells) of any kind within one-half mile of the proposed well and provide well owner names and mailing addresses on the map. In addition, you must sign where indicated on the application map certifying that all water wells of any kind located within one-half mile of the requested point of diversion have been plotted on the map. Alternatively, you may plot the location of any domestic wells within 1,000 feet of the proposed well, provide well owner's names and addresses and then publish a public notice in the official newspaper of record in your area at your expense. Please contact me for assistance if you decide to issue a public notice.

Please return the requested additional information to this office by **May 11, 2017** so that we may continue with processing the referenced application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, 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,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures
pc: Stockton Field Office
Thayne Larson

SCANNED

Krueger, Richelle

From: Stewart, Kelly
Sent: Thursday, April 6, 2017 10:47 AM
To: Krueger, Richelle
Subject: Re: Change in PD File No. 12883 Julie Dietz

Yes, please copy Thayne.

Sent from my iPhone

On Apr 6, 2017, at 9:46 AM, Krueger, Richelle <Richelle.Krueger@ks.gov> wrote:

I was planning to send back to Julie Dietz applicant and one of the owners, I can pc Thayne. Thanks for your help!

From: Stewart, Kelly
Sent: Thursday, April 6, 2017 10:39 AM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Subject: Re: Change in PD File No. 12883 Julie Dietz

I'm on the road so I am kind of winging it. The spacing is probably no big deal since they likely could make it a battery if so desired (with waiver but we have precedence). Is 5-5-13 moving closer to river reg? If so, we should be good on that. I did measure when considering that. I don't know about public notice or how many domestic wells may be nearby. Ask Thayne to identify or do public notice.

Sent from my iPhone

On Apr 6, 2017, at 9:17 AM, Krueger, Richelle <Richelle.Krueger@ks.gov> wrote:

Hi Kelly,
Thankfully Jodie got me straightened out on which well they are proposing!
I guess my other questions are –
1. Are you okay with the wells only being 56 feet apart rather than 1320 feet;
2. Do you think it meets 5-5-13;
3. Do you think they need to do a public notice since it is next to the City of Republic or, if they provide domestic well locations and sign map, that will be good enough?

Looks like I have to get other owner/spouses signatures so I have to send it back anyway.

Thanks,
Richelle

From: Stewart, Kelly
Sent: Thursday, April 6, 2017 10:09 AM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Subject: Re: Change in PD File No. 12883 Julie Dietz

Get the answers you needed?

Sent from my iPhone

On Apr 5, 2017, at 12:05 PM, Krueger, Richelle <Richelle.Krueger@ks.gov> wrote:

Hi Kelly,

I have begun reviewing the referenced change in pd and I am very confused (my usual state) about what exactly they are proposing to do. I think Thayne Larson is involved somehow in this application. The proposed feet distances shown on the application do not seem to match up with Paragraph 7? What is weird is that the 2017 compliance investigation shows well ID 3 and Well ID 10 as being only 115 feet apart whereas the 2015 compliance investigation shows well ID 3 and well ID 10 being 1033 feet apart?? I wonder if the wrong well was measured in 2017 or what is going on?? To confuse matters there was a data entry error which plotted well ID 3 in Cloud County, I had Laura fix that but the location for Well ID 3 in WIMAS still does not show up correctly compared to the approved/gps feet distances, it should be more to the northeast. So are they truly proposing to move well ID 3 to well ID 5 in which case the proposed wells (well ID 5 and well ID10 locations) will only be 10 feet apart(as shown on the map)?? If so do you have problem with these wells being 10 feet apart??

Do you think this complies with K.A.R. 5-5-13?

Also, do you think they need to do a public notice or anything since it is near the town of Republic or have any problems with these wells within 1320 feet of City of Republic wells? I have to return the application for signatures and to get domestic wells within one-half mile and map signed but thought I better ask you.

Thanks, as always, for your help!

Richelle AKA RRD

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

FILE COPY

February 28, 2017

JULIE DIETZ
1102 HICKORY RD
REPUBLIC, KS 66964

RE: File No. 12883

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 PD
- 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,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

BAT: dlw
pc: STOCKTON Field Office GMD

SCANNED

Subject Property: 0790493100000002000

QuickRef ID : R1007 [Click here to locate on Map](#)
 Owner Name : DIETZ, JULIE A No property photo available
 Location : 901 MAIN ST, Republic, KS 66964.
 Legal Desc : S31, T01, R04W, ACRES 148.9, W 1/2 NE 1/4 LESS ROW & S 1/2 NW 1/4 LESS CITY LIMITS OF RE PUBLIC & 100' & 125' TR & 50' & 80' TR

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
DIETZ, JULIE A	1102 HICKORY RD REPUBLIC, KS
KELMAN, JILL L	66964-8022

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Agricultural Use	Active	WASHINGTON TWP 051	600.R

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
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Permit Details

Number :	Date :	Amount :	Purpose :
12883		\$0	

Value Details

Current Final Value (Agricultural) :	Year :	2016
	Land :	\$57,950
	Building :	\$7,280
	Total :	\$65,230

Current Final Value (Commercial and Industrial) :	Year :	2016
	Land :	\$2,730
	Building :	\$0
	Total :	\$2,730

Deed Book/Page

Book / Page List and Misc Legal Description Info :

Book/Page 0220/0221 0205/0605 0205/0419 0300/0577

No Sale Details found. (Please log in to view this data.)