

File No. **17237** 11. County: **SD** Basin: **SALINE RIVER** Stream: **NA** Formation Code: **211** Special Use: **NA**

12. Points of Diversion
 T
 MOD
 DEL PDIV
 ENT
 Qualifier S T R ID 'N 'W Comment
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

NO CHANGE

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) **ROTATION MAX ACRES 70**
 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 T 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 40049 9 10 28W					30.0	30.0	30.0	30.0									120	8b	NO	NONE
	REVERSION ACRES																			
9 10 28W					0.5	30.0	30.0	0.5										8b	NO	NONE

Comments: **ACTION TRAIL ENTRY ROTATION B4 LAND ROTATION**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 21, 2017

FROM: Leslie Ireland

RE: Water Right, File No. 17,237

Chuck Chapman President of Floyd Chapman, Incorporated owner of the referenced water right filed an application for approval to change the irrigated place of use which was received on April 7, 2017.

The right would appear to be in compliance with K.S.A. 82a-732. The required notices were sent on May 17, 2017. No reply was received from the sent notice.

The referenced file authorizes 120 acre-feet at a maximum rate of 275 gallons per minute for the irrigation of 70 acres from one (1) well, all located in Section 9, Township 10 South, Range 28 West, Sheridan County.

The place of use the applicant proposes to rotate the 70 "base acres" that were determined by the Stockton Field Office. According to K.A.R. 5-5-11(b)(4), **Rotation of the irrigated land within the authorized place of use.**

1. There has been no recent pattern of water use significantly in excess of the authorized maximum annual quantity.
2. The application requests that the place of use be changed to allow a rotation of the irrigated land within an authorized place of use. A total of 120 acres will be authorized under the proposed place of use, but will be limited to the 70 base acres as the maximum acres that would be allowed to be irrigated in a calendar year. The application indicates that the place of use will be comprised of one (1) standard pivot. The irrigation of the partial pivot will be in the Northwest Quarter of Section 9, Township 10 South, Range 28 West, Sheridan County.
3. The Northwestern Kansas Groundwater Management District No. 4 will monitor the place of use. Per the agreement, the GMD will visit the site to assure compliance with the maximum 70 acres that can be irrigated under the proposed rotation.
4. Use of water on more than the maximum number of acres authorized to be irrigated in any one calendar year shall result in a two-year suspension of all water use under the referenced right and subsequent restriction of the authorized place of use to the base acreage at the location specifically set forth in this change approval. The application lists 120 acres in the Northwest Quarter of 9-10S-28W.

Ray Luhman, Manager of the Northwestern Kansas Groundwater Management District No. 4 indicated in his letter dated June 16, 2017, that the District recommended approval of the change application with the acreage rotation as per K.A.R. 5-5-11(b)(4) and that the District would monitor as per the 1995 Memorandum of Understanding. Chuck Chapman, President of Floyd Chapman, Incorporated completed a statement of understanding with the District on May 26, 2017.

Kelly Stewart, Water Commissioner of the Stockton Field Office stated in his June 20, 2017, e-Mail that he has no objection to the approval of the referenced application to change the place of use to allow for an annual rotation.

A water flowmeter will be required by the approval. A check valve is required if chemigating. A water level measurement tube is not applicable to this change approval, as no new well has been authorized.

Based on the above discussion, the change is reasonable, the proposal will not increase consumptive use and that impairment to existing water rights is unlikely, and that the area groundwater management district will monitor the project, it is recommended that the referenced application be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

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

July 17, 2017

FLOYD CHAPMAN INC
CHUCK CHAPMAN PRESIDENT
PO BOX 264
GUYMON OK 73942

FILE COPY

RE: Water Right, File No. 17,237

Dear Mr. Chapman:

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.

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

Please be advised that K.S.A. 82a-728 of the Kansas Water Appropriation Act States in pertinent part:

.... it shall be unlawful for any person to violate any condition of a vested right, appropriation right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

Approval of the application does not allow the diversion of water in excess of the authorized quantity per calendar year or rate of diversion under the above referenced file numbers, even though the authorized place of use have been increased. Your attention should be directed to the fact that this approval has been issued solely for the purpose of allowing rotation of the irrigated land within the authorized place of use, with no more than the base acreage, 70 acres in this case, under irrigation in any one calendar year. Non-compliance with the terms of this approval will result in substantial penalties.

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.

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

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



State of Kansas

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

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

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

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

WATER RESOURCES
RECEIVED
APR 07 2017
10:18
KS DEPT OF AGRICULTURE

File No. 17237

2. Name of applicant: FLOYD CHAPMAN INC

Address: PO BOX 264

City, State and Zip: GUYMON, OK 73942

Phone Number: (580) 651-2617 E-mail address: _____

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

Name of water use correspondent: DAVID SCHIPPERS

Address: 941 4TH ST

City, State and Zip: HOXIE, KS 67740

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): TO ALLOW FOR ROTATION ON A PIVOT IN THE NW 9-10-28

The change(s) (will be) completed by ASAP
(Date)

For Office Use Only:															
F.O.	<u>3</u>	GMD	<u>4</u>	Meets K.A.R. 5-5-1	(YES / NO)	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>SD</u>	By	<u>AM</u>	Date	<u>4-7-17</u>
Code	<u>CPU</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>4-7-17</u>	Check #	<u>10011</u>						

APPLICATION COMPLETE
6/20/17
Reviewer LI

SCANNED

Assisted by: _____ RL GMD #4

4/16/2017 uM

WATER RIGHT FILE NUMBERS 17237

LEGAL DESCRIPTIONS NW 9-10-28

I understand that, as per KAR 5-24-8(a), GMD #4 will not require a full Resource Development Plan on the above referenced Water Rights. However, the irrigation system or systems changed or added under the above referenced Water Rights will be required to comply with KAR 5-24-8(d). A copy of the system design plan or plans is attached.

I understand that GMD #4 will inspect any irrigation system described in paragraph 1 to determine compliance, and will require that the systems be in compliance with the plan provisions.

I understand that it is my responsibility to notify GMD #4 if the system configuration is changed in order to have the applicable design plans updated and the systems re-inspected to determine compliance.

Floyd Chapman Inc.
Signature of applicant or owner
by C.F. Chapman

3-26-17
Date

WATER RESOURCES
RECEIVED

APR 07 2017

KS DEPT OF AGRICULTURE

SCANNED

LEGAL (OPT) NW 9-10-28 17237
PIVOT LENGTH (REQD) 1290
ROTATION DEGREES (REQD) 360
GPM (REQD) 275
NOZZLE SPACING IN FT (OPT) 6.6666
RESIDUE IN LBS/ACR (REQD) 4000
ACRES OF CLASS VI SOIL
IN GRASS, ALFALFA, ETC. 0

CROPS ANY IRRIGABLE CROPS MAY
BE PRODUCED

ADDED PROVISIONS/NOTES NONE

WATER RESOURCES
RECEIVED

APR 07 2017

KS DEPT OF AGRICULTURE

SCANNED

CALCULATIONS FOR AVERAGE FIELD SLOPE

ACRES IN FIELD: 120.0166

MAP UNIT NUMBER	SOIL TYPE	AVERAGE SLOPE	ACRES OF THE SOIL TYPE	WEIGHTE AVERAGE
1620	Keith silt loam, 1 to 3 percent slopes	2 +	120 +	1.99972
0	+	0 +	+	0
0	+	0 +	+	0
0	+	0 +	+	0
0	+	0 +	+	0
0	+	0 +	+	0
0	+	0 +	+	0
0	+	0 +	+	0
0	+	0 +	+	0

AVERAGE WEIGHTED FIELD SLOPE: 2.00 %

ENTER CLASS VI ACRES HERE:	0 ACRES
ENTER STEEPEST SLOPE IF CLASS VI:	0 %
WEIGHTED AVERAGE FIELD SLOPE:	1.999723 %
PER CENT CLASS VI SOIL	0 %
DESIGN SLOPE FOR CENTER PIVOT:	1.999723 %

WATER RESOURCES
RECEIVED

APR 07 2017

KS DEPT OF AGRICULTURE

SCANNED

DESIGN GROUP 5

design slope	1.999723 %	3	1	4.2
residue	4000 lbs/acre	4000	3	2.5
max all. Appl. Rate	3 in/hr		5	1.5
			7	1.1
			900	0.85
			1000	0.9
			1500	0.95
			2000	1
			2500	1.05
			3000	1.1
			3500	1.15
			4000	1.2
			4500	1.25

WATER RESOURCES
RECEIVED

APR 07 2017

KS DEPT OF AGRICULTURE

SCANNED

CALCULATED

MAX ALLOW APPL RATE	PIVOT LENGTH	GPM:WTD DIA	GPM	WTD DIA
3	1290	20.10	275.00	13.68

GPM = 275

APPL RT= 3.00

RADIUS	GPM	NZL SPCNG	GPM/AC
1290	275	6.6666	2.29

274.99 =SUM NZL GPM
2.83 =GPM END NZL

WATER RESOURCES
RECEIVED

APR 07 2017

KS DEPT OF AGRICULTURE

SCANNED

6. The presently authorized point(s) of diversion (is) (are) NA
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) NA
(Provide description and number of points)

List all presently authorized point(s) of diversion:

* UPDATE TO ACTUAL PD LOCATION

8. **Presently authorized point of diversion:**
 One in the NA NW Quarter of the NW Quarter of the NW Quarter of Section 9, Township 10 South, Range 28 W, in SHAWNEE County, Kansas, 5200 feet North 5200 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS 5255 feet North 5268 feet West)
 This point will not be changed This point will be changed as follows: 2006 COMPLIANCE INVESTIGATION
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

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

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

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APR 07 2017

* LI / OWA 5/16/17

SCANNED KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for IRR purposes.

It is proposed that the use be changed to NO CHANGE purposes.

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

ROTATION UNDER KAR 5-5-11 (MAX ANNUAL OF 70 A). REVERSION ACRES ARE DESCRIBED ON MAP.

(Please show any calculations here.)

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

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

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

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

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

CHANGE PL./USE ONLY. NO IMPAIRMENT WILL OCCUR.

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

ALL REGS ARE MET.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

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

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

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

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

Dated at _____, Kansas, this 27 day of March, 2017.

Floyd Chapman Jr.
(Owner)

(Spouse)

Chuck Chapman Jr.
(Owner)

(Please Print)

Chuck Chapman Pres
(Please Print)

(Spouse)

(Owner)

(Please Print)

(Please Print)

(Spouse)

(Please Print)

State of Oklahoma }
Kansas } SS
County of Texas }



NOTARY PUBLIC, STATE OF OKLAHOMA
TEXAS COUNTY
ANGEL EGGERS
Commission No. 14910857
My Commission Expires: 12-01-2018

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of March, 2017.

Angel Eggers
Notary Public

My Commission Expires 12-01-2018

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

APR 07 2017

KS DEPT OF AGRICULTURE
SCANNED



**NORTHWEST KANSAS
GROUNDWATER MANAGEMENT
DISTRICT NO. 4**

1290 West 4th Street
P.O. Box 905
Colby, Kansas 67701-0905

WATER RESOURCES
RECEIVED

JUN 20 2017

June 16, 2017

KS DEPT OF AGRICULTURE

Leslie Ireland
Division of Water Resources
1320 Research Park Drive
Manhattan KS 66502

RE: Application 17,237
Floyd Chapman, Inc.

Dear Leslie

The Northwest Kansas Groundwater Management District has reviewed the above referenced application and based on our records and the information supplied by the applicant, we have determined that the following recommendations be made to the Chief Engineer:

Approve above referenced application under KAR 5-5-11 Rotation Option with a maximum of 70 acres to be irrigated in any one year. Signed statement enclosed.

If any additional information is required, please advice.

Sincerely

Ray Luhman
Manager

SCANNED

Water Right File Number: 17237
Base Acreage: 70 Acres

Pursuant to KAR 5-5-11, I understand that the above referenced water right will be subject to the following restrictions and that the landowner assumes the following responsibilities upon approval of the change in place of use that I have filed.

1. I understand that all wells covered by the above referenced water right will be required to have flow meters properly installed.
2. I understand that the above referenced water right will be limited to the irrigation of not more than 70 acres (the base acreage) in any one calendar year.
3. I understand that if more than 70 acres are irrigated in any one calendar year the right to divert water under the above referenced water right will be totally suspended for a period of two years.
4. I understand that if more than 70 acres are irrigated in any one calendar year the total authorized place of use for the above referenced water right will be reduced to a total not to exceed the base acreage.
5. I understand that it is the landowner's responsibility to annually certify to GMD 4 the specific acreage to be irrigated during that calendar year prior to the diversion of water for irrigation for that year.
6. I understand that GMD 4 personnel will conduct at least one field compliance check each year to verify irrigated acreage, and will report their findings to the landowner and to the Division of Water Resources.
7. I understand that these restrictions and responsibilities will be permanent and will continue to apply to the water right referenced above, even upon sale, lease, inheritance, or any other mode of transfer or disposal.


SIGNATURE

5-26-17
DATE

WATER RESOURCES
RECEIVED

JUN 20 2017

KS DEPT OF AGR CULTURE

SCANNED

Ireland, Leslie

From: Stewart, Kelly
Sent: Wednesday, June 21, 2017 6:53 AM
To: Ireland, Leslie; Billinger, Mark
Cc: Hageman, Rebecca
Subject: RE: Recommendation for Change in Place of Use, File No.17,237_Chapman

Leslie,

I have no objection to the approval of this application.

Kelly

From: Ireland, Leslie
Sent: Tuesday, June 20, 2017 4:22 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>; Billinger, Mark <Mark.Billinger@ks.gov>
Subject: Recommendation for Change in Place of Use, File No.17,237_Chapman

Attached is the summary memo for the proposed change in place of use.

Please let me know if you could recommend approval.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

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 17, 2017

NORTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 4
ATTN RAY LUHMAN
PO BOX 905
COLBY KS 67701-0905

Re: Application for Change, Water Right, File No. 17,237

Dear Mr. Luhman:

We are enclosing a copy of the application referred to above which appears to be in proper form, and a nearby notification letter.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

FILE COPY

LI:li

Enclosures

pc: Stockton Field Office
Floyd Chapman Incorporated

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 17, 2017

TWIN AG FARMS INC
DAVID SCHIPPERS
941 4TH ST
HOXIE KS 67740

RE: Water Right, File No. 17,237

Dear Mr. Schippers:

Even though you are the water use correspondent for the referenced file, this notice is required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

This notice is to inform you that the owner of the referenced appropriation of water has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The application proposes the following change in the place of use to operate the irrigation system under an annual rotation that will limit the acres irrigated to 70 acres within the 120 acres of the Northwest Quarter (NW ¼) of Section 9, Township 10, Range 28 West, Sheridan County Kansas, with the annual quantity of 120 acre-feet not to be exceeded. This proposed change is allowed by K.A.R. 5-5-11.

If you have any questions, please contact our office, my desk phone is (785)564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

FILE COPY

pc: Stockton Field Office
Groundwater Management District No. 4
Floyd Chapman Incorporated

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 7, 2017

FLOYD CHAPMAN, INC
PO BOX 264
GUYMON, OK 73942

RE: File No. 17237

Dear Sir or Madam:

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

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

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

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

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

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

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

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

Sincerely,

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 4 DAVID SCHIPPERS



1620

WATER RESOURCES
RECEIVED

APR 07 2017

KS DEPT OF AGRICULTURE SCANNED