

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

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



State of Kansas

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

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

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

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

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 KS DEPT OF AGRICULTURE

File No. 38,796

2. Name of applicant: THE LAND INSTITUTE c/o Chris Pembleton

Address: 2440 E WATER WELL RD

City, State and Zip: SALINA, KS 67401-9051

Phone Number: (785)823-5376 E-mail address: pembleton@landinstitute.org

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

Name of water use correspondent: THE LAND INSTITUTE

Address: 2440 E WATER WELL RD

City, State and Zip: SALINA, KS 67401-9051

Phone Number: (785)823-5376 E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): To expand place of use in order to install a more efficient irrigation system; limited acres and quantity. This will include the 70 acres to the west of Ohio RD Ohio Street. This will entail a 5 year allocation and monitoring by the DWR Stockton Field Office.

A waiver will be requested for acreage limitation.

The change(s) will be completed by 12/31/2017 (Date)

For Office Use Only:															
F.O. Code	<u>3</u>	GMD	<u>0</u>	Meets K.A.R. 5-5-1	<u>(YES)</u> / NO	Use	<u>FR</u>	Source	<u>G/S</u>	County	<u>SA</u>	By	<u>AW</u>	Date	<u>7/17/17</u>
Code	<u>CPS</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>7/17/17</u>	Check #	<u>423600</u>						

7/19/2017 CM

4. The presently authorized place of use is:

Owner of Land — NAME: THE LAND INSTITUTE

ADDRESS: 2440 E WATER WELL RD SALINA, KS 67401-9051

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	
06	15S	02W										37.99	30.38						68.37

List any other water rights that cover this place of use. N/A

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

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

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

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

Owner of Land — NAME: THE LAND INSTITUTE

ADDRESS: 2440 E WATER WELL RD SALINA, KS 67401-9051

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	
06	15S	02W										37.99	30.38						68.37
01	15S	03W													35.8			35.7	71.5

List any other water rights that cover this place of use. N/A

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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

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

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

- 6. The presently authorized point(s) of diversion is A SINGLE WELL  
(Provide description and number of points)
- 7. The proposed point(s) of diversion is no change  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ NC Quarter of the \_\_\_\_\_ SW Quarter  
 of Section 06, Township 15 South, Range 02 WEST,  
 in SALINE County, Kansas, 1320 feet North 4060 feet West of Southeast corner of section.  
 Authorized Rate 1000 GPM Authorized Quantity 30 AF  
 (DWR use only: Computer ID No. 3 GPS 1320 feet North 4060 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 \_\_\_\_\_ WEST,  
 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 \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ WEST,  
 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 \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

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

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

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

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

Efficiency of water application for plant survival only will be used in lieu of full irrigation. Also efficient irrigation technology to be utilized.

\_\_\_\_\_

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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](http://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.

No change in consumptive use proposed so there will be no net effect on neighboring rights or wells. Water will be piped to expanded place of use from existing well. No new points of diversion requested.

\_\_\_\_\_

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.

Request a waiver of K.A.R. 5-5-11 (b) (2) (ii): The maximum number of irrigated acres that shall be allowed.

Reasoning is based upon the use for irrigation to sustain plant survival only in lieu of full or partial irrigation. Consumptive use will not be increased. Past water conservation efforts serve as indicator of future operations.

**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 Salina, Kansas, this 13th day of July, 2017.

Signature lines for Owner and Spouse. Includes handwritten signature of Frederick Intzi, President, The Land Institute.

State of Kansas )
County of Saline ) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13th day of July, 2017.

PATRICIA E. JOHNSON
Notary Public - State of Kansas
My Commission Expires 2/13/21 3/13/2021

Signature of Patricia E. Johnson, Notary Public

FEE SCHEDULE

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

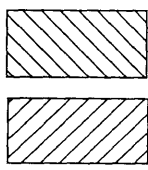
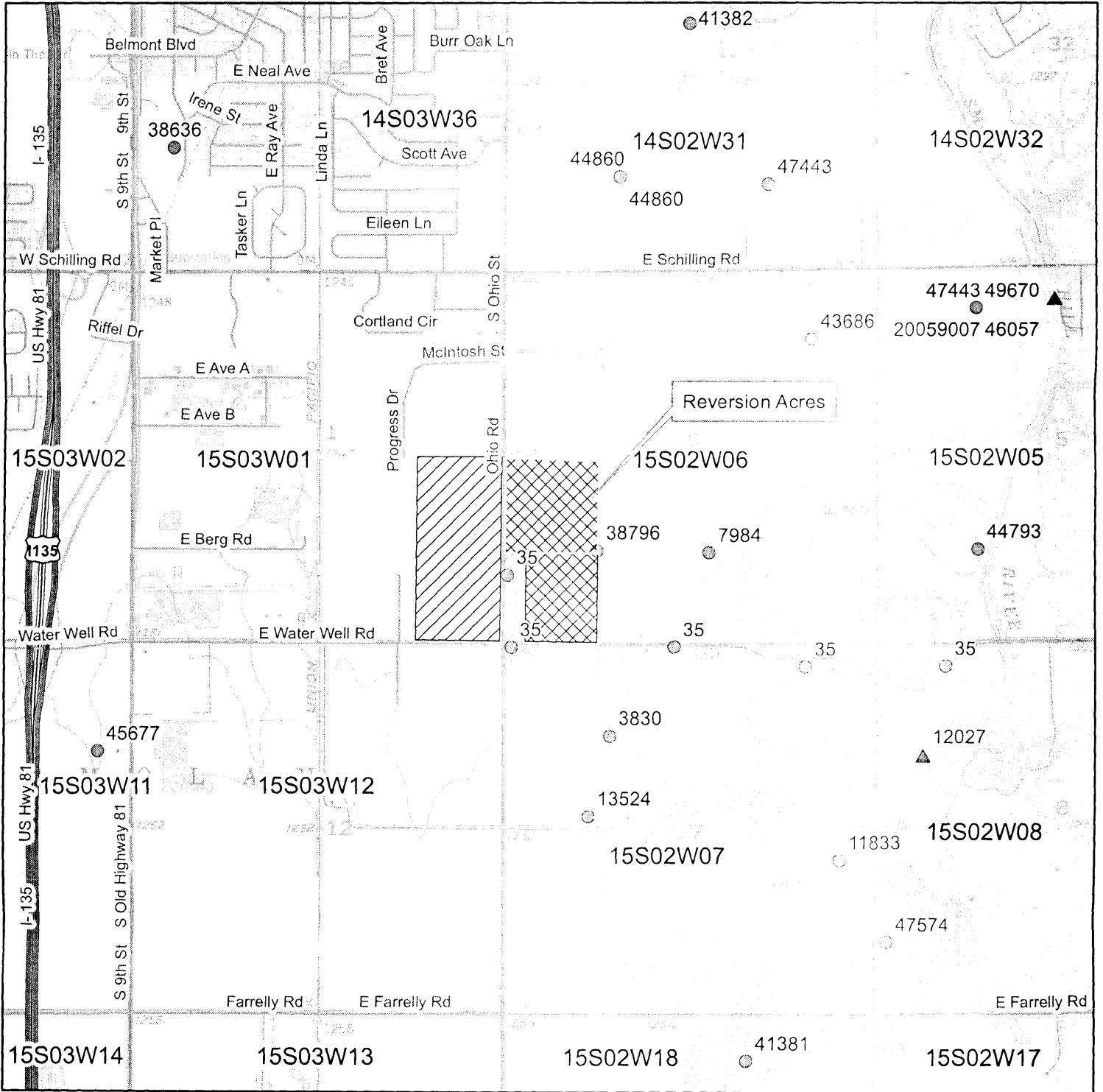
- (1) Application to change a point of diversion 300 feet or less \$100
(2) Application to change a point of diversion more than 300 feet \$200
(3) Application to change the place of use \$200
(4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

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# Application to Change the Place of Use For Water Right File # 38796



Authorized Place of Use  
Proposed Place of Use

▲ Surface Water Point of Diversion  
● Groundwater Point of Diversion

1:24,000

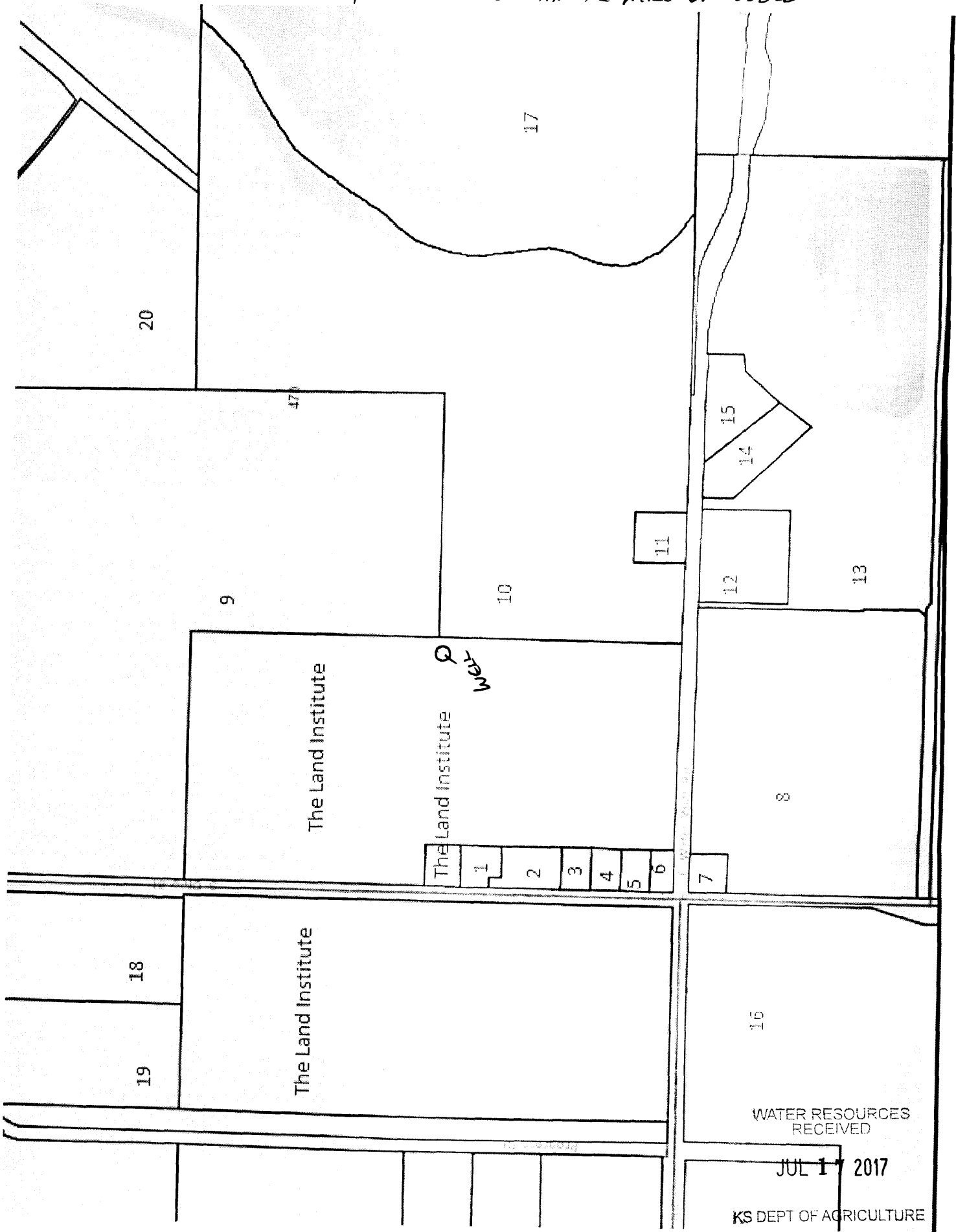


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All wells within 1/2 mile of proposed well location are identified on the map.  
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PROPERTY OWNERS WITHIN 1/2 MILE OF WELL





1

**PID:** 085123060000006000

**Calc Acre:** 1.06

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 1.06, N 222 S 1181 W 264 W/2 SW/4 LESS RD RW & LESS S 66 W 54

**Address:** 3565 S OHIO ST, Salina KS, 67401

**Owner Info:** BERGESON JEFFREY L & CHRISTIAN JANET E, 3565 S OHIO ST, SALINA KS 67401-8958

**QuickRef:** R22407

2

**PID:** 085123060000007000

**Calc Acre:** 1.71

**Tract Description:** S6, T15, R2, 6th PM, ACRES 1.71, W 264 N 317.6 S 959 & W 54 N 66 S 1025 W/2 SW/4 LESS RD RW

**Address:** 3607 S OHIO ST, Salina KS, 67401

**Owner Info:** RUHKAMP GILBERT & PATRICIA TR, 3607 S OHIO ST, SALINA KS 67401-9804

**QuickRef:** R22408

3

**PID:** 085123060000008000

**Calc Acre:** 0.82

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 0.82, N 158.8 S 641.4 W 264 SW/4 LESS RD RW

**Address:** 3621 S OHIO ST, Salina KS, 67401

**Owner Info:** CAIRNS CURTIS B, 3621 S OHIO ST, SALINA KS 67401-8929

**QuickRef:** R22409

4

**PID:** 085123060000009000

**Calc Acre:** 0.82

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 0.82, N 158.8 S 482.6 W 264 SW/4 LESS RD RW

**Address:** 3637 S OHIO ST, Salina KS, 67401

**Owner Info:** HARDING GARY M & DEVONA, 3637 S OHIO ST, SALINA KS 67401-8929

**QuickRef:** R22410

5

**PID:** 085123060000010000

**Calc Acre:** 0.82

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 0.82, N 158.8 S 323.8 W 264 SW/4 LESS RD RW

**Address:** 3645 S OHIO ST, Salina KS, 67401

**Owner Info:** SCHATZ VICTOR & AUDRA, 3645 S OHIO ST, SALINA KS 67401-8929

**QuickRef:** R22411

6

**PID:** 085123060000011000

**Calc Acre:** 0.64

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 0.64, W 264 S 165 SW/4 LESS RD RW

**Address:** 3655 S OHIO ST, Salina KS, 67401

**Owner Info:** LITTLE DANIEL & GASPER ALEXIS, 3655 S OHIO ST, SALINA KS 67401-8929

**QuickRef:** R22412

7

**PID:** 085123070000003000

**Calc Acre:** 0.98

**Tract Description:** UNPLATTED, S7, T15, R2, N 237 OF W 252.5 OF NW/4 OF NW /4 LESS RD RW

**Address:** 1126 E WATER WELL RD, Salina KS, 67401

**Owner Info:** SALINA AIRPORT AUTHORITY TERMINAL BLDG 120, 3237 ARNOLD AVE, SALINA KS 67401-8165

**QuickRef:** R22422

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8

**PID:** 0851230700000002000

**Calc Acre:** 41.90

**Tract Description:** UNPLATTED, S7, T15, R2, ACRES 41.9, TR BEG 237 S & 25 E NW/C SEC TH E 227.5 N 197 E 1315 S 885 E 10 S 300 SWLY 50 W 1515 & N 1023 TO POB

**Address:** 00000 E WATER WELL RD, SalinaKS, 67401

**Owner Info:** ALSOP SAND CO INC & VANDERSTELT FARMS LLC, 105 INDUSTRIAL RD, CONCORDIA KS 66901-2600

**QuickRef:** R22417

9

**PID:** 0851230600000002000

**Calc Acre:** 108.11

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 108.11, TR BEG SW/C NW/4 TH N 1118 E 1322.07 N 90.43 E 296 S 98.31 E 1039.87 S 1147.83 S 1333.03 W 1322.3 N 1324.51 W 1369.1 TO POB LESS RW

**Address:** 00000 S OHIO ST, SalinaKS, 67401

**Owner Info:** SALINE COUNTY, Attn: RICK LAMER 900 GREELEY AVE, SALINA KS 67401-3152

**QuickRef:** R22401

10

**PID:** 0851230600000013000

**Calc Acre:** 99.61

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 99.6, SE4 SW4 & W2 SE4 N & W RIV & E 2 SE4 N & W RIV LESS HWY & EXC TR BEG 1800 E SW COR SEC TH N 310 E 263 S 310 W 263 TO POB

**Address:** 00000 E WATER WELL RD, SalinaKS, 67401

**Owner Info:** ISAACSON VAUGHN & MARY KATHERINE, 2238 WESLEY ST, SALINA KS 67401-6922

**QuickRef:** R22414

11

**PID:** 0851230600000012000

**Calc Acre:** 1.68

**Tract Description:** UNPLATTED, S6, T15, R2, ACRES 1.6, TR BEG 1800 E OF SW COR SEC TH N 310 E 263 S 310 W 263 TO POB LESS HWY R/W

**Address:** 1541 E WATER WELL RD, SalinaKS, 67401

**Owner Info:** SPARKS BOBBY L & SHIRLEY ANN, 1541 E WATER WELL RD, SALINA KS 67401-8953

**QuickRef:** R22413

12

**PID:** 0851230700000002010

**Calc Acre:** 5.44

**Tract Description:** UNPLATTED, S7, T15, R2, ACRES 5.4, TR BEG 1600 E NW/C NW/4 TH S 528.4 E 495 N 528.4 W 495 TO POB LESS RW

**Address:** 1404 E WATER WELL RD, SalinaKS, 67401

**Owner Info:** NAYLOR ELIZABETH L TR #1, 2757 MELANIE LN, SALINA KS 67401-7766

**QuickRef:** R22418

13

**PID:** 0851230700000002020

**Calc Acre:** 57.34

**Tract Description:** UNPLATTED, S7, T15, R2, ACRES 57.34, NW/4 NE/4 & TR BEG 415 S NE COR NW/4 TH S 830 W 1000 NWLY 50 W 35 NELY 50 N 300 W 10 N 885 E 32 S 488.4 E 495 N 488.4 E 60 S 162.31 SELY 565.9 NELY 195 TO POB LESS RW

**Address:** 00000 W WATER WELL RD, SalinaKS, 67401

**Owner Info:** F-B INC, 950 S MARYMOUNT RD, SALINA KS 67401-8444

**QuickRef:** R22419

14

**PID:** 085123070000002030

**Calc Acre:** 3.22

**Tract Description:**CRYSTAL LAKE SUBD, S7, T15, R2, BLOCK 1, Lot 1, ACRES 3.22

**Address:**00000 E WATER WELL RD,SalinaKS,67401

**Owner Info:** CARAL LLC, 950 S MARYMOUNT RD,SALINA KS 67401-8444

**QuickRef:** R22420

15

**PID:** 085123070000002040

**Calc Acre:** 3.09

**Tract Description:**CRYSTAL LAKE SUBD, S7, T15, R2, BLOCK 1. 3.09 ACRES, LT 2 LESS RW

**Address:**1552 E WATER WELL RD,SalinaKS,67401

**Owner Info:** DAVIDSON CRAIG T & SHANNON N, 112 SERPA LN.FORT JONES CA 96032-9734

**QuickRef:** R2242

16

**PID:** 085131120000001000

**Calc Acre:** 230.97

**Tract Description:**UNPLATTED, S12, T15, R3, ACRES 230.95. NW4 SE4 & E2 SE4 & NE4 LESS BEG 53 E & 1950.26 S NW/C TH E 444.68 S 540 W 444.68 N 540 TO POB & LESS W 1250.47 N 886.68 LESS RR RD & LEVY RW

**Address:**00000 W WATER WELL RD,SalinaKS,67401

**Owner Info:** BRADLEY DOUGLAS F TRUST, 3380 SCENIC SLOPE RD.SALINA KS 67401-9499

**QuickRef:** R23202

17

**PID:** 0851230600000014000

**Calc Acre:** 96.31

**Tract Description:**UNPLATTED, S6, T15, 2R, ACRES 96.31. E/2 SE4 LESS TR N & W RIV PLUS W/2 SE 4 E RIV

**Address:**2095 E WATER WELL RD,SalinaKS,67401

**Owner Info:** STEWART BARBARA D, 1707 NW 4TH ST.ABILENE KS 67410-3565

**QuickRef:** R22415

18

**PID:** 0851310100005001000

**Calc Acre:** 13.09

**Tract Description:**LIBERTY ADD #2, S1, T15, R3, BLOCK 6, Lot 2, ACRES 13.6

**Address:**00000 MCINTOSH ST,SalinaKS,67401

**Owner Info:** SOUTH OHIO LAND LLC, PO BOX 5060,SALINA KS 67402-5060

**QuickRef:** R22651

19

**ID:** 0851310100005002000

**Calc Acre:** 12.99

**Tract Description:**LIBERTY ADD #2, S1, T15, R3, BLOCK 6, Lot 1, ACRES 13.2

**Address:**00000 MCINTOSH ST,SalinaKS,67401

**Owner Info:** SOUTH OHIO LAND LLC, PO BOX 5060,SALINA KS 67402-5060

**QuickRef:** R22652

20

**PID:** 0851230600000001000

**Calc Acre:** 190.02

**Tract Description:**UNPLATTED, S6, T15, R2, ACRES 190.02. N/2 SEC LESS TR BGN 2610 E & 2660 S NW/C NW/4 TH N 1100 W 1050.62 N 763.31 W 306.21 N 640 W 1190 SLY 370 S 2150 E 2660 TO POB LESS RW & LESS PERM TRAIL ESMT

**Address:**1850 E SCHILLING RD,SalinaKS,67401

**Owner Info:** SALINE COUNTY, 300 W ASH ST RM 217,SALINA KS 67401-2335

**QuickRef:** R22400

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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**

July 18, 2017

CHRIS PEMBLETON  
THE LAND INSTITUTE  
2440 E WATER WELL RD  
SALINA, KS 67401

RE: File No 38796

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. Tourney".

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

BAT: DLW  
pc: STOCKTON Field Office    GMD