

File No. **49,841** 15. Formation Code: **113** Drainage Basin: **S. F. REPUBLICAN RIVER** County: **CN** Special Use: Stream:

16. Points of Diversion											
T	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
√				50880	NW NW NE	22	3S	40W	7	4747	2263

17. Rate and Quantity				
Authorized			Additional	
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
23	1.79	23	1.79	34,531

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

19. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

20. Meter Required? Yes No To be installed by **12/31/2018** Date Acceptable Meter Installed _____

21. Place of Use																		Total	Owner	Chg? NO	Overlap Files									
T	MOD	DEL	ENT	PUSE	S	T	R	ID			NE¼				NW¼				SW¼				SE¼							
										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					
√				37573	22	3S	40W	3			2.0															2.0	7a	NO	34,531	

Comments: **15 ac-ft exemption pursuant to KAR 5-3-16 (with waiver)**
 ↑
special condition

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

TO: Files

DATE: August 24, 2017

FROM: Doug Schemm

RE: Application, File No. 49,841

The City of St. Francis has filed the referenced application requesting to appropriate 1.79 acre-feet of groundwater at a diversion rate 23 gallons per minute for irrigation use at athletic fields. This is an existing well currently authorized under Water Right, File No. 34,531, which also overlaps in place of use. The owner has exceeded his authorized quantity under this senior file, and the new application will address this need for additional water. The point of diversion is located in the Northeast Quarter of Section 22, Township 3 South, Range 40 West, Cheyenne County, Kansas. The proposed appropriation is located within the South Fork Republican River basin. A representative of the City has signed the application form affirming legal access to the point of diversion.

Please note that the point of diversion is located within the boundaries of Northwest Kansas GMD #4, and they were verbally informed about this pending application. Because the source of supply for this application is not the Ogallala formation, GMD #4 staff have determined that it should be processed under DWR safe yield regulations. The source of groundwater is the South Fork Republican River alluvium, which is not closed to new appropriations. Per K.A.R. 5-24-2. Allowable withdrawals, the district shall be closed to any new appropriation of water that partially or wholly requests a source of supply that includes the Ogallala formation. An application **located in an alluvial aquifer not closed to new appropriations, shall not be subject to the closure of the district under this regulation**, provided it complies with the well spacing requirements of K.A.R. 5-24-3; and meets the safe yield requirements of K.A.R. 5-3-9, K.A.R. 5-3-10, and K.A.R. 5-3-11. The application complies with minimum well spacing of 1,400 feet to other non-domestic wells, and 800 feet to domestic wells. However, the application does not meet safe yield criteria.

K.A.R. 5-3-16 provides an exemption to safe yield for up to 15 acre-feet of groundwater, provided that certain criteria are met.

(1) The proposed point of diversion will be located in an area that is outside a groundwater management district that is subject to safe yield criteria and meets either of the following conditions:

(A) Is not closed by regulation or intensive groundwater use control area order by the chief engineer to new nondomestic, nontemporary permits, and term permits for more than five years; or

*(B) has not exceeded the quantity of water available to be appropriated in the hydrologic unit as set forth in K.A.R. 5-3-11. **The point of diversion is located inside of GMD #4.***

(2) The sum of the annual quantity requested by the proposed appropriation and the total annual quantities authorized by prior permits and water rights allowed because of an exemption pursuant to this regulation does not exceed 15 acre-feet in a two-mile-radius circle surrounding the proposed point of diversion. File No. 49,801 was recently approved for 5.4 acre-feet, under a 15 acre-feet exemption, leaving 9.6 acre-feet available. File No. 49,841 is requesting only 1.79 acre-feet.

(3) The approval of the application does not authorize an additional quantity of water to be diverted from an existing authorized well with a nondomestic permit or water right, which would result in a total combined annual quantity of water authorized from that well in excess of 15 acre-feet. The well is authorized under Water Right, File No. 34,531, which has an authorized quantity of 2.21 acre-feet. The two files combined (2.21 + 1.79) would provide 4 acre-feet, well below the 15 acre-feet maximum from this well.

(4) The approval of the application does not authorize an additional quantity of water to be used on a currently authorized nondomestic place of use in excess of 15 acre-feet. As noted above, the two files combined (2.21 + 1.79) would provide 4 acre-feet, well below the 15 acre-feet maximum on the place of use.

(5) *The maximum authorized rate of diversion does not exceed 50 gallons per minute.* The senior file rate of diversion is 23 gallons per minute. The new application is requesting 23 gallons per minute, for a combined total of 46 gallons per minute, less than the maximum of 50 gallons per minute.

(6) *All other criteria for processing a new application to appropriate water at that location have been met.* All other criteria have been met.

The requested quantity of 4.0 acre-feet applied to 2.0 acres will provide 2.0 acre-feet per acre, which exceeds the maximum allowable quantity for irrigation use in Cheyenne County of 1.5 acre-feet per acre, per K.A.R. 5-3-24. However, similar irrigation projects for athletic fields have shown that this additional water is necessary based on the type of turf grass (tall fescue) and anticipated water needs according to the Kansas State University Extension Service ("Managing Fescue Football Fields"). The additional water is necessary for proper turf management, both to get any new grass established and to prevent the existing grass from being damaged during the high traffic playing season. Other turf grass projects have been approved for additional water based on similar supporting documentation including information from the Turf Grass Sod organization indicating that tall fescue requires up to 4 AF/acre. Therefore, the requested quantity of water appears to be reasonable for the intended use per K.A.R. 5-3-20, is not wasteful, and will not otherwise prejudicially and unreasonably affect the public interest. As noted above, the applicant has exceeded his current authorized quantity of water, having applied 2.82 acre-feet of water in 2015.

The applicant identified three non-domestic wells within one-half mile of the point of diversion. As noted, this is an existing well that has been in place for many years, and nearby well owners would obviously be aware that it exists. The very limited rate of diversion and quantity of water would not impair any senior water right. Therefore notification letters would serve no purpose.

As allowed by K.S.A. 82a-706(c) an approved water flow meter shall be installed on the diversion works for this file. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will need to be installed. A water level measurement tube is not required for an existing well less than 100 gpm.

Kelly Stewart, Water Commissioner for the Stockton Field Office, recommended approval of the referenced application in an August 10, 2017 e-mail.

The application can be approved with a waiver of K.A.R. 5-3-16 because the well is located with GMD #4, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest. Based on the above discussion, it is recommended that the referenced application be approved.

Douglas W. Schemm
Environmental Scientist
Topeka Field Office

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

September 7, 2017

CITY OF ST FRANCIS
% CITY SUPERINTENDENT
PO BOX 517
SAINT FRANCIS KS 67756-0517

FILE COPY

Re: Appropriation of Water, File No. 49,841

Dear Sir or Madam:

There is enclosed a permit to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval documents. A water meter is required on the proposed diversion works and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00. There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application Unit Supervisor
Water Appropriation Program

KAB:dws
Enclosures
pc: Stockton Field Office
GMD No. 4

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
and
PERMIT TO PROCEED**
(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 49,841** of the applicant

**CITY OF ST FRANCIS
CITY SUPERINTENDENT
PO BOX 517
SAINT FRANCIS KS 67756-0517**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **May 17, 2017**.

2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22	3S	40W		2.0														2.0	

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Northwest Quarter of the Northeast Quarter (NW¼ NW¼ NE¼) of Section 22, more particularly described as being near a point 4,747 feet North and 2,263 feet West of the Southeast corner of said section, in Township 3 South, Range 40 West, Cheyenne County, Kansas located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **23 gallons per minute (0.05 c.f.s.)** and to a quantity not to exceed **1.79 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2018** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2022** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit 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.

12. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

13. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

14. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

15. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

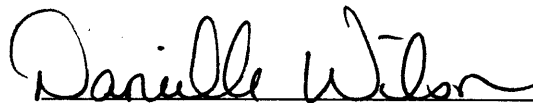
CERTIFICATE OF SERVICE

On this 7th day of September, 2017, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 49,841, dated September 5, 2017 was mailed postage prepaid, first class, US mail to the following:

CITY OF ST FRANCIS
CITY SUPERINTENDENT
PO BOX 517
SAINT FRANCIS KS 67756-0517

With photocopies to:

Stockton Field Office
GMD No. 4

A handwritten signature in black ink that reads "Danielle Wilson". The signature is written in a cursive style and is positioned above a horizontal line.

Division of Water Resources

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 49,841

FO: 3 GMD: 4

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
REC	8/23/2017	155 New	Statewide	Safe Yield	15 acre-foot exemption
Rule Number	Date Granted	Date Denied	Justification:		
K.A.R. 5-3-16(b)(1)	9/5/2017		To comply with this exemption the point of diversion must be outside of a GMD. However, the point of diversion is located within the boundaries of GMD 4, with the District deferring to DWR rules concerning alluvial sources of water. The application complies with all other exemption criteria. The small quantity of water and low rate of diversion will not impair senior water rights. Approval will provide additional water for the owner to address overpumping of senior file.		

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
155	Statewide	Safe Yield	15 acre-foot exemption	5-3-16(b)(1)	9/5/2017	

Date Prepared 8/24/2017 By dws

Date Entered 9/6/2017 By LLM



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WAIVER OF REGULATION
K.A.R. 5-3-16 - Safe Yield Exemption

Date: Sept 5, 2017.

Re: Appropriation of Water, File No. 49,841

1. That this application is proposing to authorize an additional quantity of water from an existing well for irrigation use. The senior water right (File No. 34,531) has exceeded its authorized quantity of water, and approval of this application will address this need for additional water. The source of groundwater is the South Fork Republican River alluvium.
2. That the point of diversion is located within the boundaries of Northwest Kansas Groundwater Management District No. 4, but since the source of supply is not the Ogallala formation, the Groundwater Management District staff have determined that the application should be processed under K.A.R. 5-3-11 safe yield regulations.
3. That the South Fork Republican River alluvium is open to new applications, however the application fails the safe yield criteria as set forth in K.A.R. 5-3-11 for unconfined groundwater aquifers.
4. That the application also fails to meet the safe yield exemption criteria as set forth in K.A.R. 5-3-16, because the point of diversion is not located outside of a groundwater management district. The application complies with all other exemption criteria.
5. That the application is requesting only 1.79 acre-feet of water at a rate of diversion of 23 gallons per minute. As noted above, the point of diversion is an existing well that has been in place for many years, with no known concerns from adjacent well owners.
6. That the waiver will not prejudicially or unreasonably affect the public interest, and senior rights will not be impaired by the proposed use.

Comments:

A handwritten signature in black ink that reads "David W. Barfield". The signature is written over a horizontal line.

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

APPLICATION COMPLETE

5 / 17 / 2017

Reviewer DWS

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer
WATER RESOURCES
RECEIVED

File Number 49841
This item to be completed by the Division of Water Resources.

MAY 17 2017

10:17
KS DEPT OF AGRICULTURE

APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,
1320 Research Park Drive, Manhattan, Kansas 66502:

1. Name of Applicant (Please Print): City of St. Francis - City Superintendent
Address: PO Box 517
City: St. Francis State KS Zip Code 67756
Telephone Number: (785) 332-3031

2. The source of water is: surface water in _____ (stream)
OR groundwater in SF Republican River (drainage basin)

Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

3. The maximum quantity of water desired is 1.79 acre-feet OR 583,404 gallons per calendar year, to be diverted at a maximum rate of 23 gallons per minute OR _____ cubic feet per second.

Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can **NOT** be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements.

4. The water is intended to be appropriated for (Check use intended):
- (a) Artificial Recharge
 - (b) Irrigation
 - (c) Recreational
 - (d) Water Power
 - (e) Industrial
 - (f) Municipal
 - (g) Stockwatering
 - (h) Sediment Control
 - (i) Domestic
 - (j) Dewatering
 - (k) Hydraulic Dredging
 - (l) Fire Protection
 - (m) Thermal Exchange
 - (n) Contamination Remediation

YOU **MUST** COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

For Office Use Only:		F.O. <u>3</u> GMD <u>4</u>		Meets K.A.R. 5-3-1 (YES/NO) Use <u>IRR</u>		Source <u>CS</u> County <u>CN</u>		By <u>AW</u> Date <u>5/17/17</u>	
Code <u>REG</u>		Fee \$ <u>200</u>		TR # _____		Receipt Date <u>5/17/17</u>		Check # <u>62087</u>	

SCANNED
5/17/17 DWS

5. The location of the proposed wells, pump sites or other works for diversion of water is:

Note: For the application to be accepted, the point of diversion location must be described to at least a 10 acre tract, unless you specifically request a 60 day period of time in which to locate the site within a specifically described, minimal legal quarter section of land.

(A) One in the NW quarter of the NW quarter of the NE quarter of Section 22, more particularly described as being near a point 4747 feet North and 2263 feet West of the Southeast corner of said section, in Township 03 South, Range 40 West, Cheyenne County, Kansas.

(B) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(C) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

(D) One in the _____ quarter of the _____ quarter of the _____ quarter of Section _____, more particularly described as being near a point _____ feet North and _____ feet West of the Southeast corner of said section, in Township _____ South, Range _____ East/West (circle one), _____ County, Kansas.

If the source of supply is groundwater, a separate application shall be filed for each proposed well or battery of wells, except that a single application may include up to four wells within a circle with a quarter (1/4) mile radius in the same local source of supply which do not exceed a maximum diversion rate of 20 gallons per minute per well.

A battery of wells is defined as two or more wells connected to a common pump by a manifold; or not more than four wells in the same local source of supply within a 300 foot radius circle which are being operated by pumps not to exceed a total maximum diversion rate of 800 gallons per minute and which supply water to a common distribution system.

6. The owner of the point of diversion, if other than the applicant is (please print):

City of St. Francis

(name, address and telephone number)

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 5, 2017. [Signature]
Applicant's Signature

The applicant must provide the required information or signature irrespective of whether they are the landowner. Failure to complete this portion of the application will cause it to be unacceptable for filing and the application will be returned to the applicant.

7. The proposed project for diversion of water will consist of 1 _____
(number of wells, pumps or dams, etc.)
and was completed (by) in 09/01/1980
(Month/Day/Year - each was or will be completed)

8. The first actual application of water for the proposed beneficial use was or is estimated to be September 1980
(Mo/Day/Year)

WATER RESOURCES RECEIVED

MAY 17 2017

9. Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
 Yes No If "yes", a check valve shall be required.

All chemigation safety requirements must be met including a chemigation permit and reporting requirements.

10. If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.

Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? Yes No

- If yes, show the Water Structures permit number here _____
- If no, explain here why a Water Structures permit is not required _____

11. The application must be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:

- (a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
- (b) If the application is for groundwater, please show the location of any existing water wells of any kind within 1/2 mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please advise us.
- (c) If the application is for surface water, the names and addresses of the landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- (d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
- (e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.

A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.

12. List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.

34,531 is approved for 2.21 AF (720,000 gallons) on 2 acres of primarily turf grass. This application will overlap in place of use and point of diversion to allow for additional irrigation water. The request is in accordance with the 15 AF exemption as outlined in KAR 5-3-16.

Although KAR 5-3-19 sets the maximum quantity of water at 18 IN/AC, we request 24 IN/AC (4 AF total when combined with File No. 34531) per KAR 5-3-20. In this situation we are irrigating a baseball field consisting

WATER RESOURCES
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MAY 17 2017

File No. 49841

primarily of turf grass which requires water beyond the limitations set forth in KAR 5-3-19. The requested quantity is reasonable, not wasteful, and will not not otherwise prejudcially and unreasonably affect the public interst.

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MAY 17 2017

KS DEPT OF AGRICULTURE

SCANNED

13. Furnish the following well information if the proposed appropriation is for the use of groundwater. If the well has not been completed, give information obtained from test holes, if available.

Information below is from: Test holes Well as completed Drillers log attached

Well location as shown in paragraph No.	(A)	(B)	(C)	(D)
Date Drilled	_____	_____	_____	_____
Total depth of well	_____	_____	_____	_____
Depth to water bearing formation	_____	_____	_____	_____
Depth to static water level	_____	_____	_____	_____
Depth to bottom of pump intake pipe	_____	_____	_____	_____

14. The relationship of the applicant to the proposed place where the water will be used is that of

Owner
(owner, tenant, agent or otherwise)

15. The owner(s) of the property where the water is used, if other than the applicant, is (please print):

(name, address and telephone number)

(name, address and telephone number)

16. The undersigned states that the information set forth above is true to the best of his/her knowledge and that this application is submitted in good faith.

Dated at _____, Kansas, this 8th day of May, 2017.
(month) (year)

[Signature]
(Applicant Signature)

By _____
(Agent or Officer Signature)

(Agent or Officer - Please Print)

WATER RESOURCES
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MAY 17 2017

KS DEPT OF AGRICULTURE

Assisted by _____ Date: _____
(office/title)

IRRIGATION USE SUPPLEMENTAL SHEET

File No. 49,841 _____

Name of Applicant (Please Print): CITY OF SAINT FRANCIS

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: CITY OF SAINT FRANCIS %CITY SUPERINTENDENT

ADDRESS: PO BOX 517, SAINT FRANCIS, KS 67756-0517

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22	3	40W		2														2	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

_____ Center pivot _____ Center pivot - LEPA _____ "Big gun" sprinkler

_____ Gravity system (furrows) _____ Gravity system (borders) _____ Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

49841

City of St. Francis New Application

Well Owners within ½ mile

Water Right File No. 28823
ST FRANCIS MERCANTILE EQUITY EXCHANGE
MIKE BANDEL
123 N RIVER ST
SAINT FRANCIS KS 67756

Water Right File No. 35643
LYN WILEY
1430 ROAD 15
SAINT FRANCIS KS 67756-5605

Water Right File No. 22732
BENNIE J WEBER
PO BOX 376
SAINT FRANCIS KS 67756-0376

WATER RESOURCES
RECEIVED

MAY 17 2017

KS DEPT OF AGRICULTURE

SCANNED

Schemm, Doug

Subject: FW: 49,801 & 49,841

From: Stewart, Kelly
Sent: Thursday, August 10, 2017 7:40 AM
To: Schemm, Doug <Doug.Schemm@ks.gov>; Baum, Kristen <Kristen.Baum@ks.gov>; Billinger, Mark <Mark.Billinger@ks.gov>
Cc: Hageman, Rebecca <Rebecca.Hageman@ks.gov>
Subject: RE: 49,801 & 49,841

Doug,

I have no objection to the approval of these applications.

Kelly

From: Schemm, Doug
Sent: Wednesday, August 9, 2017 2:23 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>; Baum, Kristen <Kristen.Baum@ks.gov>; Billinger, Mark <Mark.Billinger@ks.gov>
Cc: Hageman, Rebecca <Rebecca.Hageman@ks.gov>
Subject: RE: 49,801 & 49,841

Ok, so here they are. I spoke with Ray on the phone today, he will be ok with whatever DWR comes up with. As you will see, I'm proposing a waiver of 5-3-16 due to the location of the points of diversion being within the District.
Doug

From: Stewart, Kelly
Sent: Tuesday, August 8, 2017 7:42 AM
To: Baum, Kristen <Kristen.Baum@ks.gov>; Billinger, Mark <Mark.Billinger@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>
Cc: Hageman, Rebecca <Rebecca.Hageman@ks.gov>
Subject: RE: 49,801 & 49,841

Okay, I spoke with Ray yesterday afternoon and he and I are in agreement.

5-24-2 provides that the alluvium of the S.F. Republican is not closed to new applications.

5-24-10 provides that any area of the District that is subject to safe-yield and is not closed by specific regulation.....will need to do an offset. Ray says, and I agree, that the alluvium in their District is not subject to their safe-yield criteria. Safe-yield only applies to the Ogallala and it is now closed.

Therefore, GMD 4 will default to DWR on the alluvium and we run our safe-yield. I believe the alluvium is over-appropriated and therefore, 5-3-16 comes into play. I think both 49,801 and 49,841 can be processed as 15 acre-foot safe-yield exemptions. Assuming all criteria is met, Ray would recommend approval.

Kelly

From: Baum, Kristen
Sent: Wednesday, August 2, 2017 1:19 PM
To: Billinger, Mark <Mark.Billinger@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>; Stewart, Kelly <Kelly.Stewart@ks.gov>
Subject: RE: 49,801 & 49,841

In the old regulations, 5-24-2 explained their safe yield calculations in (a), and under (b) "The following types of applications *shall not be subject to this regulation*:...(A)Is to be located in an alluvial aquifer not closed to new appropriations...". Then 5-24-10 stated "In any area of the district that is subject to safe yield criteria and is not closed..."

I think our (DWR and GMD) interpretation was that alluvial wasn't subject to GMD4 safe yield, and therefore 5-24-10 didn't apply either. By default then, they were subject to our safe yield (which usually meant closed).

In the June 2016 regs, 5-24-2(b) states "The following types of applications *shall not be subject to the closure of the district* under this reg...Is to be located in alluvial aquifer not closed to new appropriations..." The language in 5-24-10 appears to have not changed so "In any area of the district that is subject to safe yield criteria and is not closed..." (the formatting isn't right in the version from their website so maybe I'm not looking at the right thing.)

I wonder if 5-24-10 was to have been updated with similar language as used in 5-24-2(b). Based on the recommendations for the Garry Roberts file, I don't think Ray's interpretation has changed for alluvials. Maybe we're splitting hairs here, but nothing in the current version of the regs exempts any files from being subject to safe yield the way they did before. In which case, 5-24-10 would apply. I don't think that was the intent.

We may have to reach out to Ray – let's see what Kelly says.

From: Billinger, Mark
Sent: Wednesday, August 2, 2017 1:02 PM
To: Schemm, Doug <Doug.Schemm@ks.gov>; Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Baum, Kristen <Kristen.Baum@ks.gov>
Subject: RE: 49,801 & 49,841

I would agree with you Doug. Will wait to see what Kelly and Kristen have to say though. Sounds logical.

From: Schemm, Doug
Sent: Wednesday, August 2, 2017 12:04 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>; Billinger, Mark <Mark.Billinger@ks.gov>
Cc: Baum, Kristen <Kristen.Baum@ks.gov>
Subject: 49,801 & 49,841

Hello all,

I need your thoughts/guidance on these two. Both would appear to be alluvial source, and based on information from File No. 49,686, GMD 4 won't have much input.

However, in looking at 5-24-10, it seems like that regulation DOES apply to applications in the alluvium. If so, then both of these would require offset water, and in St. Francis case, it says you can't use any additional water on a currently authorized place of use.

So should I send them both to Ray, and he will likely say their regs. don't apply and then process them under 5-3-16? However, our 5-3-16 reg says that the well has to be outside of a GMD.

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49841 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49841 00 IRR

Water Right and Points of Diversion Within 2.00 miles of point defined as:

*meets spacing of
1,400' to all wells*

4747 Feet North and 2263 Feet West of the Southeast Corner of Section 22 T 3S R 40W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 1950 00	IRR	NK	G	3138	--	SW	SW	NW	-----	-----	22	3	40W	5		50.00	50.00	AF
A__ 2746 00	IRR	NK	G	7777	--	SW	NW	NE	-----	-----	28	3	40W	1		25.00	25.00	AF
A__ 3246 00	IRR	NK	G	5880	--	NW	NW	SE	2210	2375	21	3	40W	2		30.00	30.00	AF
A__ 4212 00	MUN	NK	G	5233	--	NE	SE	SE	825	550	21	3	40W	4		61.38	61.38	AF
Same				6638	--	NW	NE	NE	4980	1280	28	3	40W	2		36.83	36.83	AF
A__ 5769 00	IRR	NK	G	5880	--	NW	NW	SE	2210	2375	21	3	40W	2		9.00	9.00	AF
A__ 9175 00	IRR	NK	G	8280	--	NW	SW	NE	-----	-----	28	3	40W	3		45.00	45.00	AF
A__ 15355 00	IRR	NK	G	6760	--	NE	SW	SE	874	1488	10	3	40W	9 G 3		159.00	159.00	AF
Same				6866	--	NE	SW	SE	986	1526	10	3	40W	4 B 3				
Same				6846	--	NE	SW	SE	953	1427	10	3	40W	5 B 3				
Same				6567	--	NE	SW	SE	683	1512	10	3	40W	8 B 3				
A__ 17331 00	IRR	NK	G	5880	--	NW	NW	SE	2210	2375	21	3	40W	2		111.00	111.00	AF
A__ 17424 00	IRR	NK	G	10148	--	NW	NE	SW	-----	-----	28	3	40W	4		100.00	100.00	AF
A__ 22732 00	IRR	NK	G	2326	--	SW	NE	SE	1500	1250	15	3	40W	1 G 7		104.00	104.00	AF
Same				2380	--	SW	NE	SE	1560	1250	15	3	40W	6 B 7				
Same				2362	--	SW	NE	SE	1540	1250	15	3	40W	7 B 7				
Same				2344	--	SW	NE	SE	1520	1250	15	3	40W	8 B 7				
Same				2326	--	SW	NE	SE	1500	1250	15	3	40W	9 B 7				
Same				2309	--	SW	NE	SE	1480	1250	15	3	40W	10 B 7				
Same				2291	--	SW	NE	SE	1460	1250	15	3	40W	11 B 7				
Same				2273	--	SW	NE	SE	1440	1250	15	3	40W	12 B 7				
A__ 23824 00	IRR	NK	G	4118	--	NW	SW	NE	3560	2475	15	3	40W	2		93.00	93.00	AF
A__ 24471 00	IRR	NK	G	4168	--	SW	SE	NE	3100	900	21	3	40W	7		118.00	118.00	AF
A__ 28427 00	IRR	NK	G	8237	--	NE	NW	SW	2350	4450	26	3	40W	1		15.50	15.50	AF
A__ 28823 00	IRR	NK	G	2695	--	SE	SW	NW	2800	4125	22	3	40W	6		6.30	6.30	AF
A__ 29779 00	IRR	NK	G	8760	--	SE	NE	SW	1620	3035	11	3	40W	3 G 4		294.00	294.00	AF
Same				8817	--	SE	NE	SW	-----	-----	11	3	40W	5 B 4		.00	.00	AF
Same				8817	--	SE	NE	SW	-----	-----	11	3	40W	6 B 4		.00	.00	AF
Same				8817	--	SE	NE	SW	-----	-----	11	3	40W	7 B 4		.00	.00	AF
Same				8817	--	SE	NE	SW	-----	-----	11	3	40W	8 B 4		.00	.00	AF
A__ 31048 00	IRR	NK	G	9216	--	NW	SE	NW	3700	3650	28	3	40W	5		90.00	90.00	AF
A__ 31084 00	IRR	NK	G	9243	--	NC	SW	SW	640	4540	24	3	40W	2		79.00	79.00	AF
A__ 31935 00	IRR	NK	G	7986	--	NE	NW	SW	2600	4500	26	3	40W	2		15.50	.00	AF
A__ 34531 00	IRR	NK	G	0	--	NW	NW	NE	4747	2263	22	3	40W	7		2.21	2.21	AF
A__ 35565 00	IRR	NK	G	5557	--	SW	NW	NW	4413	5163	14	3	40W	1 G 4		248.00	248.00	AF
Same				5573	--	SW	NW	NW	4400	5100	14	3	40W	2 B 4				
Same				5506	--	SW	NW	NW	4350	5150	14	3	40W	3 B 4				
Same				5508	--	SW	NW	NW	4400	5250	14	3	40W	4 B 4				
Same				5640	--	SW	NW	NW	4500	5150	14	3	40W	11 B 4				
A__ 35566 00	IRR	NK	G	4336	--	SW	SW	NW	2725	4800	14	3	40W	5 G 4		175.00	175.00	AF
Same				4457	--	SW	SW	NW	2800	4700	14	3	40W	6 B 4				
Same				4345	--	SW	SW	NW	2650	4700	14	3	40W	7 B 4				
Same				4214	--	SW	SW	NW	2650	4900	14	3	40W	8 B 4				
Same				4330	--	SW	SW	NW	2800	4900	14	3	40W	12 B 4				

A__	35643	00	IRR	NK	G	<u>1807</u>	--	NW	SW	SE	1250	2422	15	3	40W	3	G	2	24.00	24.00	AF
Same						1807	--	NW	SW	SE	1250	2400	15	3	40W	4	B	2			
Same						1809	--	NW	SW	SE	1250	2445	15	3	40W	5	B	2			
A__	38471	00	IRR	NK	G	9718	--	NE	NE	NE	5127	94	29	3	40W	9	G	2	13.00	13.00	AF
Same						9677	--	SE	SE	SE	3	184	20	3	40W	1	B	2			
Same						9755	--	NE	NE	NE	5004	66	29	3	40W	4	B	2			
A__	40832	00	IND	LR	G	6934	--	NE	SE	SW	700	2700	21	3	40W	8			25.01	25.01	AF
A__	47266	00	IRR	NK	G	9718	--	NE	NE	NE	5127	94	29	3	40W	9	G	2	14.00	14.00	AF
Same						9677	--	SE	SE	SE	3	184	20	3	40W	1	B	2			
Same						9755	--	NE	NE	NE	5004	66	29	3	40W	4	B	2			

***** ERROR *****

No active quantity associated with Water Right A__ 49801 00 REC

#####

Does NOT meet
 Safe yield- Processed
 As IS AF Exemption.

Analysis Results

 The selected PD is in an area to new appropriations.
 The safe yield, based on the variables listed below is 97.63 AF.
 Total prior appropriation in the circle is 1,945.20 AF.
 Total quantity of water available for appropriation is 0.00 AF.

Safe Yield Variables

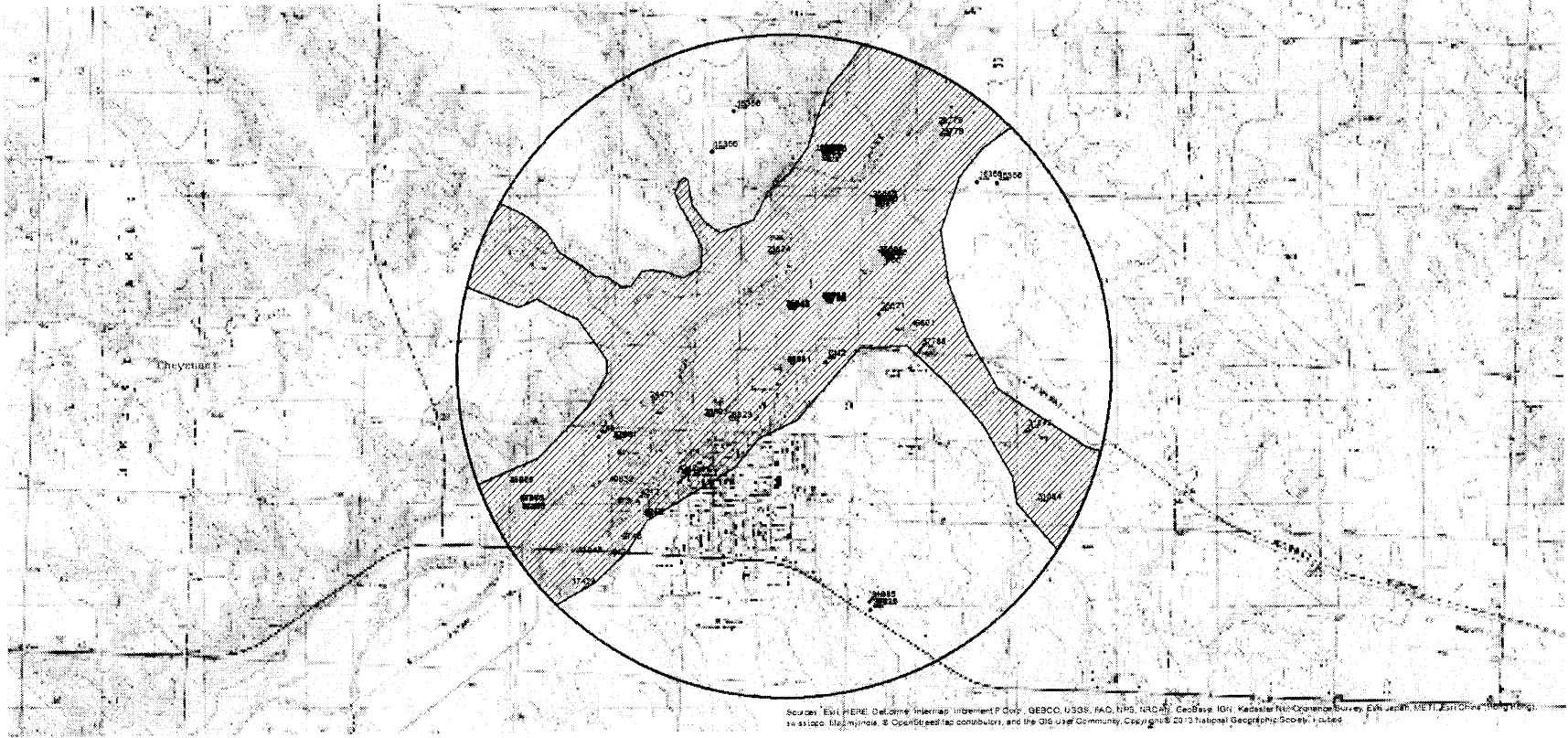
 The area used for the analysis is set at 3124 acres.
 Potential annual recharge of the area is estimated to be 0.5 inches.
 The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 09-AUG-2017 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 26 water right(s) and 48 point(s) of diversion within the circle.

File Number	Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A	1950 00	IRR	NK	G	SW	SW	NW	0	0	22	03	40W	5	WR	50.00	50.00	28.00	28.00
A	2746 00	IRR	NK	G	SW	NW	NE	0	0	28	03	40W	1	WR	25.00	25.00	15.00	15.00
A	3246 00	IRR	NK	G	NW	NW	SE	2210	2375	21	03	40W	2	WR	30.00	30.00	75.00	75.00
A	4212 00	MUN	NK	G	NW	NE	NE	4980	1280	28	03	40W	2	PD	36.83	36.83		
Same		MUN	NK	G	NE	SE	SE	825	550	21	03	40W	4	PD	61.38	61.38		
A	5769 00	IRR	NK	G	NW	NW	SE	2210	2375	21	03	40W	2	WR	9.00	9.00	75.00	0.00
A	9175 00	IRR	NK	G	NW	SW	NE	0	0	28	03	40W	3	WR	45.00	45.00	28.00	28.00
A	15355 00	IRR	NK	G	NE	SW	SE	953	1427	10	03	40W	5	WR	159.00	159.00	154.00	154.00
Same		IRR	NK	G	NE	SW	SE	986	1526	10	03	40W	4	WR				
Same		IRR	NK	G	NE	SW	SE	683	1512	10	03	40W	8	WR				
Same		IRR	NK	G	NE	SW	SE	874	1488	10	03	40W	9	WR				
A	17331 00	IRR	NK	G	NW	NW	SE	2210	2375	21	03	40W	2	WR	111.00	111.00	75.00	0.00
A	17424 00	IRR	NK	G	NW	NE	SW	0	0	28	03	40W	4	WR	100.00	100.00	50.00	50.00
A	22732 00	IRR	NK	G	SW	NE	SE	1480	1250	15	03	40W	10	WR	104.00	104.00	90.00	90.00
Same		IRR	NK	G	SW	NE	SE	1500	1250	15	03	40W	9	WR				
Same		IRR	NK	G	SW	NE	SE	1500	1250	15	03	40W	1	WR				
Same		IRR	NK	G	SW	NE	SE	1460	1250	15	03	40W	11	WR				
Same		IRR	NK	G	SW	NE	SE	1440	1250	15	03	40W	12	WR				
Same		IRR	NK	G	SW	NE	SE	1520	1250	15	03	40W	8	WR				
Same		IRR	NK	G	SW	NE	SE	1560	1250	15	03	40W	6	WR				

Safe Yield Report Sheet
Water Right- A4984100
Point of Diversion in NENWNW 22-3S-40W 7 (50880)



Same		IRR	NK	G	SW	NE	SE	1540	1250	15	03	40W	7	WR					
A	23824	00	IRR	NK	G	NW	SW	NE	3560	2475	15	03	40W	2	WR	93.00	93.00	62.00	62.00
A	24471	00	IRR	NK	G	SW	SE	NE	3100	900	21	03	40W	7	WR	118.00	118.00	136.00	136.00
A	28823	00	IRR	NK	G	SE	SW	NW	2800	4125	22	03	40W	6	WR	6.30	6.30	6.00	6.00
A	29779	00	IRR	NK	G	SE	NE	SW	0	0	11	03	40W	8	PD	0.00	0.00	325.00	325.00
Same			IRR	NK	G	SE	NE	SW	0	0	11	03	40W	5	PD	0.00	0.00		
Same			IRR	NK	G	SE	NE	SW	0	0	11	03	40W	6	PD	0.00	0.00		
Same			IRR	NK	G	SE	NE	SW	1620	3035	11	03	40W	3	PD	294.00	294.00		
Same			IRR	NK	G	SE	NE	SW	0	0	11	03	40W	7	PD	0.00	0.00		
A	31048	00	IRR	NK	G	NW	SE	NW	3700	3650	28	03	40W	5	WR	90.00	90.00	59.00	59.00
A	31084	00	IRR	NK	G	NC	SW	SW	640	4540	24	03	40W	2	WR	79.00	79.00	100.00	100.00
A	34531	00	IRR	NK	G	NW	NW	NE	4747	2263	22	03	40W	7	WR	2.21	2.21	2.00	2.00
A	35565	00	IRR	NK	G	SW	NW	NW	4350	5150	14	03	40W	3	WR	248.00	248.00	641.00	641.00
Same			IRR	NK	G	SW	NW	NW	4500	5150	14	03	40W	11	WR				
Same			IRR	NK	G	SW	NW	NW	4400	5100	14	03	40W	2	WR				
Same			IRR	NK	G	SW	NW	NW	4413	5163	14	03	40W	1	WR				
Same			IRR	NK	G	SW	NW	NW	4400	5250	14	03	40W	4	WR				
A	35566	00	IRR	NK	G	SW	SW	NW	2725	4800	14	03	40W	5	WR	175.00	175.00	641.00	0.00
Same			IRR	NK	G	SW	SW	NW	2800	4700	14	03	40W	6	WR				
Same			IRR	NK	G	SW	SW	NW	2650	4900	14	03	40W	8	WR				
Same			IRR	NK	G	SW	SW	NW	2650	4700	14	03	40W	7	WR				
Same			IRR	NK	G	SW	SW	NW	2800	4900	14	03	40W	12	WR				
A	35643	00	IRR	NK	G	NW	SW	SE	1250	2400	15	03	40W	4	WR	24.00	24.00	37.00	37.00
Same			IRR	NK	G	NW	SW	SE	1250	2445	15	03	40W	5	WR				
Same			IRR	NK	G	NW	SW	SE	1250	2422	15	03	40W	3	WR				
A	38471	00	IRR	NK	G	SE	SE	SE	3	184	20	03	40W	1	WR	13.00	13.00	18.00	18.00
Same			IRR	NK	G	NE	NE	NE	5004	66	29	03	40W	4	WR				
Same			IRR	NK	G	NE	NE	NE	5127	94	29	03	40W	9	WR				
A	40832	00	IND	LR	G	NE	SE	SW	700	2700	21	03	40W	8	WR	25.01	25.01		
A	47266	00	IRR	NK	G	SE	SE	SE	3	184	20	03	40W	1	WR	14.00	14.00	18.00	0.00
Same			IRR	NK	G	NE	NE	NE	5004	66	29	03	40W	4	WR				
Same			IRR	NK	G	NE	NE	NE	5127	94	29	03	40W	9	WR				
A	49801	00	REC	AY	G	NW	SE	SW	667	3667	14	03	40W	13		0.00	0.00		
A	49841	00	IRR	AY	G	NW	NW	NE	4747	2263	22	03	40W	7	WR	1.79	1.79	2.00	2.00
V CN	2	00	MUN	AA	G	NW	NE	NE	4980	1280	28	03	40W	2	WR	30.69	30.69		

=====

1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary



Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

May 17, 2017

CITY OF ST FRANCIS
CITY SUPERINTENDENT
PO BOX 517
ST FRANCIS KS 67756

FILE COPY

RE: Application
File No. 49841

Dear Sir or Madam:

Your application for permit to appropriate water in 22-3S-40W in Cheyenne County, was received and has been assigned the file number noted above.

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. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. 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 "Kristen A. Baum".

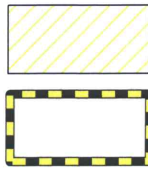
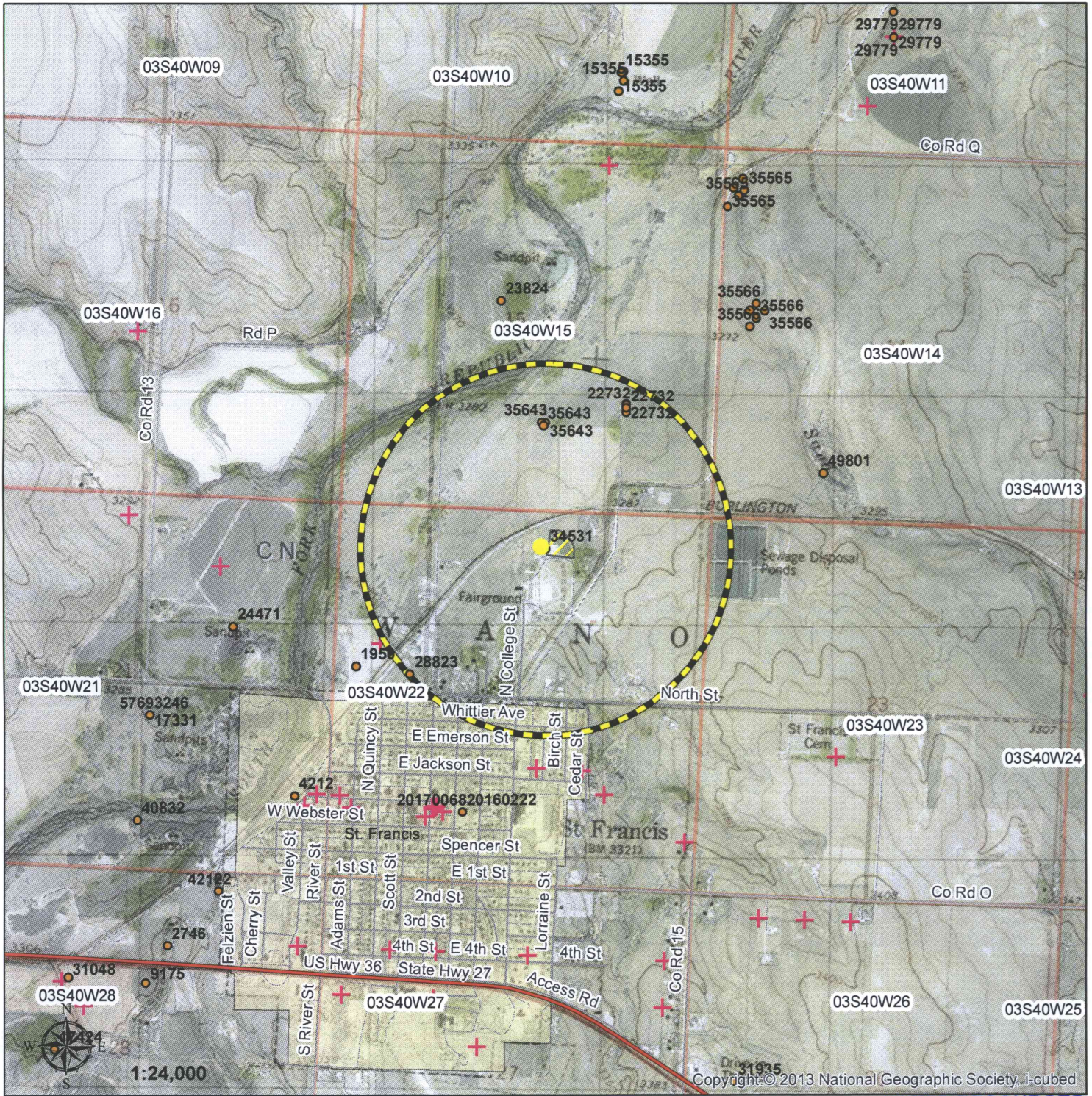
Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: STOCKTON Field Office
GMD 4

SCANNED

49841

Application for Permit to Appropriate Water for Beneficial Use



Authorized Place of Use
1/2 mile buffer

- ▲ Surface Water Point of Diversion
- Groundwater Point of Diversion
- Proposed Point of Diversion

WATER RESOURCES RECEIVED
MAY 17 2017
KS DEPT OF AGRICULTURE

All well owners within 1/2 mile are identified on the map and contact information is provided on the attached sheet.

SCANNED