

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

1. File Number: 27164	2. Status Change Date: 6/19/2019	3. Change Num: C1	4. Field Office: 03	5. GMD: 04
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 28-JAN-2019
8a. Applicant(s) New to system <input type="checkbox"/> CITY OF ST FRANCIS CITY SUPERINTENDENT PO BOX 517 SAINT FRANCIS KS 67756-0517		Person ID <u>17027</u> Add Seq# <u>1</u>		
8b. Landowner(s) New to system <input type="checkbox"/> CITY OF ST FRANCIS CITY SUPERINTENDENT PO BOX 517 SAINT FRANCIS KS 67756-0517		Person ID <u>17027</u> Add Seq# <u>1</u>		
8c. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		
8d. WUC New to system <input type="checkbox"/>		Person ID <u>17027</u> Add Seq# <u>1</u>		
CITY OF ST FRANCIS CITY SUPERINTENDENT PO BOX 517 SAINT FRANCIS KS 67756-0517		CITY OF ST FRANCIS CITY SUPERINTENDENT PO BOX 517 SAINT FRANCIS KS 67756-0517 NO CHANGE		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/19</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/19</u>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 6/13/19 By: RAK Date Entered: 6/24/2019 By: LLM				

File No. **27164** 11. County: **CN** Basin: **SF REPUBLICAN RIVER** Stream: Formation Code: **211** Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	N	W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
MOD	54754	SENESE		34	3S	40W	1	1577	11		(previous 1580 70) PRIMARY WELL #6	410	27.2	0	27.2	8421
MOD	29950	NESWSW		35	3S	40W	2	1190	4490		STANDBY WELL WELL #8					8421
MOD	11729	SWSESW		35	3S	40W	1	100	3430		PRIMARY WELL #7	340	23.2	0	23.2	8421

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

14. **KEEP LIMITATION 47.82 MGY FOR MUNICIPAL USE AT THE LOCATION DESCRIBED IN THE CERT** combined with file number(s) _____
KEEP Limitation: 340GPM COM/W 8421 (PDIV ID 29950) gpm (_____ cfs) when combined with file number(s) _____
KEEP Limitation: 410GPM COM/W 8421 (PDIV ID 54754)

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

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
NO CHANGES																										

Base Acres: Year: Minimum Reasonable Quantity: Comments: **STANDBY WELL**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files **DATE:** June 17, 2019
FROM: Richelle A. Krueger **RE:** Water Right
File Nos. 8,421 and 27,164

J.R. Landenberger, on behalf of the City of St. Francis, Kansas, filed applications for approval to change the authorized point of diversion.

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

The referenced file numbers are authorized for municipal use within the City of St. Francis, Kansas and immediate vicinity and are in the South Fork Republican River drainage basin. The referenced file numbers overlap each other in the authorized place of use along with Vested Right, File No. CN 002 and Water Right, File Nos. 4,212 and 29,051. File No 8,421 is authorized three(3) wells with assigned rates and quantities - Well No. 6 (1580'N,70'W 34-3S-40W); Well No. 7 (100'N, 3430'W 35-3S-40W) and Well No. 8 (1190'N,4490'W 35-3S-40W). File No. 27,164 overlaps two(2) of those wells - Well No. 6 and Well No. 8. The application for File No. 8,421 proposes to divide the 36 m.g.y. and 340 g.p.m. authorized on Well No. 8 between Well No. 6 and Well No. 7 and maintain Well No. 8 as a standby well. The application for File No. 27,164 proposes to move the authorized 23.2 m.g.y. and 340 g.p.m. (limited) authorized by File No. 27,164 on Well No. 8 to Well No. 7 and to maintain Well No. 8 as a standby well (No change to Well No. 6 under File No. 27,164). Paragraph No. 8 of the applications indicates that Well No. 8 has water quality issues but will be retained for emergency standby use only.

A condition will be placed on the approval documents limiting the standby well for use exclusively at such time the primary wells are inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under these rights to be exceeded.

There is an irrigation well (File No. 25,960) and potentially two domestic wells not under common ownership within one-half mile of the proposed points of diversion. On May 15, 2019, notification letters were sent to nearby well owners. One phone call was received in this office on May 21, 2019 from the nearby irrigation well owner; he was not in favor of the proposed changes because he has a dispute with the City over them filling his stock tank. He indicated he would send in written comments but none have been received as of today's date. The proposal appears to meet requirements of K.A.R. 5-24-3 *Well Spacing* since the proposal improves spacing to nearby wells. No additional responses have been received of today's date.

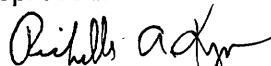
The source of supply will remain the same, which appears to be Ogallala Formation (211).

The Northwest Groundwater Management District No. 4 recommended approval of the referenced applications in a letter dated June 12, 2019 from Ray Luhman, Manager.

In an e-mail dated June 13, 2019 Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated no objections to approval of the applications.

Water flow meters are required. Check valves will be required if chemigating.

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


Richelle A. Krueger
Environmental Scientist

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

CITY OF ST FRANCIS
JR LANDENBERGER CITY SUPERINTENDENT June 27, 2019
PO BOX 517
SAINT FRANCIS KS 67756-0517

FILE COPY

RE: Water Right, File Nos. 8,421 and 27,164

Dear Mr. Landenberger:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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

Please note that the well described in the approval document as the standby well shall be used exclusively at such time one or more of the wells described in the approval document as the primary wells are inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

Since the orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

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

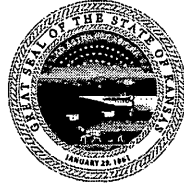
Sincerely,

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

BAT:rak

pc: Stockton Field Office
Groundwater Management District No. 4

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
WATER RIGHT
FILE NO. 27,164**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of J.R. Landenberger, on behalf of the City of Saint Francis, Kansas, City Superintendent, P.O. Box 517, Saint Francis, Kansas 67756-0517, received in this office on January 28, 2019, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

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

one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute (0.91 c.f.s.) and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute (0.76 c.f.s.) and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year, to be used as a primary well;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas,

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

The well described herein as the standby well shall be used exclusively at such time the wells herein described as the primary wells are inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

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

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

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 27,164, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 2, 1997.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

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

Ordered this 19th day of June, 2019, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 19th day of June, 2019, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

Danielle Wilson

Notary Public



CERTIFICATE OF SERVICE

On this 27th day of June, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 27,164, dated June 19th, 2019 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
Groundwater Management District No. 4

Danielle Wilson
Division of Water Resources

Submit To: **CHIEF ENGINEER**
 Division of Water Resources
 Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, KS 66502
 www.ksda.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

Water Resources
 Received
 JAN 28 2019
 1:11
 KS Dept Of Agriculture

File No. 27,164

2. Name of applicant: City of St. Francis

Address: City Superintendent PO Box 517

City, State and Zip: Saint Francis, KS 67756-0517

Phone Number: (785)332-3142 E-mail address: jrlanden@gmail.com

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

Name of water use correspondent: same as above

Address: _____

City, State and Zip: _____

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

3. The change(s) proposed herein are desired for the following reasons (please be specific): Well #8 (PDIV 29950) has water quality issues. Rate and quantity on Well #8 will be moved to Well #7 (PDIV 11729) and Well #8 will be maintained for emergency standby use only. Well #6 (PDIV 54754) will not change.

The change(s) (will be) completed by _____

(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>MUN</u>	Source <u>G/S</u>	County <u>CN</u>	By <u>DAW</u>	Date <u>1/28/19</u>
Code <u>CGT</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>1/28/19</u>	Check # <u>12084</u>			

VERIFICATION COMPLETE
 6/12/19
 RAK

SCANNED
 1/30/2019 URM

4. The presently authorized place of use is:

Owner of Land — NAME: No change in place of use

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. _____

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. _____

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. _____

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

Owner of Land — NAME: _____

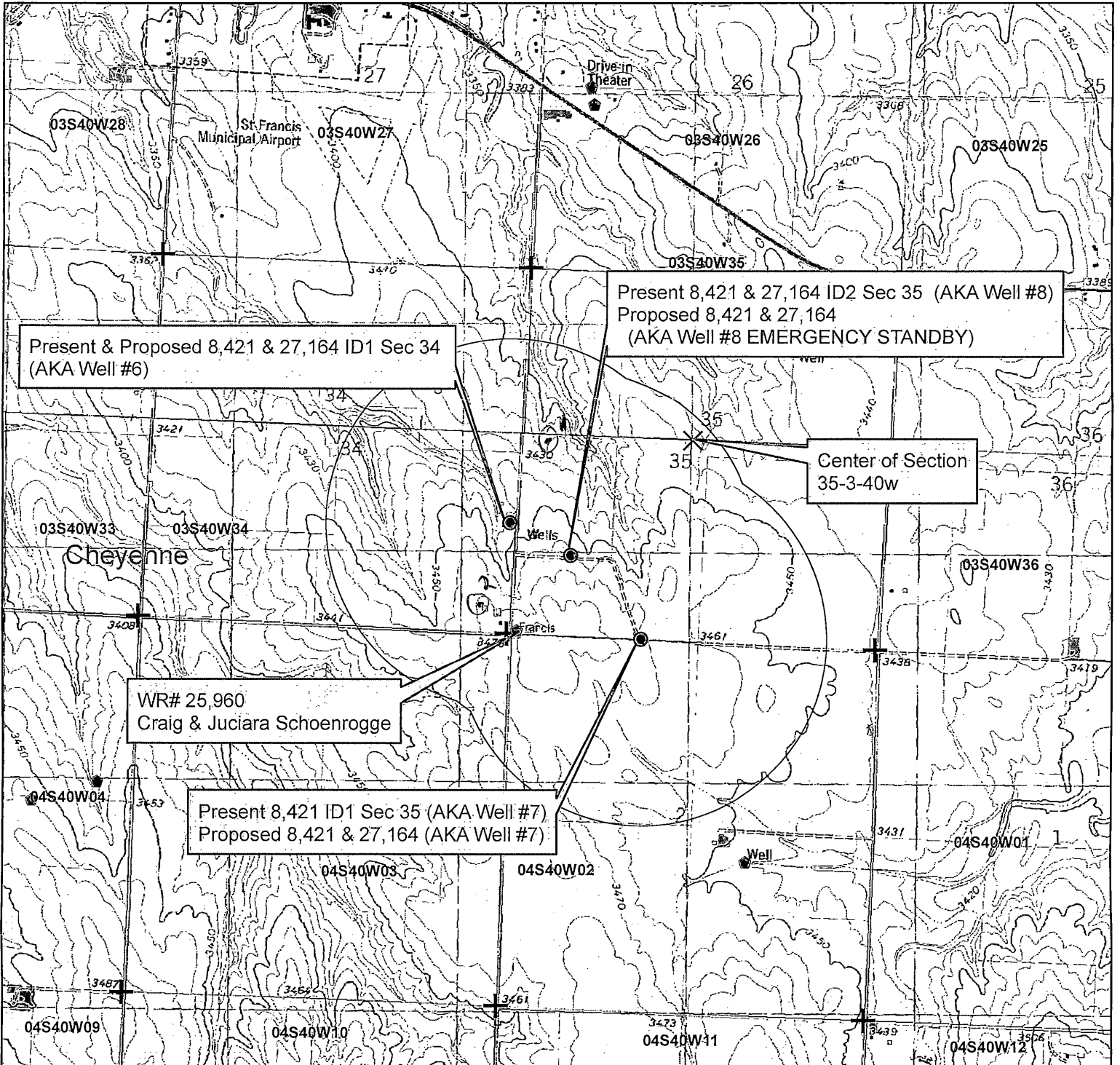
ADDRESS: _____

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

Applications for Change in Point of Diversion,
Water Right, File Nos. 8,421 & 27,164



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

1:24,000

● Proposed Point of Diversion

○ 1/2 mile radius



Signature

1-13-19
Date
Water Resources
Received

- * ① Possible domestic well - Moberly
- * ② Possible domestic well - Lueder

JAN 28 2019

* Ray/one 6/17/19

SCANNED

KS Dept Of Agriculture

- 6. The presently authorized point(s) of diversion is two (2) wells with individual rates and quantities
(Provide description and number of points)
- 7. The proposed point(s) of diversion is two (2) primary wells and one (1) emergency standby well
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion: AKA: Well #6**
 One in the SE Quarter of the NE Quarter of the SE Quarter of Section 34, Township 3 South, Range 40 W, in Cheyenne County, Kansas, 1580 feet North 70 feet West of Southeast corner of section.
 Authorized Rate 410 gpm Authorized Quantity 27.2 mg
(DWR use only: Computer ID No. 1 GPS 1577 feet North 11 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) (No change; better described by GPS)
 One in the SE Quarter of the NE Quarter of the SE Quarter of Section 34, Township 3 South, Range 40 W, in Cheyenne County, Kansas, 1577 feet North 11 feet West of Southeast corner of section.
 Proposed Rate 410 Proposed Quantity 27.2 mg
 This point is: Additional Well Geo Center List other water rights that will use this point # 8,421

9. **Presently authorized point of diversion: AKA: Well #8**
 One in the NE Quarter of the SW Quarter of the SW Quarter of Section 35, Township 3 South, Range 40 W, in Cheyenne County, Kansas, 1190 feet North 4490 feet West of Southeast corner of section.
 Authorized Rate 340 gpm Authorized Quantity 23.2 mg
(DWR use only: Computer ID No. 2 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) AKA: Well #7
 One in the SW Quarter of the SE Quarter of the SW Quarter of Section 35, Township 3 South, Range 40 W, in Cheyenne County, Kansas, 100 feet North 3430 feet West of Southeast corner of section.
 Proposed Rate 340 gpm Proposed Quantity 23.2 mg
 This point is: Additional Well Geo Center List other water rights that will use this point # 8,421

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____, 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) AKA: Well #8 (Emergency Standby)
 One in the NE Quarter of the SW Quarter of the SW Quarter of Section 35, Township 3 South, Range 40 W, in Cheyenne County, Kansas, 1190 feet North 4490 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional (**Standby**) Well Geo Center List other water rights that will use this point # 8,421 (Standby)

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. Well #8 will be maintained for emergency standby use.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources Received

JAN 28 2015 SCANNED

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

It is proposed that the use be changed to n/a purposes.

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

(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). 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 new wells will be drilled, no change in source of supply; closest nearby well is File 25,960, which is 1/4 mile away from the proposed emergency standby well. If approved as poropsed the change will move pumping further away, decreasing chances for impairment.

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.

n/a

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 St. Francis, Kansas, this 17 day of January, 2019.

City of St. Francis
(Owner)

(Spouse)

J.R. Landenberger
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

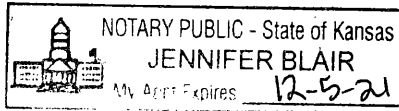
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Cheyenne } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of January, 2019.

Jennifer Blair
Notary Public

My Commission Expires 12-5-21

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
JAN 28 2019
KS Dept Of Agriculture
SCANNED

Krueger, Richelle [KDA]

From: Stewart, Kelly [KDA]
Sent: Thursday, June 13, 2019 9:46 AM
To: Krueger, Richelle [KDA]
Cc: Billinger, Mark [KDA]; Turney, Brent [KDA]
Subject: RE: Request for Recommendation Change in PD File Nos. 8421 and 27164 City of St. Francis

Richelle,

I have no objection to the approval of these change applications.

Kelly

From: Krueger, Richelle [KDA]
Sent: Thursday, June 13, 2019 9:41 AM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>
Subject: Request for Recommendation Change in PD File Nos. 8421 and 27164 City of St. Francis

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



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

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

June 12, 2019

Richelle Krueger
Division of Water Resources
1320 Research Park Drive
Manhattan KS 66502

RE: Applications 8,421 & 27,164
City of St. Francis

Dear Richelle,

The Northwest Kansas Groundwater Management District has reviewed the above referenced applications 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:
If you have any questions, please contact this office.

Approve applications

Sincerely,

Ray Luhman
Manager

RPL/jem

pc: Stockton Field Office

Krueger, Richelle [KDA]

From: Krueger, Richelle [KDA]
Sent: Wednesday, June 12, 2019 1:52 PM
To: Jody McCain
Subject: RE: Recommendations for WR #8,421 & #27,164

Thanks Jody!

From: Jody McCain <jmccain@gmd4.org>
Sent: Wednesday, June 12, 2019 1:36 PM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Subject: Recommendations for WR #8,421 & #27,164

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Richelle,

I have attached a scanned copy of Ray's recommendation for the above referenced water rights. A hard copy will follow by snail mail.

If you have any other questions, please give us a call at the number listed below.

Thank you,

Jody McCain
Administrative Assistant
NW KS Groundwater
Management District No 4
P O Box 905 – 1290 West Fourth
Colby KS 67701
785-462-3915
jmccain@gmd4.org

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

NORTHWEST KANSAS GROUNDWATER June 6, 2019
MANAGEMENT DISTRICT NO 4
ATTN RAY LUHMAN
PO BOX 905
COLBY KS 67701-0905

FILE COPY

RE: Water Right, File Nos. 8,421 and 27,164

Dear Ray:

We are enclosing copies of the applications to change the point of diversion under the referenced file numbers.

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

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stockton Field Office

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 15, 2019

CRAIG A & JUCIARA T SCHOENROGGE
1360 ROAD 15
SAINT FRANCIS KS 67756-5671

FILE COPY

RE: Water Right, File Nos. 8,421 and 27,164

Dear Sir or Madam:

This is to advise you that the City of St. Francis, Kansas, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized points of diversion for the referenced file numbers. Based upon K.S.A. 82a-1906, you are being notified of the above referenced applications for change. The water right owners propose to transfer authorized quantities and diversion rates among their existing wells and better describe Well No. 6 with g.p.s. feet distances. Enclosed is a map for your reference.

The application for File No. 8,421 proposes to divide the quantity and diversion rate authorized on Well No. 8 between Well No. 6 and Well No. 7 and maintain Well No. 8 as a standby well. The application for File No. 8,421 proposes the following change in points of diversion:

from: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,580 feet North and 70 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 40 million gallons (122.76 acre-feet) per calendar year;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 36 million gallons (110.48 acre-feet) per calendar year; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 215 gallons per minute and in a quantity not to exceed 24 million gallons (73.65 acre-feet) per calendar year;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas,

to: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 580 gallons per minute and in a quantity not to exceed 58 million gallons (178 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 385 gallons per minute and in a quantity not to exceed 42 million gallons (128.89 acre-feet) per calendar year, to be used as a primary well;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas.

OVER →

SCANNED

The application for File No. 27,164 proposes to move the authorized quantity and diversion rate authorized by File No. 27,164 from Well No. 8 to Well No. 7 and to maintain Well No. 8 as a standby well. The application for File No. 27,164 proposes the following change in points of diversion:

from: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,580 feet North and 70 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year; and

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year;

both in Township 3 South, Range 40 West, Cheyenne County, Kansas,

to: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year, to be used as a primary well;


all in Township 3 South, Range 40 West, Cheyenne County, Kansas.

You can find the applications posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are being notified of the proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

Enclosure

pc: Stockton Field Office
Groundwater Management District No. 4
City of St. Francis, Kansas, City Superintendent

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary
May 15, 2019

Laura Kelly, Governor

BYRON D MOBERLY
KAREN M MOBERLY
1330 ROAD 15
SAINT FRANCIS KS 67756

RE: Water Right, File Nos. 8,421 and 27,164

Dear Sir or Madam:

This is to advise you that the City of St. Francis, Kansas, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized points of diversion for the referenced file numbers. Based upon K.S.A. 82a-1906, you are being notified of the above referenced applications for change. The water right owners propose to transfer authorized quantities and diversion rates among their existing wells and better describe Well No. 6 with g.p.s. feet distances. Enclosed is a map for your reference.

The application for File No. 8,421 proposes to divide the quantity and diversion rate authorized on Well No. 8 between Well No. 6 and Well No. 7 and maintain Well No. 8 as a standby well. The application for File No. 8,421 proposes the following change in points of diversion:

from: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,580 feet North and 70 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 40 million gallons (122.76 acre-feet) per calendar year;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 36 million gallons (110.48 acre-feet) per calendar year; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 215 gallons per minute and in a quantity not to exceed 24 million gallons (73.65 acre-feet) per calendar year;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas,

to: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 580 gallons per minute and in a quantity not to exceed 58 million gallons (178 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 385 gallons per minute and in a quantity not to exceed 42 million gallons (128.89 acre-feet) per calendar year, to be used as a primary well;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas.

OVER →

SCANNED

The application for File No. 27,164 proposes to move the authorized quantity and diversion rate authorized by File No. 27,164 from Well No. 8 to Well No. 7 and to maintain Well No. 8 as a standby well. The application for File No. 27,164 proposes the following change in points of diversion:

from: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,580 feet North and 70 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year; and

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year;

both in Township 3 South, Range 40 West, Cheyenne County, Kansas,

to: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year, to be used as a primary well;

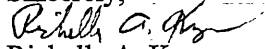
all in Township 3 South, Range 40 West, Cheyenne County, Kansas.

You can find the applications posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are being notified of the proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

Enclosure

pc: Stockton Field Office
Groundwater Management District No. 4
City of St. Francis, Kansas, City Superintendent

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 15, 2019

GERALD AND DAWN LAUER
PO BOX 297
SAINT FRANCIS KS 67756

RE: Water Right, File Nos. 8,421 and 27,164

Dear Sir or Madam:

This is to advise you that the City of St. Francis, Kansas, has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized points of diversion for the referenced file numbers. Based upon K.S.A. 82a-1906, you are being notified of the above referenced applications for change. The water right owners propose to transfer authorized quantities and diversion rates among their existing wells and better describe Well No. 6 with g.p.s. feet distances. Enclosed is a map for your reference.

The application for File No. 8,421 proposes to divide the quantity and diversion rate authorized on Well No. 8 between Well No. 6 and Well No. 7 and maintain Well No. 8 as a standby well. The application for File No. 8,421 proposes the following change in points of diversion:

from: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,580 feet North and 70 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 40 million gallons (122.76 acre-feet) per calendar year;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 36 million gallons (110.48 acre-feet) per calendar year; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 215 gallons per minute and in a quantity not to exceed 24 million gallons (73.65 acre-feet) per calendar year;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas,

to: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 580 gallons per minute and in a quantity not to exceed 58 million gallons (178 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 385 gallons per minute and in a quantity not to exceed 42 million gallons (128.89 acre-feet) per calendar year, to be used as a primary well;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas.

OVER →

SCANNED

The application for File No. 27,164 proposes to move the authorized quantity and diversion rate authorized by File No. 27,164 from Well No. 8 to Well No. 7 and to maintain Well No. 8 as a standby well. The application for File No. 27,164 proposes the following change in points of diversion:

from: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,580 feet North and 70 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year; and

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year;

both in Township 3 South, Range 40 West, Cheyenne County, Kansas,

to: one (1) existing well located in the Southeast Quarter of the Northeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 34 (Well No. 6), more particularly described as being near a point 1,577 feet North and 11 feet West of the Southeast corner of said section, at a diversion rate not in excess of 410 gallons per minute and in a quantity not to exceed 27.20 million gallons (83.47 acre-feet) per calendar year, to be used as a primary well;

one (1) existing well located in the Northeast Quarter of the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 8), more particularly described as being near a point 1,190 feet North and 4,490 feet West of the Southeast corner of said section, to be used as a standby well; and

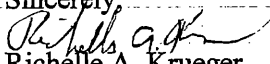
one (1) existing well located in the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 35 (Well No. 7), more particularly described as being near a point 100 feet North and 3,430 feet West of the Southeast corner of said section, at a diversion rate not in excess of 340 gallons per minute and in a quantity not to exceed 23.20 million gallons (71.20 acre-feet) per calendar year, to be used as a primary well;

all in Township 3 South, Range 40 West, Cheyenne County, Kansas.

You can find the applications posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are being notified of the proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

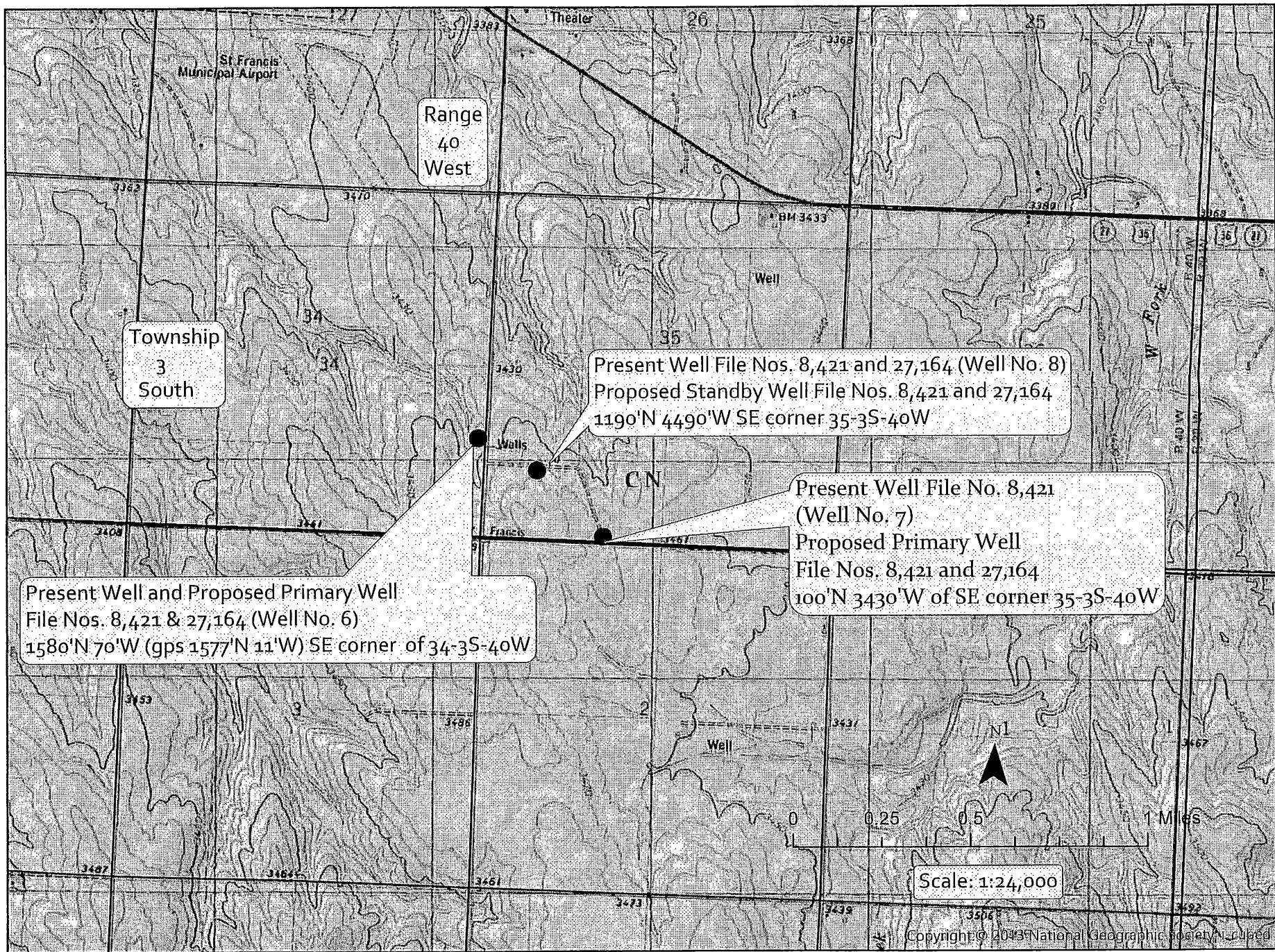
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

Enclosure

pc: Stockton Field Office
Groundwater Management District No. 4
City of St. Francis, Kansas, City Superintendent

Proposed Change in Points of Diversion File Nos. 8,421 & 27,164



1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

CITY OF ST FRANCIS
PO BOX 517
SAINT FRANCIS, KS 67756

January 29, 2019

RE: File No 27164

Dear Sir or Madam:

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

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

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

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

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

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

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

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

Sincerely,

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

BAT: DLW4

SCANNED