

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

1. File Number: EW 001	2. Status Change Date: 6/17/2019	3. Change Num: C2	4. Field Office: 03	5. GMD:
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 25-FEB-2019
8a. Applicant(s) New to system <input type="checkbox"/> CITY OF KANOPOLIS 100 S. KANSAS PO BOX 175 KANOPOLIS KS 67454		Person ID 9033 Add Seq# 1		
8b. Landowner(s) New to system <input type="checkbox"/> CITY OF KANOPOLIS 100 S. KANSAS PO BOX 175 KANOPOLIS KS 67454		Person ID 9033 Add Seq# 1		
		8c. Landowner(s) New to system <input type="checkbox"/> CITY OF KANOPOLIS 100 S. KANSAS PO BOX 175 KANOPOLIS KS 67454		
		8d. WUC New to system <input type="checkbox"/> CITY OF KANOPOLIS 100 S. KANSAS PO BOX 175 KANOPOLIS KS 67454 NO CHANGE		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/19				
<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: 6/18/2019 By: LLM				

File No. **EW 001** 11. County: **EW** Basin: **SMOKY HILL RIVER** Stream: Formation Code: **140** Special Use:

12. Points of Diversion CHK MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate and Quantity		Additional		Overlap PD Files
										Authorized Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	

NO CHANGE TO BLANKET QUANTITY AND RATE 450 g.p.m. 40 m.g.y. 450 g.p.m. 40 m.g.y.

✓ MOD 35151	<u>SENWSE</u>	25	15	8W	1	<u>1974</u>	<u>1871</u>							NO
(previous 1985 1879)														
KEEP COMMENT IN MUNICIPAL LIGHT PLANT BLK 22 NR INTERSECTION KS ST & E ST - WELL #1														

✓ 37979	<u>SWSWNE</u>	25	15	8W	2	<u>2692</u>	<u>2622</u>							NO
(previous 2786 2511)														
SEC 25 MORE PART IN G ST MIDWAY BETW WYO. & COLO. STS. - WELL #4														

DEL 86609	<u>SESENE</u>	25	15	8W	3	<u>2682</u>	<u>2654</u>							NO
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✓ ENT 25934	<u>SESESE</u>	24	15	8W	1	<u>229</u>	<u>52</u>							NO
KEEP COMMENT WELL #7														

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

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

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

16. Place of Use 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:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: June 13, 2019

FROM: Richelle A. Krueger

RE: Vested Right
File No. EW 001

Anthony Hopkins, Mayor, on behalf of the City of Kanopolis, Kansas, filed an application for approval to change the authorized point of diversion. The referenced file number, located in the Smoky Hill River Basin, is authorized groundwater for municipal use for the City of Kanopolis, Kansas & immediate vicinity.

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

The referenced file number is authorized a blanket quantity and rate of 40 million gallons per calendar year and 450 gallons per minute from three wells in Section 25, Township 15 South, Range 8 West, Ellsworth County. There are no overlaps in the point of diversion but the place of use overlaps Appropriation of Water, File No. 49,889. A change in point of diversion was approved on February 20, 2018 to move a previously authorized well located in Section 24 of the aforementioned township and range (AKA Well No. 7) to a new well to be located 2,682 feet North and 2,654 feet West of the Southeast corner of Section 25. As indicated in Paragraph 3 of the current application, the new well was never completed and there are no plans to complete, so the applicants propose to move back to the well location in Section 24, which is currently still in use. The well in Section 24 was not properly described before (4040'N,380'W) so it will now be corrected to 229 feet North and 52 feet West of the Southeast corner of Section 24, as indicated by GPS feet distances obtained during a September 26, 2018 compliance investigation by Stockton Field Office staff.

WRIS and the application map indicates no other wells within one-half mile of the proposed existing well in Section 24, so no notification letters were sent.

The same local source of supply will not change, which appears to be Kansan Stage (140) deposits.

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

A water flow meter is required. A check valve 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 that the referenced application 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 KANOPOLIS
ATTN ANTHONY HOPKINS
100 S. KANSAS PO BOX 175
KANOPOLIS KS 67454

June 27, 2019

FILE COPY

RE: Vested Right, File No. EW 001

Dear Mr. Hopkins:

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

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

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

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

Sincerely,

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

BAT:rak

pc: Stockton Field Office

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 VESTED RIGHT FILE NO. EW 001

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Anthony Hopkins, on behalf of the City of Kanopolis, Kansas, 100 South Kansas, P.O. Box 175, Kanopolis, Kansas 67454, received in this office on February 25, 2019, for approval of a change in the location of the point of diversion under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 621, Ellsworth County, now identified as Vested Right, File No. EW 001, as modified and amended by the Order of the Chief Engineer dated November 10, 1977, approving the application to change the point of diversion, by the Findings and Order of the Chief Engineer dated February 20, 1989, reducing the number of authorized points of diversion, and by the Order of the Chief Engineer dated February 20, 2018, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

one(1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 24, more particularly described as being near a point 229 feet North and 52 feet West of the Southeast corner of said section,

one(1) well located in the Southeast Quarter of the Northwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 25, more particularly described as being near a point 1,974 feet North and 1,871 feet West of the Southeast corner of said section, and

one(1) well located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 25, more particularly described as being near a point 2,692 feet North and 2,622 feet West of the Southeast corner of said section,

all in Township 15 South, Range 8 West, Ellsworth County, Kansas,

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

Installation of the works for diversion of water shall be completed on or before December 31, 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 acceptable water meters 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 meters has been completed. The water right owner shall maintain the water meters 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 meters 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 vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. EW 001, is as stated and set forth in the vested right order executed by the Chief Engineer on October 15, 1954, as modified and amended by the aforementioned orders.

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 17th 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)
County of Riley) SS

The foregoing instrument was acknowledged before me this 17th 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 20th day of June, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. EW 001, dated June 17th, 2019, was mailed postage prepaid, first class, US mail to the following:

CITY OF KANOPOLIS
100 S. KANSAS
PO BOX 175
KANOPOLIS KS 67454

With photocopies to:

Stockton Field Office

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 Water Resources
 RECEIVED

FEB 25 2019

1:32

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

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

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

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

File No. EW-001

2. Name of applicant: CITY OF KANOPOLIS

Address: 100 S KANSAS PO BOX 175

City, State and Zip: KANOPOLIS, KS 67454

Phone Number: (785)472-4732 E-mail address: ckanopolis@eaglecom.net

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

Name of water use correspondent: SAME

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): C1 CHANGE FILED ON 8-07-17

WAS NEVER COMPLETED AND THERE ARE NO PLANS TO COMPLETE. WISH TO MOVE BACK TO ORIGINAL WELL

THIS WELL WAS NOT PROPERLY DESCRIBED BEFORE, SO WILL ALSO PROPERLY DESCRIBE

The change(s) (will be) completed by UPON APPROVAL

(Date)

For Office Use Only:

F.O. 3 GMD 0 Meets K.A.R. 5-5-1 (YES / NO) Use MUN Source Q / S County EW By KSN Date 2/26/19
 Code CGT Fee \$ 200 TR # _____ Receipt Date 2/25/19 Check # 12909

APPLICATION COMPLETED
6/13/19
 Reviewer RAIC

4. The presently authorized place of use is:

Owner of Land — NAME: CITY OF KANOPOLIS

ADDRESS: 100 S KANSAS PO BOX 175 KANOPOLIS, KS 67454

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	
25	15S	8W																	

List any other water rights that cover this place of use. 49889

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: NO CHANGE

ADDRESS: _____

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

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion are 3 WELLS
(Provide description and number of points)
7. The proposed point(s) of diversion are 3 WELLS
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NW Quarter of the SE Quarter of Section 25, Township 15 South, Range 8 W, in EW County, Kansas, 1985 feet North 1879 feet West of Southeast corner of section.
 Authorized Rate 450 GPM Authorized Quantity 40 MGY
 (DWR use only: Computer ID No. 1 * GPS 1974 feet North 1871 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 25, Township 15 South, Range 8 W, in EW County, Kansas, 2786 feet North 2511 feet West of Southeast corner of section.
 Authorized Rate 450 GPM Authorized Quantity 40 MGY
 (DWR use only: Computer ID No. * 2 GPS 2692 feet North 2622 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ W, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the SE Quarter of the SE Quarter of the NW Quarter of Section 25, Township 15 South, Range 3 W, in EW County, Kansas, 2682 feet North 2654 feet West of Southeast corner of section.
 Authorized Rate 450 GPM Authorized Quantity 40 MGY
 (DWR use only: Computer ID No. 3 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SE Quarter of the SE Quarter of Section 24, Township 15 South, Range 8 W, in EW County, Kansas, 229 feet North 52 feet West of Southeast corner of section.
 Proposed Rate 450 GPM Proposed Quantity 40 MGY
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. IT WAS NEVER COMPLETED AS 8-7-17 CHG. WELL TO BE MOVED TO IS EXISTING WELL AND CURRENTLY IN USE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per WRIS

* PAIC/DWR 6/13/14

SCANNED

FEB 25 2019

12. The presently authorized use of water is for MUNICIPAL purposes.
It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
NO CHANGE

(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 CHANGE. THIS WELL WAS NOT DESCRIBED CORRECTLY BEFORE THE 8-7-17 CHANGE IN PD. IT WAS
NEVER ABANDONED AFTER THE CHANGE WAS FILED AND IS STILL CURRENTLY IN USE.
THIS CHANGE REVERTS BACK TO ORIGINAL WELL FIELD AND CORRECTS THE LOCATION DESCRIPTION
OF WELL 7 (DWR ID 3).

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.

MOVE IS FOR > 1/2 MILE, BUT ONLY DUE TO C1 CHANGE THAT WAS NOT COMPLETED.

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 Kanopolis, Kansas, this 12th day of February, 20 19.

<u>[Signature]</u> _____ (Owner)	_____ (Spouse)
<u>Anthony Hollic</u> _____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Ellsworth } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12th day of February, 20 19.

[Signature]

Notary Public

My Commission Expires 10/30/19

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

FEB 25 2019

SCANNED KS DEPT OF AGRICULTURE

Krueger, Richelle [KDA]

From: Stewart, Kelly [KDA]
Sent: Thursday, June 13, 2019 8:36 AM
To: Krueger, Richelle [KDA]
Cc: Billinger, Mark [KDA]
Subject: RE: Request for Recommendation/question Change in PD File No. EW 001 City of Kanopolis

Richelle,

I recommend approval of this application.

Kelly

From: Krueger, Richelle [KDA]
Sent: Tuesday, June 11, 2019 5:13 PM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>
Subject: Request for Recommendation/question Change in PD File No. EW 001 City of Kanopolis

Hi Kelly,

Attached is a draft memo for the referenced pd change for the City of Kanopolis. What do you consider the source of supply to be or what source of supply code to use?

Do you recommend approval of the referenced pd change?

Thanks,
Richelle

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 KANOPOLIS
100 S KANSAS PO BOX 175
KANOPOLIS, KS 67454

February 26, 2019

RE: File No 0

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.

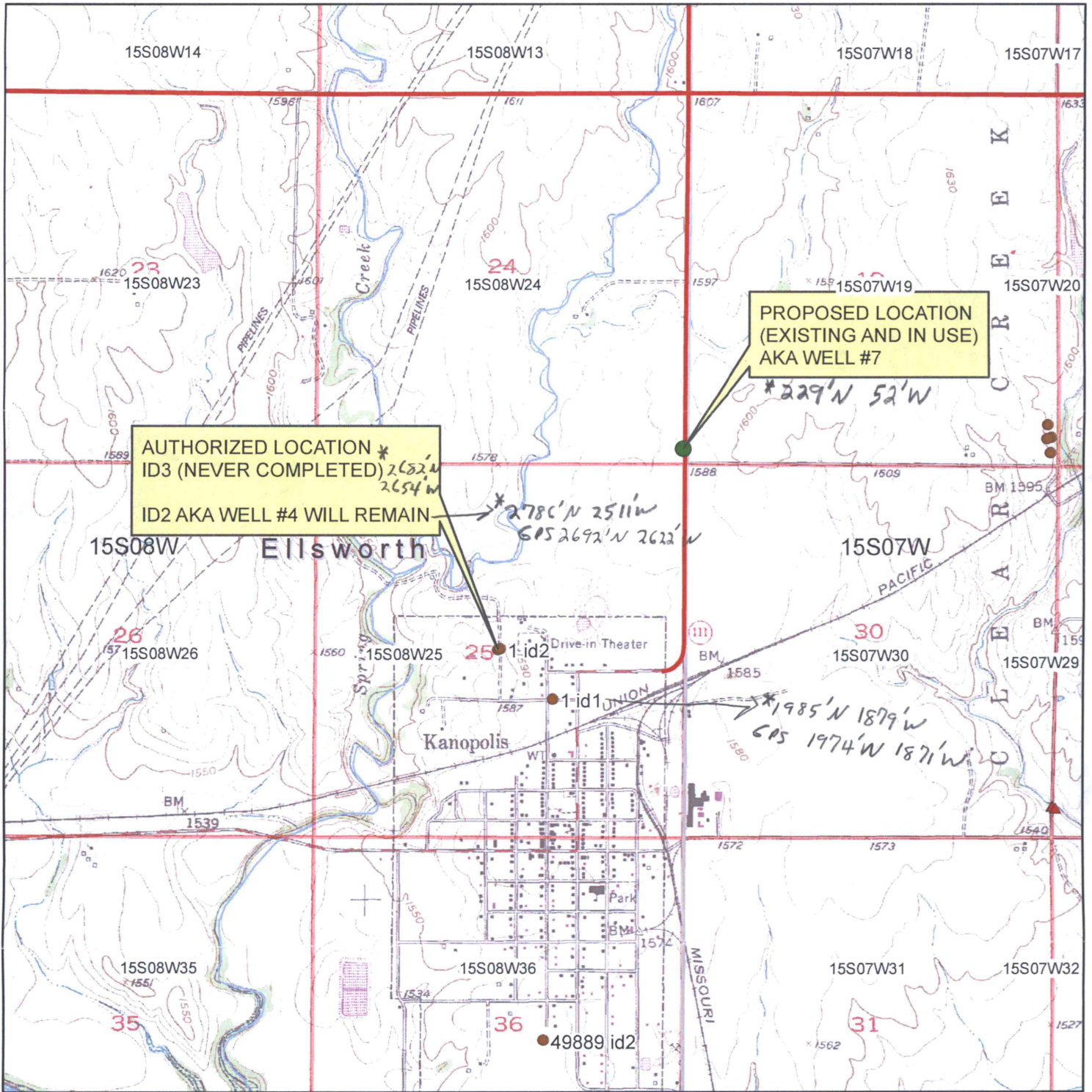
Sincerely,

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

BAT: DLW

SCANNED

Application to Change the Point of Diversion For Water Right File # EW-001



- Authorized location
- Proposed location

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

1:24,000

**per Par 8-10 & WLIS*

WATER RESOURCES RECEIVED

FEB 25 2019

KS DEPT OF AGRICULTURE

Signature Required

By signing this I am stating that to the best of my knowledge that all wells within 1/2 mile of proposed well location are identified on this map.



**Rox/own 6/13/14*

SCANNED