

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 41325	2. Status Change Date: 2/22/2021	3. Change Num: C1	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: 23-DEC-2019
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID <u>32691</u> Add Seq# <u>1</u>		8c. Landowner(s) New to system <input type="checkbox"/>
WILLIAM G & JOYCE E CAME TRUSTS 3472 W SHIPTON RD SALINA, KS 67401-9310		CAME LAND CO LLC 3472 W SHIPTON RD SALINA, KS 67401-9310		Person ID <u>67120</u> Add Seq# <u>1</u>
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <u>32691</u> Add Seq# <u>1</u>		8d. WUC New to system <input type="checkbox"/>
WILLIAM G & JOYCE E CAME TRUSTS 3472 W SHIPTON RD SALINA, KS 67401-9310 Name change		WILLIAM G & JOYCE E CAME TRUSTS 3472 W SHIPTON RD SALINA, KS 67401-9310		Person ID <u>32691</u> Add Seq# <u>1</u>
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/21 ^{X22} <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input 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: _____				
2/15/2021 KAB		Date Prepared: 07/9/20		By: RAK/LI
		Date Entered: 2/23/2021		By: LMoody

File No. **41325** 11. County: **SA** Basin: **SALINE RIVER** Stream: Formation Code: **113** Special Use:

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

NO CHANGES

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

14. Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ 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							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
MOD	PUSE	S	T	R	ID		¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼				
DEL																										
ENT																										
MOD	22452	21	13	3W	1			33.00	33.00		33.00												99.00	8B	YES	6164 & 50330
MOD	15132	21	13	3W	3								33.00										33.00	8C	YES	6164 & 50330

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

From: Stewart, Kelly
Sent: Mon 2/1/2021 3:10 PM
To: Baum, Kristen [KDA];Ireland, Leslie [KDA]
Subject: FW: Request for Recommendation Change in PU File Nos. 6,164 and 41,325 William and Joyce Came Trust

From: Stewart, Kelly [KDA]
Sent: Thursday, July 9, 2020 1:35 PM
To: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>; Milner, Brandon [KDA] <Brandon.M.Milner@ks.gov>; Hageman, Rebecca [KDA] <Rebecca.Hageman@ks.gov>
Subject: RE: Request for Recommendation Change in PU File Nos. 6,164 and 41,325 William and Joyce Came Trust

Richelle,

I would recommend approval of the change applications referenced above provided the new application 50,330 is approved.

Kelly

From: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Sent: Thursday, July 9, 2020 12:25 PM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>; Milner, Brandon [KDA] <Brandon.M.Milner@ks.gov>
Subject: Request for Recommendation Change in PU File Nos. 6,164 and 41,325 William and Joyce Came Trust

Hi Kelly,

Attached a draft memo for the referenced pu change, which goes with Brandon's Application, File No. 50330. Do you recommend approval?

Thanks,
Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive, 3rd Floor
Manhattan, KS 66502
(785) 564-6635

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

TO: Files
DATE: February 1, 2021

FROM: Leslie Ireland
RE: Water Right
File Nos. 6,164 and 41,325

William G. and Joyce E. Came Trust, and Came Land Company, water right owners, have filed applications for approval to change the authorized place of use under Water Right, File Nos. 6,164 and 41,325, authorized groundwater in the Saline River Basin. The referenced change application was filed along with Application, File No. 50,330 being processed by Brandon Milner, Environmental Scientist, Permits Unit. The applications for change were received on December 23, 2019.

The referenced water rights do not appear abandoned as per K.S.A. 82a-718. It appears the new application can be approved. The referenced applications comply with K.A.R. 5-5-2a.

File Nos. 6,164 and 41,325 are authorized a total of 103 acre-feet from the same well for irrigation of 99 acres in the Northern portion of Section 21, Township 13 South, Range 3 West, Saline County. The referenced change application proposes to create a complete overlap in the place of use with Application, File No. 50,330, for a total of 132 acres as a full quarter mile pivot located near the center of the North Half of Section 21. The orders will update the ownership.

The total quantity under File Nos. 6,164, 41,325 and 50,330, of 171.6 acre-feet, can irrigate the proposed 132 acres with 1.3 acre-feet per acre, which is the maximum per K.A.R. 5-5-24, as detailed in K.A.R. 5-5-19 for Saline County. The additional quantity acquired by File No. 50,330, should be sufficient to cover any increase in consumptive use, thus complying with K.A.R. 5-5-3. The review and report for File No. 50,330 indicates the change in place of use complies with part (b)(6) of K.A.R. 5-5-11.

No nearby well owners were notified of the referenced change application since the application creates an exact overlap in place of use with a new application, which notified nearby owners on June 11, 2020.

The same local source of supply will not change, previously determined to be Main Stem Alluvium (113).

In e-mail sent to Richelle Krueger, dated July 9, 2020, Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated no objections to approval of the referenced change applications with the approval of the new application.

A water flowmeter will be required. A check valve is required if chemigating.

Based on the above discussion that the changes are 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 applications be approved with the new application.


Leslie Ireland
Environmental Scientist

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
WATER RIGHT
FILE NO. 41,325**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Joyce E. Came, Trustee, on behalf of William G. Came Trust and Joyce E. Came Trust, and William L. Came, on behalf of Came Land Company, L.L.C., 3472 Shipton Road, Salina, Kansas 67401, received in this office on December 23, 2019, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, 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 location of the place of use shall be:

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	
21	13S	3W		33.00	33.00		33.00			33.00									132.00

a total of 132.00 acres in Township 13 South, Range 3 West, Saline County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All 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. 41,325, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 6, 2005.

Ordered this 22 day of February, 2021, 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 22 day of February 2021, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Ashlee Freeman
Notary Public

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

February 24, 2021

WILLIAM G & JOYCE E CAME TRUST
CAME LAND CO LLC
3472 W SHIPTON RD
SALINA, KS 67401-9310

RE: Water Right, File Nos. 6,164 & 41,325

Dear Mr. & Mrs. Came:

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 files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced files. 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 these 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 at 785-564-6640. If you call, please reference a file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications and Changes Supervisor
Division of Water Resources

KAB:li
Enclosure(s)

pc: Stockton Field Office

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 the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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 review 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 the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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.


CERTIFICATE OF SERVICE

On this 24 day of February, 2021, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 41,325, dated 22 February, 2021 was mailed postage prepaid, first class, US mail to the following:

WILLIAM G & JOYCE E CAME TRUST
CAME LAND CO LLC
3472 W SHIPTON RD
SALINA, KS 67401-9310

With photocopies to:

Stockton Field Office



Division of Water Resources