

Kansas Department of Agriculture
Division of Water Resources
PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: <p style="text-align: center;">50330</p>	2. Status Change Date: <p style="text-align: center;">2/22/2021</p>	3. Field Office: <p style="text-align: center;">03</p>	4. GMD:
--	---	--	---------

5. Status: Approved Denied by DWR/GMD Dismiss by Request/Failure to Return

6. Enclosures: Check Valve N of C Form Water Tube Driller Copy Meter

7a. Applicant(s) Person ID **32691**
New to system Add Seq# _____

WILLIAM G & JOYCE CAME
3472 W SHIPTON RD
SALINA, KS 67401-9310

7b. Landowner(s) Person ID **32691**
New to system Add Seq# **1**

WILLIAM G & JOYCE E CAME TRUSTS
3472 W SHIPTON RD
SALINA, KS 67401-9310

7c. Landowner(s) Person ID **67120**
New to system Add Seq# **1**

CAME LAND CO LLC
3472 W SHIPTON RD
SALINA, KS 67401-9310

7d. Misc Person ID _____
New to system Add Seq# _____

8. WUR Correspondent Person ID _____
New to system Add Seq# _____
Overlap File (s) WUC Notarized WUC Form
Agree Yes No
7a

9. Use of Water: Changing? Yes No

Groundwater Surface Water

IRR REC DEW MUN

STK SED DOM CON

HYD DRG WTR PWR ART RECHRG

IND SIC: _____ OTHER: _____

10. Completion Date: **12/31/2021-2022*** 11. Perfection Date: **12/31/2025-2026*** 12. Exp Date: _____

13. Conservation Plan Required? Yes No Date Required: _____ Date Approved: _____ Date to Comply: _____

14. Water Level Measuring Device? Yes No Date to Comply: _____ Date WLMD Installed: _____

*** LI/DWR** Date Prepared: **7/7/20** By: **BMM**

 Date Entered: **2/23/2021** By: **L Moody**

File No. **50330** 15. Formation Code: **113** Drainage Basin: **Saline River** County: **SA** Special Use: Stream:

16. Points of Diversion										17. Rate and Quantity					
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Authorized		Additional		
ENT											Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
ENT			34132	SW SW NE	21	13S	3W	1	2900	2450	1,000	68.6	1000	68.6	6,164 41,325

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

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

20. Meter Required? Yes No To be installed by 12/31/2019 ^{12/31/2022} Date Acceptable Meter Installed _____

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg? NO	Overlap Files
MOD	DEL	ENT	PUSE	S	T	R	ID	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						
ENT			15132	21	13S	3W	3					33			33										33 ⁶⁶	7a ^{7c}	N	6,164 & 41,325	
ENT			22452	21	13S	3W	1			33	33	33												66 ⁹⁹	7a	N	6,164 & 41,325		

Comments: **Change Applications on Water Right Nos. 6,164 & 41,325 filed for complete overlap in Place of Use.**

2/15/2021
 KAB

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 9, 2020

FROM: Brandon Milner

RE: New Application,
File No. 50,330

Bill Came has filed an application to appropriate groundwater for irrigation use, requesting a one new well with a requested quantity 68.6 acre-feet at a diversion rate of 1000 gallons per minute. The proposed point of diversion will be a single well located in the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 21 more specifically described as being near a point at 2900' North and 2450' West of the Southeast corner of said section, in Township 13 South, Range 3 West in Saline County. The entire place of use is owned by the applicant. The applicant has signed the application form stating that he has legal access to the point of diversion.

This application does overlap with Water Right No. 6,164, & 41,325 in the point of diversion. Change applications on Water Rights Nos. 6,164 & 41,325 have been filed in connection with this application to complete a complete overlap in the place of use. The proposed quantity of 68.6 acre-feet per year on this application would be additional quantity for the already certified 103 Acre-feet that is permitted to this point of diversion would provide 171.6 Acre-feet. This would be used for the irrigation of 132 acres. This would provide the maximum allowable of 1.3 acre-feet per acre in Saline County Kansas.

The source of water for this application would be the alluvium from the Saline River Basin. Per the requirements in K.A.R. 5-3-11, safe yield is determined by the extent of the unconfined aquifer within a two-mile radius of the point of diversion, which establishes the area of consideration. Evaluation of the area of consideration included the extent of the unconfined aquifer, provided an area of consideration of 7,183 acres with a potential annual recharge of 3.1 inches with 75% recharge available for appropriation. Safe yield was determined to be 1391.71 Acre-feet. There are multiple existing water rights within the area of consideration, with the total prior appropriation being 1132.2 acre-feet. This leaves 259.51 acre-feet available for appropriation for this irrigation application.

There is one domestic water right and one water right within ½ mile of the point of diversion. Nearby letters were sent out on June 11, 2020 and to date only one response letter has been received from the domestic well owner on June 16, 2020. The domestic well owner is approximately 2200' feet away from the point of diversion on this application and the owner has concerns about the water table being lowered enough so that he can't continue to use his well as a source of drinking water. The nearby Water Right is located 2,425 feet away and is a state lake is owned by Kansas Department of Wildlife, Parks and Tourism. Therefore, this application meets spacing requirements as set by K.A.R. 5-4-4.

This application was recommended for approval by Kelly Stewart from the Stockton Field Office on July 9, 2020.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Based on the above discussion, the area is open to new appropriations, the application complies with safe yield, it is recommended that the referenced new application be approved.

Brandon Milner
Environmental Scientist
Water Appropriation Program

From: Stewart, Kelly [KDA]
Sent: Thu 7/9/2020 1:34 PM
To: Milner, Brandon [KDA]
Cc: Billinger, Mark [KDA];Hageman, Rebecca [KDA];Krueger, Richelle [KDA]
Subject: RE: Application 50,330

Brandon,

On August 1, 1997, I personally investigated a complaint by Rush. They were concerned Mr. Came's pumping was causing their domestic well some problems. At that time, I didn't find any impairment occurring and they were going to get someone to work on their domestic well. They have never called back with any concerns after all of these years.

I would recommend approval of this new application provided the change applications are approved at the same time.

Kelly

From: Milner, Brandon [KDA] <Brandon.M.Milner@ks.gov>
Sent: Thursday, July 9, 2020 12:41 PM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Subject: Application 50,330

Kelly,

Please see attached memo on application 50,330 for Bill Came. Richelle has just sent the change application to go along with this application. There was one letter of concern from a nearby domestic right owner and I will attach that to this email. Could you provide a recommendation on this application? Thanks!

Brandon

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 and PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,330** of the applicant

WILLIAM G & JOYCE CAME
3472 W SHIPTON RD
SALINA, KS 67401-9310

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

1. That the priority date assigned to such application is **December 23, 2019**
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21	13S	3W		33	33		33			33									132

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by mean of one(1) well located in the Southwest Quarter of the Southwest Quarter of the Northeast Quarter (SW¼ SW¼ NE¼) of Section 21, more particularly described as being near a point 2,900 feet North and 2,450 feet West of the Southeast corner of said section, in Township 13 South, Range 3 West, Saline County, Kansas.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **1,000 gallons per minute (2.23 c.f.s.)** and to a quantity not to exceed **68.6 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2022** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2026** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

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

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

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

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

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

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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

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

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

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

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

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)
County of Riley) SS

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, Acting Secretary

Laura Kelly, Governor

February 24, 2021

WILLIAM G & JOYCE CAME
3472 W SHIPTON RD
SALINA, KS 67401-9310

RE: Appropriation of Water, File No. 50,330

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at www.kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-531. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

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

KAB:bmm
Enclosure(s)
pc: StaffordField 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: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 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, Kansas 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.

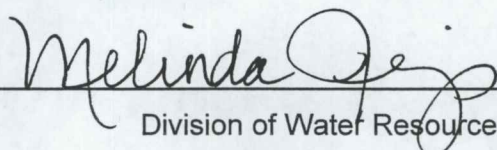
CERTIFICATE OF SERVICE

On this 24 day of February, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,330, dated 22 February, 2021, was mailed postage prepaid, first class, US mail to the following:

WILLIAM G & JOYCE CAME
3472 W SHIPTON RD
SALINA, KS 67401-9310

With photocopies to:

Stafford Field Office



Division of Water Resources