

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

Document Signature _____

1. File Number: 41,620-D1	2. Status Change Date: <i>7/29/2016</i>	3. Change Num: C1	4. Field Office: 01	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: 18-APR-2016
8a. Applicant(s) New to system <input type="checkbox"/> WILLIAM J & LORNA M TAYLOR 14410 MILITARY TRAIL RD WAMEGO KS 66547		Person ID 17795 Add Seq# <u>1</u>	8d. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/> WILLIAM J & LORNA M TAYLOR 14410 MILITARY TRAIL RD WAMEGO KS 66547		Person ID 17795 Add Seq# <u>1</u>	8e. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		8f. WUC New to system <input type="checkbox"/> NO CHANGE WILLIAM J & LORNA M TAYLOR 14410 MILITARY TRAIL RD WAMEGO KS 66547 Person ID 17795 Add Seq# <u>1</u>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/16</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/16</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 checked="" 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: 7/25/16 By: RAK Date Entered: <i>8/1/2016</i> By: <i>WM</i>				

File No. **41,620-D1** 11. County: PT Basin: **KANSAS RIVER** Stream: Formation Code: 113 Special Use:

12. Points of Diversion										Rate and Quantity					
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
ENT											Rate gpm	Quantity af	Rate gpm	Quantity af	
DEL	13088		LOT 2	23	10S	9E	2	5213	1899						41620-D2
ENT	85471		SE¼ NE¼ NW¼	23	10S	9E		4400	2950	ADDITIONAL WELL	462 g.p.m.	58.5 AF	462 g.p.m.	58.5 AF	NO

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

14 Limitation: _____ 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 T 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					
MOD	37890	23	10	9E	1																	59.0	8b	NO	NO	
L-2 (NWNE) 11 AC, L-3 (NENW) 16 AC, L-5 (NENW) 2 AC, L-5 (SENW) 7 AC; L-6(SWNE) 2 AC SEE FILE FOR LOT DETAILS																										

Comments: **SPECIAL CONDITIONS Y ADDITIONAL WELL(REVIEW AFTER 5-10YRS)**

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

TO: Files
DATE: July 25, 2016
FROM: Richelle A. Krueger
RE: Water Right
File No. 41,620-D1

William J. and Lorna M. Taylor, water right owners, filed an application for approval to change the authorized place of use and point of diversion for Water Right, File No. 41,620-D1, authorized groundwater for irrigation use in the Kansas River Basin.

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

The referenced file number is authorized 58.5 acre-feet and 462 gallons per minute from one well located 5,213 feet North and 1,899 feet West of the Southeast corner of Section 23, Township 10 South, Range 9 East, Pottawatomie County, for irrigation of 65 acres in the North Half (N½) of the aforementioned section. The point of diversion overlaps Water Right, File No. 41,620-D2 and there are no overlaps in the authorized place of use. The water right owners of File No. 41,620-D1 propose to unstack the authorized quantity and diversion rate and move it a distance of 1,329 feet to a well to be drilled 4,400 feet North and 2,950 feet West of the Southeast corner of Section 23 pursuant to K.A.R 5-5-16 *Additional wells*. The currently authorized well will remain authorized under File No. 41,620-D2.

Pursuant to the K.A.R. 5-5-16 (a)(2)(C)(i) calculation no reduction in quantity is required. A rate test conducted on the presently authorized well by Topeka Field Office staff indicates that it can still produce the authorized rate, so no reduction in diversion rate is required. The proposed well appears to meet well spacing requirements.

Based on WRIS and the application map there are four irrigation wells and no domestic wells within one-half mile of the proposed well. Nearby well owners were notified of the proposed change in point of diversion by letters dated June 6, 2016 and June 27, 2016; no responses have been received as of today's date.

The referenced application also proposes to change the place of use, dropping and adding new acres for a total of 59 acres all located in the North Half of the aforementioned Section 23. Base acres are 65 acres, so the proposal does not exceed base acres by 10 acres or 10 percent of base acres. The total quantity of water to be authorized for the proposed place of use, 58.5 acre-feet, will irrigate the 59 acres with 0.99 acre-feet per acre. The 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Pottawatomie County is 0.80 acre-feet per acre, so the proposal appears reasonable.

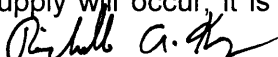
The same local source of supply will not change, which has been previously determined to be Main Stem Alluvium (113).

Galen Biery, Kansas River Water Assurance Director, and Cara Hendricks, Kansas Water Office, were notified of the submitted change application via a June 6, 2016 e-mail by Doug Schemm, Topeka Field Office. No responses have been received in this office as of today's date.

In an e-mail dated July 21, 2016 Katherine Tietsort, Water Commissioner of the Topeka Field Office, indicated that she is not opposed to approval of the application.

A water flow meter is required. A water level measurement tube and a check valve are required if any chemical or foreign substance is injected into the water through the diversion works.

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 application be approved.


Richelle A. Krueger
Environmental Scientist



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

WILLIAM J & LORNA M TAYLOR
14410 MILITARY TRAIL RD
WAMEGO KS 66547

RE: Water Right, File No. 41,620-D1

FILE COPY

Dear Mr. and Mrs. Taylor:

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.

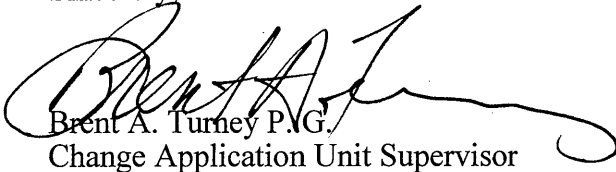
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the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

Please note that the application for File No. 41,620-D1 is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (April 18, 2016) to add the additional well. In addition, the Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Since this order modifies the original document referred to 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

BAT:rak

pc: Topeka Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
AND POINT OF DIVERSION
WATER RIGHT
FILE NO. 41,620-D1**

FILE COPY

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application William J. and Lorna M. Taylor, 14410 Military Trail Road, Wamego, Kansas, 66547, received in this office on April 18, 2016, for approval of a change in the location of the place of use and point of diversion under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated April 21, 2016, dividing Water Right, File No. 41,620, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (April 18, 2016) to add the additional well.

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	
23	10S	9E		6.50	2.00		12.50											21.00	
23	10S	9E		Lot 2 11.00	Lot 6 2.00		Lot 5 2.00											22.00	
23	10S	9E					Lot 3 16.00											16.00	

a total of 59.00 acres in Township 10 South, Range 9 East, Pottawatomie County, Kansas, and the location of the authorized point of diversion shall be:

one (1) well located in the Southeast Quarter of the Northeast Quarter of the Northwest Quarter (SE¼ NE¼ NW¼) of Section 23, more particularly described as being near a point 4,400 feet North and 2,950 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas,

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

Installation of the works for diversion of water shall be completed on or before December 31, 2016, 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.

The Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 41,620-D1, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated October 29, 2001, as modified and amended by the aforementioned order.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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 29th day of July, 2016, in Topeka, Shawnee 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 29th day of July, 2016, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Amber L. Herring
Notary Public

CERTIFICATE OF SERVICE

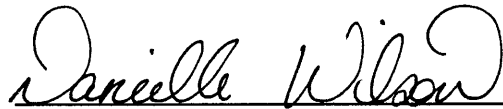
On this ^{2nd} day of *August*, 2016, I hereby certify that the attached Approval of Application for the Change in Place of Use and Point of Diversion, File No. 41,620-D1, dated *7/29/16* was mailed postage prepaid, first class, US mail to the following:

WILLIAM J & LORNA M TAYLOR
14410 MILITARY TRAIL RD
WAMEGO KS 66547

FILE COPY

With photocopies to:

Topeka Field Office



Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.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

APR 18 2016

8:16

KS DEPT OF AGRICULTURE

File No. 41620-DT*

2. Name of applicant: WILLIAM J & LORNA M TAYLOR

Address: 14410 MILITARY TRAIL RD

City, State and Zip: WAMEGO KS 66547

Phone Number: (785)456-9434

E-mail address: _____

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

Name of water use correspondent: SAME AS APPLICANT

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): _____

THE WATER RIGHT UNDER FILE NO. 41620 WAS RECENTLY DIVIDED BETWEEN THE TWO OWNERS. THE PURPOSE OF THIS APPLICATION IS TO MOVE THIS PORTION OF THE WATER RIGHT TO A WELL THAT IS PROPOSED TO BE CONSTRUCTED ON THE APPLICANTS PROPERTY AND CHANGE THE PLACE OF USE TO ACCOMMODATE A NEW PIVOT.

The change(s) WILL BE completed by JULY 2016

(Date)

For Office Use Only:

F.O. 1 GMD 0 Meets K.A.R. 5-5-1 (YES/NO) Use ERP Source CS County PT By ASW Date 4/18/16
Code C-2 Fee \$ 400 TR # 10042802 Receipt Date 4/16/16 Check # 920

*BAT/DWR
4-18-16 7 18 16
RAIL

SCANNED

Assisted by: BLB/TFO 3-29-16

4/27/2016 LCM

4. The presently authorized place of use is:

Owner of Land — NAME: WILLIAM J & LORNA M TAYLOR

ADDRESS: 14410 MILITARY TRAIL RD WAMEGO KS 66547

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	
23	10	9E		18	11		30		6									65	

List any other water rights that cover this place of use. NONE

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 there are more than two landowners, attach additional sheets as necessary.)

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

Owner of Land — NAME: WILLIAM J & LORNA M TAYLOR

ADDRESS: 14410 MILITARY TRAIL RD WAMEGO KS 66547

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	
23	10	9E		11 L-2	2 L-6	* 7 L-5	2 L-5		* 7 L-5									22	
23	10	9E		6.5	2		12.5											21	
23	10	9E					16 L-3											16	

List any other water rights that cover this place of use. NONE

TOTAL = 59 ACRES

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

* Confirmed per 5/17/16 email B&B TFO

* Review 5/17/16

- 6. The presently authorized point(s) of diversion IS ONE WELL
(Provide description and number of points)
- 7. The proposed point(s) of diversion IS ONE WELL
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the LOT 2 Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section 23, Township 10 South, Range 9E (E/W),
 in POTTAWATOMIE County, Kansas, 5213 feet North 1899 feet West of Southeast corner of section.
 Authorized Rate 462 GPM Authorized Quantity 58.5 AF
 (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)
 One in the SE Quarter of the NE Quarter of the NW Quarter
 of Section 23, Township 10 South, Range 9E (E/W),
 in POTTAWATOMIE County, Kansas, 4400 feet North 2950 feet West of Southeast corner of section.
 Proposed Rate NO CHANGE Proposed Quantity NO CHANGE
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 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)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/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 _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 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)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/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 _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
NOT APPLICABLE

12. The presently authorized use of water is for IRRIGATION purposes.
 It is proposed that the use be changed to IRRIGATION purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
THE CONSUMPTIVE USE WILL NOT BE INCREASED BECAUSE THE PROPOSED PLACE OF USE WILL NOT EXCEED THE BASE ACRES WHICH ARE DEFINED AS 65.
ALSO UNDER K.A.R. 5-5-16 IT IS PRESUMED THAT THE CONSUMPTIVE USE IS NOT INCREASED IN VIOLATION OF K.A.R. 5-5-3 IF THE MAXIMUM ANNUAL QUANTITY (58.5 AF) REQUESTED DOES NOT EXCEED THE QUANTITY IN ACRE-FEET CALCULATED AS FOLLOWS: 65 BASE ACRES X 11.1"/12" = 60.125 AF
* 65 0.93' / 85 = 71.12 AF

(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.

THE SOURCE WILL REMAIN AS THE KANSAS RIVER ALLUVIUM. ALL SPACING REQUIREMENTS HAVE BEEN MET SO IMPAIRMENT SHOULD NOT BE AN ISSUE.

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.

NOT APPLICABLE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per KAR, 5-5-16(e)(2)(C)(i)

* TRK/BNR 6/2/16

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 Manhattan, Kansas, this 5 day of April, 2016.

William Taylor
(Owner)

Lorna M. Taylor
(Spouse)

WILLIAM TAYLOR
(Please Print)

LORNA M. TAYLOR
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

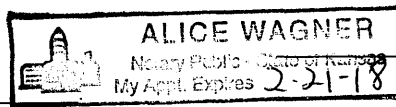
(Please Print)

(Please Print)

State of Kansas }
County of Riley } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5 day of April, 2016.

My Commission Expires 2-21-18



Alice Wagner
Notary Public

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**

APR 18 2016

KS DEPT OF AGRICULTURE

SCANNED

WELLS WITHIN ONE-HALF MILE

- #1) Irrigation Well – File No. 4549 & 44832
Owner = applicant

- #2) Irrigation Well – File No. 30402
Lois L Johnson
PO Box 167
Wamego KS 66547

- #3) Irrigation Well – File No. 45419
Owner = applicant

- #4) Irrigation Well – File No. 48193
Thomas L Ebert
11650 Louisville Rd
St George KS 66535

WATER RESOURCES
RECEIVED

APR 18 2016

KS DEPT OF AGRICULTURE

SCANNED

Krueger, Richelle

From: Tietsort, Katie
Sent: Thursday, July 21, 2016 4:20 PM
To: Krueger, Richelle
Cc: Bunger, Brett
Subject: RE: Request for Recommendation Change in PU PD File No. 41620D1 William and Lorna Taylor

Richelle,

The TFO has no objections to the approval of the referenced change application for Taylor and we agree it meets all applicable rules and regulations of the KWAA.

Thank you,
Katie

Katie Tietsort
Water Commissioner, Topeka Field Office
Kansas Department of Agriculture, Division of Water Resources
6531 SE Forbes Ave, Ste B
Topeka, KS 66619
(785) 296-5733
Katie.Tietsort@ks.gov

From: Krueger, Richelle
Sent: Thursday, July 21, 2016 3:38 PM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: Request for Recommendation Change in PU PD File No. 41620D1 William and Lorna Taylor

Hi Katie,
Attached is a draft memorandum for the referenced change in pd/pu, do you recommend approval?
Thanks,
Richelle

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2016 June 27, 2016

LOIS L JOHNSON
~~PO BOX 167~~
WAMEGO KS 66547

14750 Military Trail RD

RE: Water Right
File No. 41,620-D1


Dear Ms. Johnson:

This is to advise you that William J. and Lorna M. Taylor, have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion and place of use under the above referenced file number. The application proposes the following change in the point of diversion.

- from: one (1) well located in Lot 2 of Section 23, more particularly described as being near a point 5,213 feet North and 1,899 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas, at a diversion rate not in excess of 462 gallons per minute (1.03 c.f.s.) and in a quantity not to exceed 58.5 acre-feet of water per calendar year, for irrigation use,
- to: one (1) well located in the Southeast Quarter of the Northeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 23, more particularly described as being near a point 4,400 feet North and 2,950 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas, at a diversion rate not in excess of 462 gallons per minute (1.03 c.f.s.) and in a quantity not to exceed 58.5 acre-feet of water per calendar year, for irrigation use.

You are being notified of this proposed change in the point 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 Brent Turney, Change Application Unit Supervisor 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,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Topeka Field Office
William J. and Lorna M. Taylor

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2016 June 27, 2016

LOIS L JOHNSON
~~P.O. BOX 167~~ RR3 Box 167
WAMEGO KS 66547

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File No. 41,620-D1


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Environmental Scientist
Water Appropriation Program

RAK
pc: Topeka Field Office
William J. and Lorna M. Taylor

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
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Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2016 June 27, 2016

LOIS L JOHNSON
~~P.O. BOX 167~~ RR3 Box 167
WAMEGO KS 66547

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Environmental Scientist
Water Appropriation Program

RAK
pc: Topeka Field Office
William J. and Lorna M. Taylor

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2016

THOMAS L & KAY A EBERT
11650 LOUISVILLE RD
SAINT GEORGE KS 66535

RE: Water Right
File No. 41,620-D1


Dear Mr. and Mrs. Ebert:

This is to advise you that William J. and Lorna M. Taylor, have filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion and place of use under the above referenced file number. The application proposes the following change in the point of diversion.

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Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

pc: Topeka Field Office
William J. and Lorna M. Taylor

1320 Research Park Drive
Manhattan, Kansas 66502
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900 SW Jackson, Room 456
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Jackie McClaskey, Secretary

Governor Sam Brownback

June 6, 2016

LOIS L JOHNSON
PO BOX 167
WAMEGO KS 66547

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Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
pc: Topeka Field Office
William J. and Lorna M. Taylor

Krueger, Richelle

From: Krueger, Richelle
Sent: Monday, June 06, 2016 2:30 PM
To: Schemm, Doug
Subject: RE: Application to Change the PD and PU File No. 41620-D1 William and Lorna Taylor

Okay, thanks so much Doug!

From: Schemm, Doug
Sent: Monday, June 06, 2016 2:28 PM
To: Krueger, Richelle
Subject: FW: Application to Change the PD and PU File No. 41620-D1 William and Lorna Taylor

Already taken care of. Here ya go.

From: Cara Hendricks [<mailto:Cara.Hendricks@kwo.ks.gov>]
Sent: Monday, June 06, 2016 2:22 PM
To: Schemm, Doug
Cc: Westrup, Nathan
Subject: RE: Application to Change the PD and PU File No. 41620-D1 William and Lorna Taylor

I appreciate the information, Doug. Thank you.

Cara Hendricks, P.E.
Kansas Water Office
(785) 296-0617

From: Schemm, Doug [<mailto:Doug.Schemm@KDA.KS.GOV>]
Sent: Monday, June 06, 2016 1:21 PM
To: Cara Hendricks
Cc: Westrup, Nathan
Subject: Application to Change the PD and PU File No. 41620-D1 William and Lorna Taylor

Hello Cara,

I understand from Nathan, that I am to provide you with copies of pending applications related to the District. As noted below, I have also provided a copy of the pending change application to the KRWAD. Let me know if you need anything else, or I can be of further assistance,

Have a great day,
Doug

From: Schemm, Doug
Sent: Monday, June 06, 2016 12:53 PM
To: krwad@att.net
Cc: Krueger, Richelle
Subject: Application to Change the PD and PU File No. 41620-D1 William and Lorna Taylor

Dear Galen,

Attached is a pending application to change the point of diversion and place of use under File No. 41,620-D1. Source of water is the Kansas River alluvium, for irrigation use. As you know, the Kansas River Water Assurance Program

Operations Agreement states, in part, that "the District reserves the right to review all applications to appropriate water and change applications filed with the Division of Water Resources that propose the diversion of water from the Kansas River or its alluvium".

Therefore, you are being notified of receipt of this change application in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water.

If you have any questions or comments, you may call me at 785-296-3495.

Sincerely,

Doug Schemm

Krueger, Richelle

From: Schemm, Doug
Sent: Monday, June 06, 2016 12:53 PM
To: krwad@att.net
Cc: Krueger, Richelle
Subject: Application to Change the PD and PU File No. 41620-D1 William and Lorna Taylor
Attachments: 41620D1notifywad.pdf

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If you have any questions or comments, you may call me at 785-296-3495.

Sincerely,

Doug Schemm

Krueger, Richelle

From: Krueger, Richelle
Sent: Wednesday, June 01, 2016 1:50 PM
To: Bunger, Brett; Turney, Brent
Subject: RE: Change App 41620-D1

Thanks, Brett, I will proceed.

From: Bunger, Brett
Sent: Wednesday, June 01, 2016 1:36 PM
To: Krueger, Richelle; Turney, Brent
Subject: Change App 41620-D1

Richelle, I believe you are processing the application for change under this file which proposes an additional well. On May 20th I conducted a rate test on the well to insure that it can still produce the authorized rate. In docuware, please review my compliance check dated 5-20-16 which documents the test. Please advise if there are questions.

Brett

Brett Bunger, Assistant Water Commissioner
Kansas Dept. of Agriculture
Division of Water Resources, Topeka Field Office
Office (785)-296-7064
Fax: 785-862-2460
Brett.Bunger@kda.ks.gov
www.ksda.gov/dwr

KAW MO

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 01 G.M.D. No. _____ County PT

File No. 41620-D2 Overlap P/U File No(s). P/U - 48193 (partial)

Agency KDA-DWR Inspector BUNGER

In Compliance/ Date	
<input type="checkbox"/> Yes	_____
<input checked="" type="checkbox"/> No, see comments <u>5-20-16</u>	_____
<input type="checkbox"/> Re-investigation	_____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other Kaw MO

Date of Order 9/22/14 Date of N of C Ack _____ Chg No. C _____ Date completed _____ If PD chg, old PD ID _____

Current Landowner Thomas L & Kay A Ebert Phone No. _____

Address 11650 Louisville Rd, Saint George, KS 66535
Additional landowners and addresses identified in remarks section.

Water Use Correspondent Same as landowner Phone No. _____

Authorized Water Use Classification: Domestic Industrial Irrigation Municipal Hydraulic Dredging
 Recreation Stockwatering Water Power Artificial Recharge Contamination Remediation
 Dewatering Fire Protection Thermal Exchange Sediment Control Other _____

Water currently being used for Irrigation

Source: Groundwater Surface Water Basin Kansas River

Authorized Point of Diversion: Lot 2 Sec. 23, T. 10S, R. 9E ID No. 2

Approximately 5213 ft. North and 1899 ft. West of SE corner of Sec 23.

Actual Point of Diversion: As Authorized Sec. _____, T. _____, R. _____ E

Approximately _____ ft. North and _____ ft. West of SE corner of Sec _____.

How were distances determined? GPS data - FIR - 7/12/01 Latitude _____ Longitude _____

Distance from old pd _____ ft (N / S) and _____ ft (E / W) Old well: plugged capped equipped other: _____?

Location (site) map attached? **YES** Sketch or Map below

Comments: _____

THIS IS A PIVOT RISER INSTALLATION. THE BOLT-IN VANES HAVE BEEN INSTALLED. THE IDENTIFYING STICKER HAS YET TO BE INSTALLED. THE STICKER SHOULD HAVE BEEN INSTALLED DURING THIS VISIT BUT IT WAS INADVERTANTLY LEFT AT THE OFFICE. THE COMPLIANCE ISSUE AT THIS TIME IS RELATED TO THE FACT THAT THE METER IS NOT FUNCTIONAL. WHEN THE METER IS REPAIRED AND RE-INSTALLED, THE STICKER WILL BE PLACED ON THE RISER PIPE DURING THE RETURN COMPLIANCE VISIT.

THE WELL UNDER THIS WATER RIGHT WAS TESTED TO SHOW THAT THE WELL STILL HAS THE CAPABILITIES OF PUMPING THE AUTHORIZED RATE THAT WAS ORIGINALLY CERTIFIED UNDER FILE NO. 41620 (995 GPM). THIS TEST WAS NECESSARY BECAUSE THERE IS CURRENTLY AN APPLICATION TO CHANGE UNDER FILE NO. 41620-D1 WHICH CONTEMPLATES AN "ADDITIONAL WELL". THE RESULTS OF THE TEST ARE AS FOLLOWS:

PANAMETRICS METER TEST RESULTS

TOTAL GALLONS = 9215
TIME = 9' 13.15"
RATE = 999 GPM

MR. EBERT WAS ADVISED THAT THE PUMPING RATE WOULD NEED TO BE REDUCED TO 533 GPM WHICH IS NOW THE AUTHORIZED RATE FOR THIS WELL.



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700

Fax: (785) 564-6777

Email: ksag@kda.ks.gov

www.agriculture.ks.gov

Sam Brownback, Governor

WILLIAM & LORNA TAYLOR
14410 MILITARY TRAIL RD
WAMEGO KS 66547

April 20, 2016

RE: File No. 41620

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 PU/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 A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW

pc: TOPEKA Field Office GMD 0

SCANNED

KAW MO

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 01 G.M.D. No. _____ County PT

File No. 41620-D2 Overlap P/U File No(s). P/U - 48193 (partial)

Agency KDA-DWR Inspector BUNGER

In Compliance/ Date	
<input type="checkbox"/> Yes	_____
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<input type="checkbox"/> Re-investigation	_____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other Kaw MO

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Location (site) map attached? **YES** Sketch or Map below

Comments: _____

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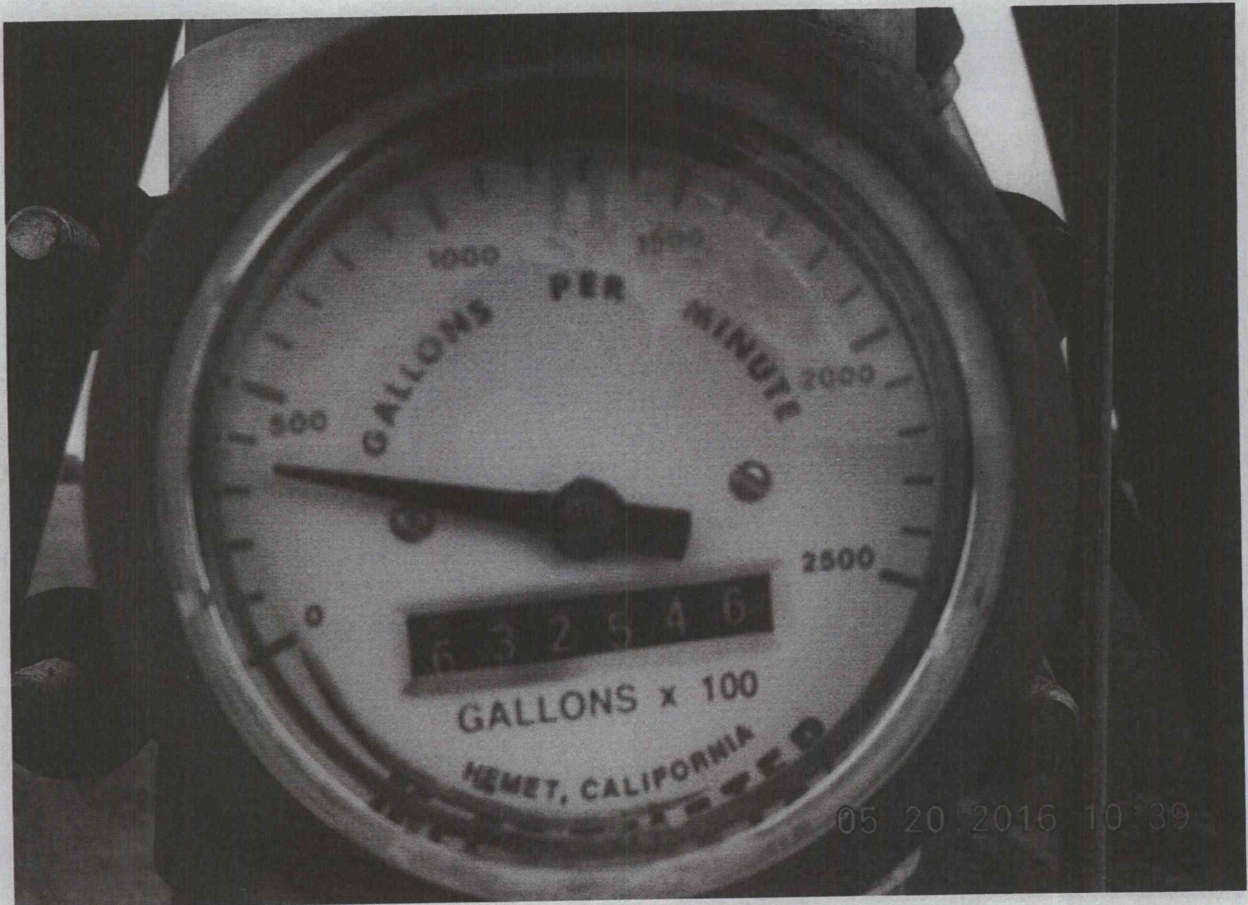
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RATE = 999 GPM

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File No. 41620-D2



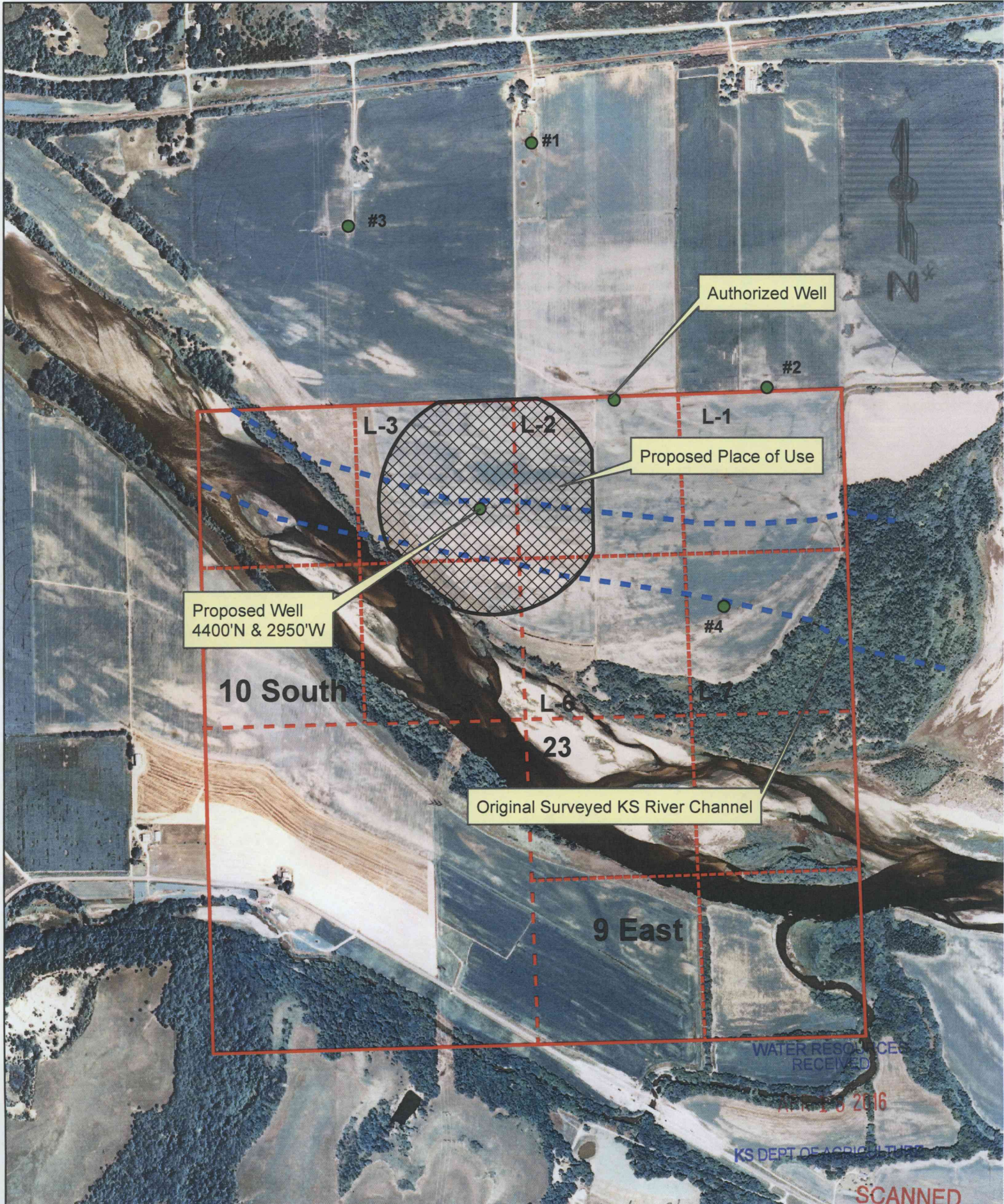
05.20.2016 10:40



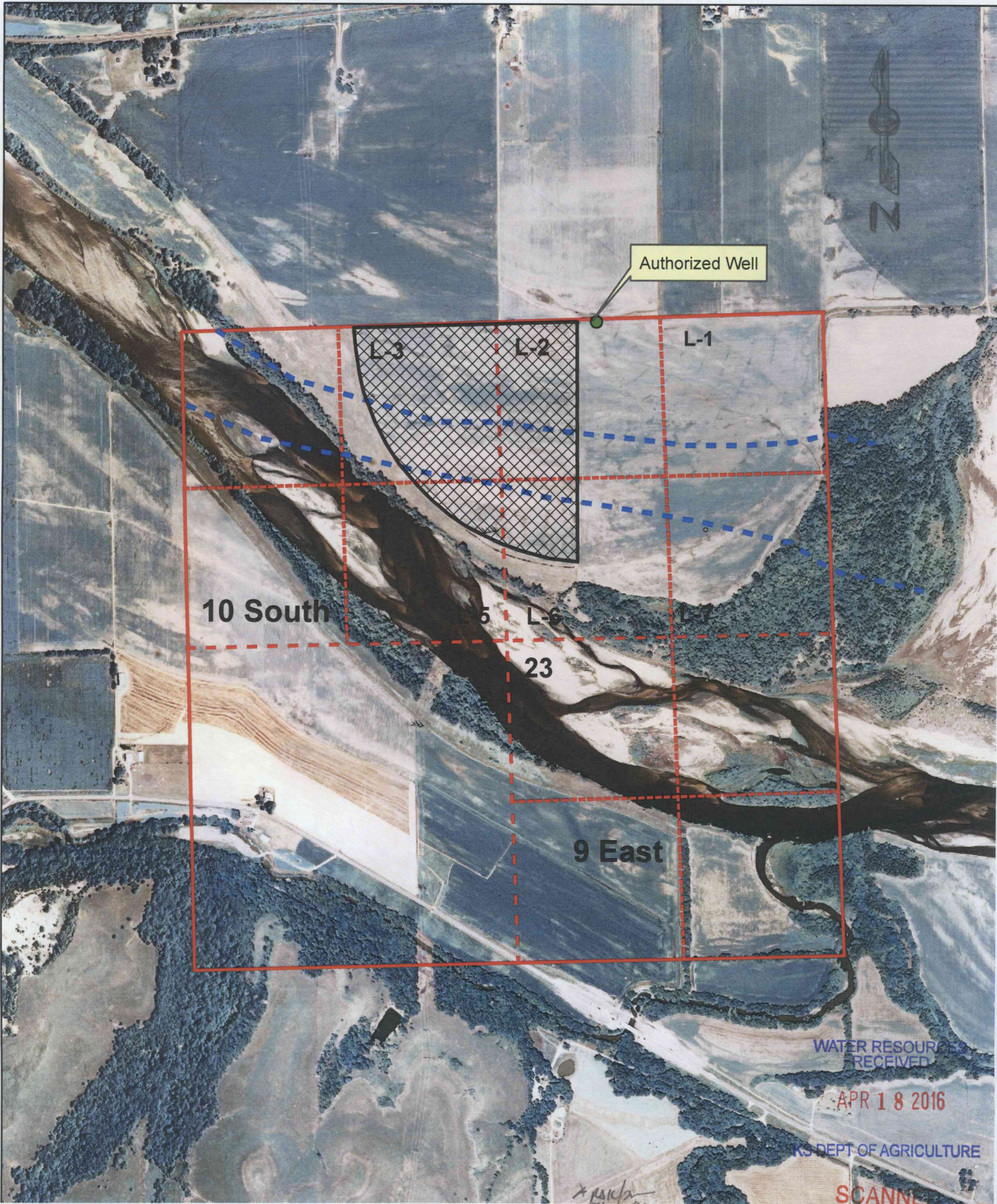
05.20.2016 10:39

1:12,000

Proposed Place of Use and Point of Diversion File No. 41620-D1



1:12,000 Authorized Place of Use and Point of Diversion
File No. 41620-D1



WATER RESOURCES
RECEIVED

APR 18 2016

KS DEPT OF AGRICULTURE

SCANNED

X 1/18/16