

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

Document Signature \_\_\_\_\_

1. File Number: <b>46,657</b>	2. Status Change Date: <b>7/19/2016</b>	3. Change Num: <b>1</b>	4. Field Office: <b>1</b>	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <del>05/11/2016</del> <b>2/12/2016</b>
8a. Applicant/Landowner New to system <input type="checkbox"/>  <b>ROBERT W &amp; SALLY D SHIRLEY 3703 SOUTH ST GRANTVILLE KS 66429</b>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>Person ID <u>16348</u> Add Seq# _____</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>7a.</b>		8d. WUC/Landowner New to system <input type="checkbox"/>  <b>Person ID _____ Add Seq# _____</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2017</u> <input type="checkbox"/> N & P Date to Comply: _____				
<input checked="" type="checkbox"/> Check Valve <input 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: <u>No Change</u> To: _____				
Date Prepared: <b>6/22/2016</b> By: <b>AM</b> Date Entered: <b>7/20/2016</b> By: <b>LLM</b>				

File No. **46,657**    11. County: **JF**    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	
<b>MOD 73491</b>			<b>NE NW NE</b>	<b>1</b>	<b>11S</b>	<b>17E</b>	<b>3</b>	<b>5102</b>	<b>1365</b>		<b>470</b>	<b>48</b>	<b>470</b>	<b>48</b>	<b>49,558-A</b>

13. Storage: Rate \_\_\_\_\_ NF    Quantity \_\_\_\_\_ ac/ft    Additional Rate \_\_\_\_\_ NF    Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ 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							NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	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	
<b>MOD 58419</b>			<b>1</b>	<b>11S</b>	<b>17E</b>	<b>3</b>		26.5	22																48.5	<b>7a</b>	<b>NO</b>	<b>49,558-A</b>

Comments: **CHANGE IN PU WILL CREATE A COMPLETE OVERLAP WITH FILE NO. 49,558-A**

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** July 13, 2016

**FROM:** Austin McColloch

**RE:** New Application, File No. 49,558-A  
Change Application, File No. 46,657

Robert W. Shirley has filed the referenced new application, File No. 49,558-A, to appropriate 72.8 acre-feet of groundwater at a rate of diversion of 1,000 gallons per minute for irrigation use on a specialty crop. The existing point of diversion is a well located in the Northeast Quarter, of Section 19, Township 11 South, Range 17 East, Jefferson County, Kansas. The source of water is the alluvial deposits of the Kansas River. At the current time, the proposed place of use partially overlaps Water Right, File No. 46,657. However, a pending Change Application for 46,657 has been filed in conjunction with the new application to create a complete overlap in the place of use. The new application & change application will be processed and signed as a package. The proposed place of use is owned by the Robert W. & Sally D. Shirley.

The quantity of 72.8 acre-feet will provide 1.5 acre-feet per acre which should be reasonable to irrigate a specialty crop, Sod Grass, in the proposed place of use. The requested rate of diversion, 1,000 gpm, appears to be reasonable to operate the proposed irrigation system and cover the place of use. Application, File No. 49,558-A will be limited to 72.8 acre-feet at 1,000 gallons per minute when combined with Water Right, File No. 46,657.

The division identified multiple nearby wells within one-half mile and nearby notification letters were sent on May 11, 2016 & June 8, 2016. No responses of any kind have been received.

Based on a safe yield analysis with a 6,249 acre area, 75% recharge, & 8.52 inches of annual recharge, there are 5,467.85 acre-feet of existing appropriations with 3,327.59 acre-feet allowable for appropriation. However, information from the Topeka Filed Office indicate per multiple senior files in the area, 80% of the quantity of water under File Nos. 7,113 & 32,635 is non-consumptive and is to be deducted from the prior appropriations, a total of 2,317.38 acre-feet. Thus the newly calculated existing appropriations in the area of analysis is 3,150.47 acre-feet, providing a total quantity of water available for appropriation of 177.13 acre-feet. Based off these calculations the application meets the safe yield requirements of K.A.R. 5-3-11. This new application will provide 24.8 acre-feet additional and 520 gallons per minute additional when combined with Water Right, File No. 46,657.

A waiver request has been requested for K.A.R. 5-3-10 with the justification of: Proposed quantity fails to meet safe yield requirements within area of consideration. Approval was based on calculations removing non-consumptive quantity from the appropriated total, consistent with previous files in this immediate area.

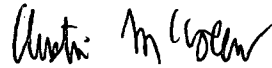
The proposed point of diversion meets the minimum well spacing requirements of K.A.R. 5-4-4, 660 feet to existing domestic wells and 1,320 feet to existing non-domestic wells. The nearest domestic well is over 1,500 feet away and no non-domestic wells were identified.

The proposed change under Water Right, File No. 46,657 complies with K.A.R. 5-5-11, as the change is only proposing to create a complete overlap in the place of use with the new application. Application, File No. 49,558-A is sufficient to cover any increase in the consumptive use.

In an email conversation on July 13, 2016, Topeka Field Office Water Commissioner, Katie Tietsort, recommended approval of the applications.

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 application meets safe yield and well spacing criteria, and approval of the application should not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced new application be approved in conjunction with the change in place of use under Water Right, File No. 46,657. The change is reasonable, impairment of existing water rights is unlikely, and the additional quantity requested under New Application, File No. 49,558-A, is sufficient to cover any increase in the consumptive use, it is recommended that the referenced change application in place of use also be approved.



Austin McCulloch  
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

July 22, 2016

ROBERT W & SALLY D SHIRLEY  
3703 SOUTH ST  
GRANTVILLE KS 66429

RE: Water Right, File No. 46,657

Dear Mr. & Mrs. Shirley:

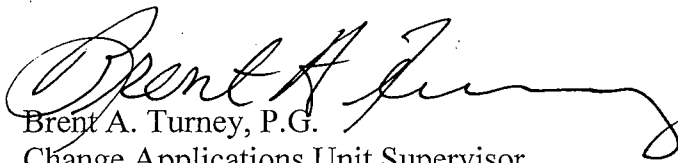
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the referenced files. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change.

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.

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

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, P.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT:am  
Enclosures  
pc: Topeka Field Office



**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  
WATER RIGHT, FILE NO. 46,657**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Robert W. Shirley, 3703 South St, Grantville, Kansas 66429, received in the office of the Chief Engineer on February 12, 2016, 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
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19 11S 17E	26.5	22.0															48.5

a total of 48.5 acres, in Section 19, Township 11 South, Range 17 East, Jefferson County, Kansas,

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

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

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

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 46,657, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated June 16, 2014.

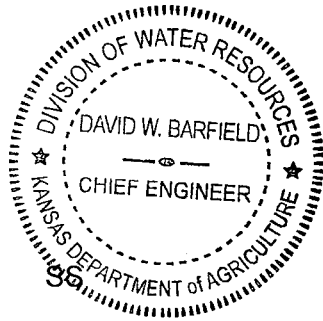
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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 19<sup>th</sup> day of July, 2016, at Topeka, Shawnee County, Kansas.



*David W. Barfield*  
David W. Barfield, P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas )  
                                  )  
County of Riley )

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of July, 2016, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Karen Hunter*  
Notary Public

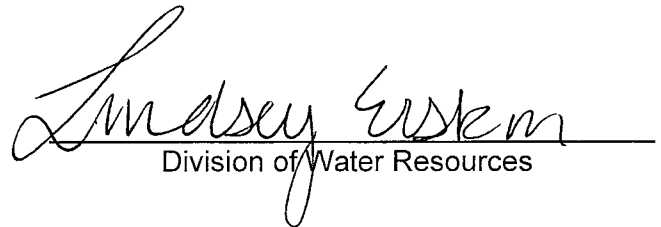
**CERTIFICATE OF SERVICE**

On this *22<sup>nd</sup>* day *July*, 2016, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 46,657 dated, *July 19, 2016* was mailed postage prepaid, first class, US mail to the following:

ROBERT W & SALLY D SHIRLEY  
3703 SOUTH ST  
GRANTVILLE KS 66429

With photocopies sent 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  
 Point of Diversion  
 Use Made of Water

(Check one or more)

WATER RESOURCES  
RECEIVED

FEB 12 2016

8:24  
KS DEPT OF AGRICULTURE

File No. 46,657

2. Name of applicant: ROBERT W SHIRLEY

Address: 3703 SOUTH ST

City, State and Zip: GRANTVILLE KS 66429-9319

Phone Number: (785) 246-3317 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): \_\_\_\_\_

Change will create a complete overlap with new application in place of use.

The change(s) (was) (will be) completed by Spring 2016

(Date)

For Office Use Only:		Meets K.A.R. 5-5-1 (YES/NO) Use <u>IRR</u> Source <u>GYS</u> County <u>JF</u> By <u>LI</u> Date <u>2/15/16</u>	
F.O. <u>1</u> GMD <u>0</u>	Code <u>CPU</u>	Fee \$ <u>200</u> TR # <u>16027952</u>	Receipt Date <u>2/12/16</u> Check # <u>11837</u>

APPLICATION COMPLETE  
7-13/2016  
Reviewer AM

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: ROBERT W. & SALLY D. SHIRLEY

ADDRESS: 3703 SOUTH ST, GRANTVILLE, KS 66429

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	
19	11S	17E	21.5	15.5														37	

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: ROBERT W. & SALLY D. SHIRLEY

ADDRESS: 3703 SOUTH ST, GRANTVILLE, KS 66429-9319

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	
19	11S	17E	26.5	22.0														48.5	

List any other water rights that cover this place of use. PENDING NEW APPLICATION TO BE FILED

49558-A\* *KAM*

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**

- 6. The presently authorized point(s) of diversion (is) (are) ONE WELL  
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) NO CHANGE  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **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 \_\_\_\_\_

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. \_\_\_\_\_

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

SCANNED FEB 12 2016

KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for IRRIGATION 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. *\*AM*  
NEW APPLICATION WILL ENSURE NO INCREASE IN CONSUMPTIVE USE. 49,558-A\*

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ 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](http://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 PHYSICAL CHANGES TO EXISTING WELL

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

N/A

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

RECEIVED  
FEB 18 2009  
KANSAS WATER COMMISSION

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 Topeka, Kansas, this 2nd day of February, 2016.

Robert W. Shirley  
 (Owner)  
ROBERT W. SHIRLEY  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

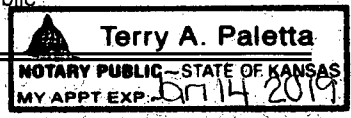
Sally D. Shirley  
 (Spouse)  
Sally D. Shirley  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

State of Kansas }  
County of Shawnee } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2nd day of February, 2016.

Terry A. Paletta  
Notary Public

My Commission Expires Jan. 14, 2019



**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

**WATER RESOURCES RECEIVED**

Make check payable to **Kansas Department of Agriculture.**

**FEB 12 2016**  
**SCANNED**  
**KS DEPT OF AGRICULTURE**

February 2, 2016  
(Date)

Kansas Department of Agriculture  
Division of Water Resources  
David W. Barfield, Chief Engineer  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Application  
File No. \_\_\_\_\_

Minimum Desirable Streamflow  
KANSAS River Assurance District  
Water Reservation Rights

Dear Sir:

I understand that a Minimum Desirable Streamflow requirement has been established, an Assurance District has been formed and established or a Water Reservation Right is held by the Kansas Water Office (**circle the appropriate item**) for the source of supply to which the above referenced application applies, namely the KANSAS RIVER.

I understand that diversion of water pursuant to this application will be subject to regulation any time Minimum Desirable Streamflow requirements are not being met, Assurance District or Water Marketing releases are being made from storage in Federal Reservoirs or when a Reservation Right upstream of a Federal Reservoir is being administered.

I also understand that if this application is approved, there could be times, as determined by the Division of Water Resources, when I would not be allowed to divert water. I realize that this could affect the economics of my decision to appropriate water.

I am aware of the above factors, and with the knowledge thereof, request that the Division of Water Resources proceed with processing and approval, if possible, of the above referenced application.

Robert W. Shirley  
Signature of Applicant

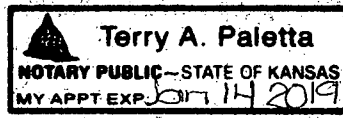
ROBERT W. SHIRLEY  
Print Applicant Name

State of Kansas )  
County of Shawnee ) SS

I hereby certify that the foregoing instrument was signed in my presence and sworn to before me this 2nd day of February, 2016.

Terry A. Paletta  
Notary Public

My Commission Expires: Jan 14, 2019



WATER RESOURCES  
RECEIVED

SCANNED FEB 12 2016

**FORM TO BE USED WHEN APPLICABLE  
WHEN FILING AN APPLICATION FOR PERMIT  
TO APPROPRIATE WATER FOR BENEFICIAL USE**

The Kansas Legislature has established minimum desirable streamflows for the streams listed below. If your proposed diversion of water is going to be from one of these watercourses or adjacent alluvial aquifers, please complete the back side of this page and submit it along with your application for permit to appropriate water.

Arkansas River  
Big Blue River  
Chapman Creek  
Chikaskia River  
Cottonwood River  
Delaware River  
Little Arkansas River  
Little Blue River  
Marais des Cygnes River  
Medicine Lodge River  
Mill Creek (Wabaunsee Co. area)  
Neosho River

Ninnescah River  
North Fork Ninnescah River  
Rattlesnake Creek  
Republican River  
Saline River  
Smoky Hill River  
Solomon River  
South Fork Ninnescah  
Spring River  
Walnut River  
Whitewater River

Assurance Districts have been formed on the following rivers:

Kansas River

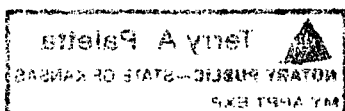
Marais des Cygnes River

Neosho River

The Kansas Water Office has Water Reservation Rights for the following reservoirs:

Big Hill  
Clinton  
Council Grove  
Elk City  
Hillsdale  
John Redmond

Marion  
Melvern  
Milford  
Perry  
Pomona  
Tuttle Creek



## FEE SCHEDULE

1. The fee for an application for a permit to appropriate water for beneficial use, except for domestic use, shall be (see paragraph No. 2 below if requesting storage):

ACRE-FEET	FEE
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00 plus \$20.00 for each additional 100 acre-feet or any part thereof.

2. The fee for an application in which storage is requested, except for domestic use, shall be:

ACRE-FEET	FEE
0-250	\$200.00
More than 250	\$200.00 plus \$20.00 for each additional 250 acre-feet of storage or any part thereof.

Note: If an application requests both direct use *and* storage, the fee charged shall be as determined under No. 1 or No. 2 above, whichever is greater, but not both fees.

3. The fee for an application for a permit to appropriate water for water power or dewatering purposes shall be \$100.00 plus \$200.00 for each 100 cubic feet per second, or part thereof, of the diversion rate requested.

Note: The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works for diversion has been completed, except that for applications filed on or after July 1, 2009, for works constructed for sediment control use and for evaporation from a groundwater pit for industrial use shall be accompanied by a field inspection fee of \$200.00.

### MAKE CHECKS PAYABLE TO THE KANSAS DEPARTMENT OF AGRICULTURE

#### ATTENTION

A Water Conservation Plan may be required per K.S.A. 82a-733. A statement that your application for permit to appropriate water may be subject to the minimum desirable streamflow requirements per K.S.A. 82a-703a, b, and c may also be required from you. After the Division of Water Resources has had the opportunity to review your application, you will be notified whether or not you will need to submit a Water Conservation Plan. You also may be required to install a water flow meter or water stage measuring device on your diversion works prior to diverting water. There may be other special conditions or Groundwater Management District regulations that you will need to comply with if this application is approved.

#### CONVERSION FACTORS

1 acre-foot equals 325,851 gallons  
1 million gallons equal 3.07 acre-feet

WATER RESOURCES  
RECEIVED

FEB 12 2016

**SCANNED**  
KS DEPT OF AGRICULTURE



## McColloch, Austin

---

**From:** Tietsort, Katie  
**Sent:** Wednesday, July 13, 2016 9:25 AM  
**To:** McColloch, Austin  
**Cc:** Bunger, Brett  
**Subject:** RE: Recommendation, File No. 46,657 & 49,558-A

Good Morning Austin,

The TFO agrees with your recommendation for Approval of the pending application for Bob Shirley, File No. 49,558-A, and the place of use change, File No. 46,657, that will create the complete overlap. The applications appear to meet all applicable rules and regulations of the KWAA.

Thanks for your efforts on this package,  
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:** McColloch, Austin  
**Sent:** Thursday, June 23, 2016 8:43 AM  
**To:** Tietsort, Katie <Katie.Tietsort@KDA.KS.GOV>  
**Cc:** Bunger, Brett <Brett.Bunger@KDA.KS.GOV>  
**Subject:** Recommendation, File No. 46,657 & 49,558-A

Good Morning,

I would like your recommendation on the files submitted by Robert W. Shirley. Memo is attached.

Austin McColloch  
Environmental Scientist  
(785) 546-6643

QUALIFIERS: NE NW NE  
 DIST. FROM SE CORNER: 5102 ft North 1365 ft West  
 NUMBER OF WELLS: 1  
 COMMENT:  
 OLD LONGITUDE: OLD LATITUDE:  
 NEW LONGITUDE: 95.562089 NEW LATITUDE: 39.087281  
 GPS LONGITUDE: 95.562090 GPS LATITUDE: 39.087280  
 GPS FEET NORTH: 5102 GPS FEET WEST: 1365  
 COUNTY: JEFFERSON  
 FIELD OFFICE: TOPEKA FIELD OFFICE  
 GMD :  
 BASIN: KANSAS RIVER  
 STREAM:  
 SPECIAL\_USE\_AREA(S):  
 AQUIFER(S):  
 > MAIN STEM ALLUVIUM  
 TEST INFORMATION:  
 > 13-AUG-07 462 gpm Field Inspection Test  
 METER ACTION TRAIL:  
 METER INFORMATION:  
 Date Installed : 01-MAY-07 Currently Installed? Y  
 > Manufacturer: MCCROMETER Model: MO306-673 OV3  
 > Type: Propellor Serial No.: 05-6-1249  
 > Meter Unit: Gallons Meter Size: 3 Inch Multiplier: 00  
 > Portable Pump Installation? Multiple PDs? Straightening Vanes? Y  
 > Measuring Chamber? Y Meter Comment: ACTUAL SIZE OD 6.625 IN; ID 6.356 IN  
 OVERLAPS:  
 > A 49558 A IRR

:::::::::::::::  
 AUTHORIZED PLACE(S) OF USE  
 Section 19, T 11, R 17E, ID.3 (Internal PUSE\_ID = 58419)  
 OWNER: ROBERT W & SALLY D SHIRLEY  
 Address:  
 \*\* 3703 SOUTH ST  
 \*\* GRANTVILLE KS 66429  
 Total acres authorized = 37.00 Acres  
NE	NW	SW	SE												
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
21.50	15.50	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00

COMMENT:  
 OVERLAPS:  
 > A 49558 A IRR

Report Date: Friday, March 18 2016  
 :::::::::::::::

WATER USE INFORMATION:

Year	Qualifiers	SC	ID	Date	Rcvd	Hours	GPM	Acres-foot	Code	Ac_Irr	Date	Msrd	Wtr_Dp
2015	5102N	1365W	19	3	29-FEB-16	N/A	N/A	N/A					
2014	5102N	1365W	19	3	26-FEB-15	28.3	M	37	N/A	N/A	88	6379	
2013	5102N	1365W	19	3	03-MAR-14	25.5	M	37	N/A	N/A	84	1183	
2012	5102N	1365W	19	3	01-MAR-13	47.7	M	37	N/A	N/A	79	2067	
2011	5102N	1365W	19	3	02-MAR-12	500	22.5	M	37	N/A	N/A	74	1040
2010	5102N	1365W	19	3	25-FEB-11	800	7.2	M	37	N/A	N/A	67	1130
2009	5102N	1365W	19	3	24-FEB-10	650	1.5	M	46	N/A	N/A	61	665
2008	5102N	1365W	19	3	02-MAR-09	650	13.7	M	41	N/A	N/A	56	193
2007	5102N	1365W	19	3	27-FEB-08	700	29.3	M	47	N/A	N/A	49	628

Report Date:Friday, March 18 2016  
WATER RIGHT INFORMATION REPORT FOR : 46657 00  
RIGHT TYPE: Appropriation  
SOURCE: Groundwater USE: IRR  
CURRENT STATUS: Certificate Issued  
PRIORITY DATE: 20-DEC-06  
CURRENT COMPLETE BY DATE: 31-DEC-08  
COMPLETION ACKNOWLEDGED DATE: 14-JUN-07  
CURRENT PERFECT BY DATE: 31-DEC-12  
YEAR PERFECTED:  
CERTIFICATE ISSUED DATE: 16-JUN-14

.....

APPLICANT(S):

> ROBERT W & SALLY D SHIRLEY 3703 SOUTH ST GRANTVILLE KS 66429  
> PERSON ID (Old Address Code): 16348  
> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

WATER USE CORRESPONDENT(S):

> ROBERT W & SALLY D SHIRLEY 3703 SOUTH ST GRANTVILLE KS 66429  
> PERSON ID (Old Address Code): 16348  
> CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

ACTION TRAIL:

20-DEC-06 Pending Initial Review  
26-DEC-06 New Application Initial Review Began  
26-DEC-06 New App Suspended For Comments From Adj Right Holders  
09-FEB-07 New App Suspended For Comments From Applicant  
08-MAR-07 New App Suspended For Comments From Field Office  
27-MAR-07 Pending Chief Engineer Action  
30-MAR-07 Approved Pending Completion N+P BY 31-DEC-08 PERF BY 31-DEC-12  
14-JUN-07 Completed Pending Inspection  
14-JUN-07 Compliance Check/In Comp  
13-AUG-07 Inspected Pending Perfection  
10-JUN-10 Water Right Violation-Notice Of Non-Compliance Issued  
02-NOV-12 Landowner Chg - Robert W & Sally D Shirley  
25-MAR-13 Proposed Certificate  
16-JUN-14 Certificate Issued  
16-JUN-14 Record Yr 2012: 467 Gpm Max & Norm  
12-FEB-16 C1 Change App Pu Filed

.....

CONSERVATION CONTRACT ACTION TRAIL:

.....

CONSERVATION PLAN ACTION TRAIL:

.....

SPECIAL CONDITIONS:

.....

QUANTITIES:

>AUTHORIZED 48.000 AF ADDITIONAL 48.000 AF

.....

RATES:

>AUTHORIZED 470.000 gpm ADDITIONAL 470.000 gpm

Report Date:Friday, March 18 2016

.....

LIMITATIONS: None

.....

STORAGE QUANTITIES: No active storage quantities associated with IRR use under this water right

STORAGE RATES: No active storage rates associated with IRR use under this water right

.....

AUTHORIZED POINTS(S) OF DIVERSION

Section 19, T 11, R 17E, ID 3 (Internal PDIV\_ID = 73491)

# 49, 558-A

Report Date Tuesday, April 26 2016

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49558 A

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 49558 A IRR

Water Right and Points of Diversion Within 2.00 miles of point defined as:

5102 Feet North and 1365 Feet West of the Southeast Corner of Section 19 T 11S R 17E

GROUNDWATER ONLY

All wells > 1,320' meets spacing

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 3189	00	IRR	NK	G	8157	--	NE	SW	SW	750	4160	13	11	16E	1	49.00	49.00	AF
A__ 6536	00	MUN	NK	G	3708	--	SW	SW	SW	531	4942	18	11	17E	2	90.00	90.00	AF
A__ 6691	00	IRR	NK	G	4364	--	SW	NE	SW	1888	3703	20	11	17E	4	8.30	8.30	AF
A__ 7076	00	IRR	NK	G	3462	--	SE	NW	SE	-----	-----	19	11	17E	1	210.00	210.00	AF
A__ 7113	00	IND	NK	G	9076	--	--	--	--	2975	1548	29	11	17E	5	2755.95	2755.95	AF
Same					9466	--	SW	SE	NE	2866	1036	29	11	17E	6			
Same					9889	--	SE	SE	NE	2699	562	29	11	17E	7			
Same					8916	--	--	--	--	2975	1833	29	11	17E	8			
A__ 7349	00	IRR	NK	G	5328	--	SW	NW	SE	1939	2397	20	11	17E	1	53.00	53.00	AF
A__ 7350	00	IRR	NK	G	2458	--	SE	NW	NW	-----	-----	20	11	17E	2	115.00	115.00	AF
A__ 10215	00	IRR	NK	G	10278	--	--	--	--	4350	3750	28	11	17E	1	145.00	145.00	AF
A__ 12281	00	IRR	NK	G	4364	--	SW	NE	SW	1888	3703	20	11	17E	4	57.00	57.00	AF
A__ 12444	00	IRR	NK	G	2621	--	SE	NW	SW	1562	4618	17	11	17E	6	59.00	59.00	AF
A__ 13026	00	IRR	NK	G	2350	--	SE	SW	SW	-----	-----	17	11	17E	2	99.00	99.00	AF
A__ 29351	00	IRR	NK	G	3822	--	--	--	--	2685	3718	20	11	17E	3	34.00	34.00	AF
A__ 29352	00	IRR	NK	G	3009	--	SE	SW	SW	360	4270	18	11	17E	3	45.00	45.00	AF
A__ 29577	00	MUN	NK	G	3708	--	SW	SW	SW	531	4942	18	11	17E	2	208.68	118.77	AF
A__ 30837	00	IRR	NK	G	9419	--	NE	SE	NW	3950	3025	25	11	16E	3	152.00	152.00	AF
A__ 31602	00	MUN	NK	G	1721	--	SE	SE	SW	460	2910	18	11	17E	4	15.77	15.77	AF
A__ 31639	00	IRR	NK	G	6320	--	NW	SE	SE	1170	1037	24	11	16E	9 G 2	90.00	90.00	AF
Same					6216	--	NW	SE	SE	1159	894	24	11	16E	7 B 2			
Same					6426	--	NW	SE	SE	1181	1180	24	11	16E	8 B 2			
A__ 32635	00	IND	NK	G	9076	--	--	--	--	2975	1548	29	11	17E	5	140.78	140.78	AF
Same					9466	--	SW	SE	NE	2866	1036	29	11	17E	6			
Same					9889	--	SE	SE	NE	2699	562	29	11	17E	7			
Same					8916	--	--	--	--	2975	1833	29	11	17E	8			
A__ 36770	00	MUN	LR	G	3708	--	SW	SW	SW	531	4942	18	11	17E	2	79.79	79.79	AF
A__ 37928	00	IRR	NK	G	4854	--	SE	NW	NE	4270	1960	20	11	17E	5	45.00	45.00	AF
A__ 39927	00	IRR	NK	G	6385	--	--	--	--	3272	606	20	11	17E	6	53.00	53.00	AF
A__ 40532	00	MUN	LR	G	6026	--	SW	SW	SE	369	2067	13	11	16E	3	214.82	.00	AF
A__ 40533	00	MUN	LR	G	5176	--	SE	SW	SE	227	1227	13	11	16E	4	214.82	.00	AF
A__ 40555	00	IRR	NK	G	8477	--	NE	SW	NE	3770	1458	25	11	16E	4	68.00	68.00	AF
A__ 43078	00	IRR	NK	G	6385	--	--	--	--	3272	606	20	11	17E	6	53.00	.00	AF
A__ 43811	00	IRR	NK	G	8688	--	SE	SE	SW	34	3145	24	11	16E	4	51.00	51.00	AF
A__ 43987	00	IRR	NK	G	8688	--	SE	SE	SW	34	3145	24	11	16E	4	33.00	33.00	AF
A__ 45439	00	MUN	LO	G	6026	--	SW	SW	SE	369	2067	13	11	16E	3	99.74	99.74	AF
A__ 45440	00	MUN	LO	G	5176	--	SE	SW	SE	227	1227	13	11	16E	4	99.74	7.05	AF
A__ 45827	00	IRR	MM	G	3214	--	NE	SW	NW	3685	4250	19	11	17E	2	116.00	116.00	AF
A__ 45989	00	IRR	LR	G	5328	--	SW	NW	SE	1939	2397	20	11	17E	1	184.00	31.70	AF
A__ 46657	00	IRR	NK	G*	0	--	NE	NW	NE	5102	1365	19	11	17E	3	48.00	48.00	AF
A__ 48037	00	IRR	LO	G	1481	--	--	NC	SE	1320	1320	18	11	17E	7	160.00	160.00	AF
A__ 48250	00	IRR	HK	G	7284	--	NW	SW	NW	3950	4970	30	11	17E	1	121.00	121.00	AF
A__ 48382	00	IRR	LO	G	10372	--	SW	NW	NW	4427	4622	25	11	16E	5	70.00	70.00	AF
A__ 48583	00	IRR	HK	G	6389	--	SE	SE	SE	110	255	17	11	17E	5 G 2	113.00	113.00	AF

> 1,320'

Same	6704	-- SW SW SW	110	5240	16	11	17E	3	B	2		
Same	6094	-- SE SE SE	110	550	17	11	17E	4	B	2		
A__	49252	00 IRR GY G	5384	-- NE NW NE	4990	1720	30	11	17E	3	70.00	70.00 AF
A__	49363	00 IRR AY G	8306	-- NW SE NW	3680	3830	21	11	17E	4	64.00	64.00 AF
A__	49558	A IRR AY G	0	-- NE NW NE	5102	1365	19	11	17E	3	72.80	72.80 AF
T__	20139007	00 IND GY G	7040	-- SW NW SW	1410	5058	16	11	17E	2	15.34	15.34 AF

```

=====
Total Net Quantities Authorized:   Direct      Storage
Total Requested Amount (AF) =      136.80          .00
Total Permitted Amount (AF) =      319.34          .00
Total Inspected Amount (AF) =      448.28          .00
Total Pro_Cert Amount (AF) =       116.00          .00
Total Certified Amount (AF) =     4535.57          .00
Total Vested Amount (AF) =           .00          .00
TOTAL AMOUNT (AF) =      5555.99          .00
    
```

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:  
 5102 Feet North and 1365 Feet West of the Southeast Corner of Section 19 T 11S R 17E

GROUNDWATER ONLY  
 WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 3189 00 IRR NK G
> REES FRUIT FARM
>
> 2476 HIGHWAY K4
> TOPEKA KS 66617
>-----
A__ 6536 00 MUN NK G
> JEFFERSON RWD 01
>
> PO BOX 266
> MERIDEN KS 66512
>-----
A__ 6691 00 IRR NK G
> ROBERT W & SALLY D SHIRLEY
>
> 3703 SOUTH ST
> GRANTVILLE KS 66429
>-----
A__ 7076 00 IRR NK G
> LEE I TUCKER
>
> 15950 CALEY RD
> LEONARDVILLE KS 66449
>-----
A__ 7113 00 IND NK G
> INNOVIA FILMS INC
    
```

Report Date:Friday, March 18 2016

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 46657 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 46657 00 IRR

Water Right and Points of Diversion Within 2.00 miles of point defined as:

5102 Feet North and 1365 Feet West of the Southeast Corner of Section 19 T 11S-R 17E

GROUNDWATER ONLY

=====

File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth\_Quan Add\_Quan Unit

A	3189	00	IRR	NK	G	8157	--	NE	SW	SW	750	4160	13	11	16E	1	49.00	49.00	AF		
A	6536	00	MUN	NK	G	3708	--	SW	SW	SW	531	4942	18	11	17E	2	90.00	90.00	AF		
A	6691	00	IRR	NK	G	4364	--	SW	NE	SW	1888	3703	20	11	17E	4	8.30	8.30	AF		
A	7076	00	IRR	NK	G	3462	--	SE	NW	SE	-----	-----	19	11	17E	1	210.00	210.00	AF		
A	7113	00	IND	NK	G	9076	--	--	--	--	2975	1548	29	11	17E	5	2755.95	2755.95	AF		
Same	9466	--	SW	SE	NE	2866	1036	29	11	17E	6										
Same	9889	--	SE	SE	NE	2699	562	29	11	17E	7										
Same	8916	--	--	--	--	2975	1833	29	11	17E	8										
A	7349	00	IRR	NK	G	5328	--	SW	NW	SE	1939	2397	20	11	17E	1	53.00	53.00	AF		
A	7350	00	IRR	NK	G	2458	--	SE	NW	NW	-----	-----	20	11	17E	2	115.00	115.00	AF		
A	10215	00	IRR	NK	G	10278	--	--	--	--	4350	3750	28	11	17E	1	145.00	145.00	AF		
A	12281	00	IRR	NK	G	4364	--	SW	NE	SW	1888	3703	20	11	17E	4	57.00	57.00	AF		
A	12444	00	IRR	NK	G	2621	--	SE	NW	SW	1562	4618	17	11	17E	6	59.00	59.00	AF		
A	13026	00	IRR	NK	G	2350	--	SE	SW	SW	-----	-----	17	11	17E	2	99.00	99.00	AF		
A	29351	00	IRR	NK	G	3822	--	--	--	--	2685	3718	20	11	17E	3	34.00	34.00	AF		
A	29352	00	IRR	NK	G	3009	--	SE	SW	SW	360	4270	18	11	17E	3	45.00	45.00	AF		
A	29577	00	MUN	NK	G	3708	--	SW	SW	SW	531	4942	18	11	17E	2	208.68	118.77	AF		
A	30837	00	IRR	NK	G	9419	--	NE	SE	NW	3950	3025	25	11	16E	3	152.00	152.00	AF		
A	31602	00	MUN	NK	G	1721	--	SE	SE	SW	460	2910	18	11	17E	4	15.77	15.77	AF		
A	31639	00	IRR	NK	G	6320	--	NW	SE	SE	1170	1037	24	11	16E	9	90.00	90.00	AF		
Same	6216	--	NW	SE	SE	1159	894	24	11	16E	7	B	2								
Same	6426	--	NW	SE	SE	1181	1180	24	11	16E	8	B	2								
A	32635	00	IND	NK	G	9076	--	--	--	--	2975	1548	29	11	17E	5	140.78	140.78	AF		
Same	9466	--	SW	SE	NE	2866	1036	29	11	17E	6										
Same	9889	--	SE	SE	NE	2699	562	29	11	17E	7										
Same	8916	--	--	--	--	2975	1833	29	11	17E	8										
A	36770	00	MUN	LR	G	3708	--	SW	SW	SW	531	4942	18	11	17E	2	79.79	79.79	AF		
A	37928	00	IRR	NK	G	4854	--	SE	NW	NE	4270	1960	20	11	17E	5	45.00	45.00	AF		
A	39927	00	IRR	NK	G	6385	--	--	--	--	3272	606	20	11	17E	6	53.00	53.00	AF		
A	40532	00	MUN	LR	G	6026	--	SW	SW	SE	369	2067	13	11	16E	3	214.82	.00	AF		
A	40533	00	MUN	LR	G	5176	--	SE	SW	SE	227	1227	13	11	16E	4	214.82	.00	AF		
A	40555	00	IRR	NK	G	8477	--	NE	SW	NE	3770	1458	25	11	16E	4	68.00	68.00	AF		
A	43078	00	IRR	NK	G	6385	--	--	--	--	3272	606	20	11	17E	6	53.00	.00	AF		
A	43811	00	IRR	NK	G	8688	--	SE	SE	SW	34	3145	24	11	16E	4	51.00	51.00	AF		
A	43987	00	IRR	NK	G	8688	--	SE	SE	SW	34	3145	24	11	16E	4	33.00	33.00	AF		
A	45439	00	MUN	LO	G	6026	--	SW	SW	SE	369	2067	13	11	16E	3	99.74	99.74	AF		
A	45440	00	MUN	LO	G	5176	--	SE	SW	SE	227	1227	13	11	16E	4	99.74	7.05	AF		
A	45827	00	IRR	LR	G	3214	--	NE	SW	NW	3685	4250	19	11	17E	2	116.00	116.00	AF		
A	45989	00	IRR	LR	G	5328	--	SW	NW	SE	1939	2397	20	11	17E	1	184.00	31.70	AF		
A	46657	00	IRR	NK	G*	0	--	NE	NW	NE	5102	1365	19	11	17E	3	48.00	48.00	AF		
A	48037	00	IRR	LO	G	1481	--	--	NC	SE	1320	1320	18	11	17E	7	160.00	160.00	AF		
A	48250	00	IRR	HK	G	7284	--	NW	SW	NW	3950	4970	30	11	17E	1	121.00	121.00	AF		
A	48382	00	IRR	LO	G	10372	--	SW	NW	NW	4427	4622	25	11	16E	5	70.00	70.00	AF		
A	48583	00	IRR	HK	G	6389	--	SE	SE	SE	110	255	17	11	17E	5	G	2	113.00	113.00	AF

Report Date:Friday, March 18 2016

Same 6704 -- SW SW SW 110 5240 16 11 17E 3 B 2

Same 6094 -- SE SE SE 110 550 17 11 17E 4 B 2

A 49252 00 IRR GY G 5384 -- NE NW NE 4990 1720 30 11 17E 3 70.00 70.00 AF

A 49363 00 IRR AY G 8306 -- NW SE NW 3680 3830 21 11 17E 4 64.00 64.00 AF

A 49558 A IRR AY G 0 -- NE NW NE 5102 1365 19 11 17E 3 72.80 72.80 AF

T 20139007 00 IND GY G 7040 -- SW NW SW 1410 5058 16 11 17E 2 15.34 15.34 AF

=====  
Total Net Quantities Authorized: Direct Storage

Total Requested Amount (AF) = 136.80 .00

Total Permitted Amount (AF) = 319.34 .00

Total Inspected Amount (AF) = 564.28 .00

Total Pro\_Cert Amount (AF) = .00 .00

Total Certified Amount (AF) = 4535.57 .00

Total Vested Amount (AF) = .00 .00

TOTAL AMOUNT (AF) = 5555.99 .00



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

ROBERT W SHIRLEY  
3703 SOUTH ST  
GRANTVILLE KS 66429

February 17, 2016

RE: File No. 46657

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
- 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

SCANNED

# ROBERT SHIRLEY, FILE NO. 49,558-A - SITE MAP SEC. 19, T11S, R17E - JEFFERSON CO.



1:24,000

Nearby Well Owners from WRIS Database  
and Review of Senior File Documentation

*All wells of any kind within 1/2 mile of the  
proposed well location have been omitted.*

● Proposed Well Location

▨ Proposed Place of Use

*Robert W. Shirley*

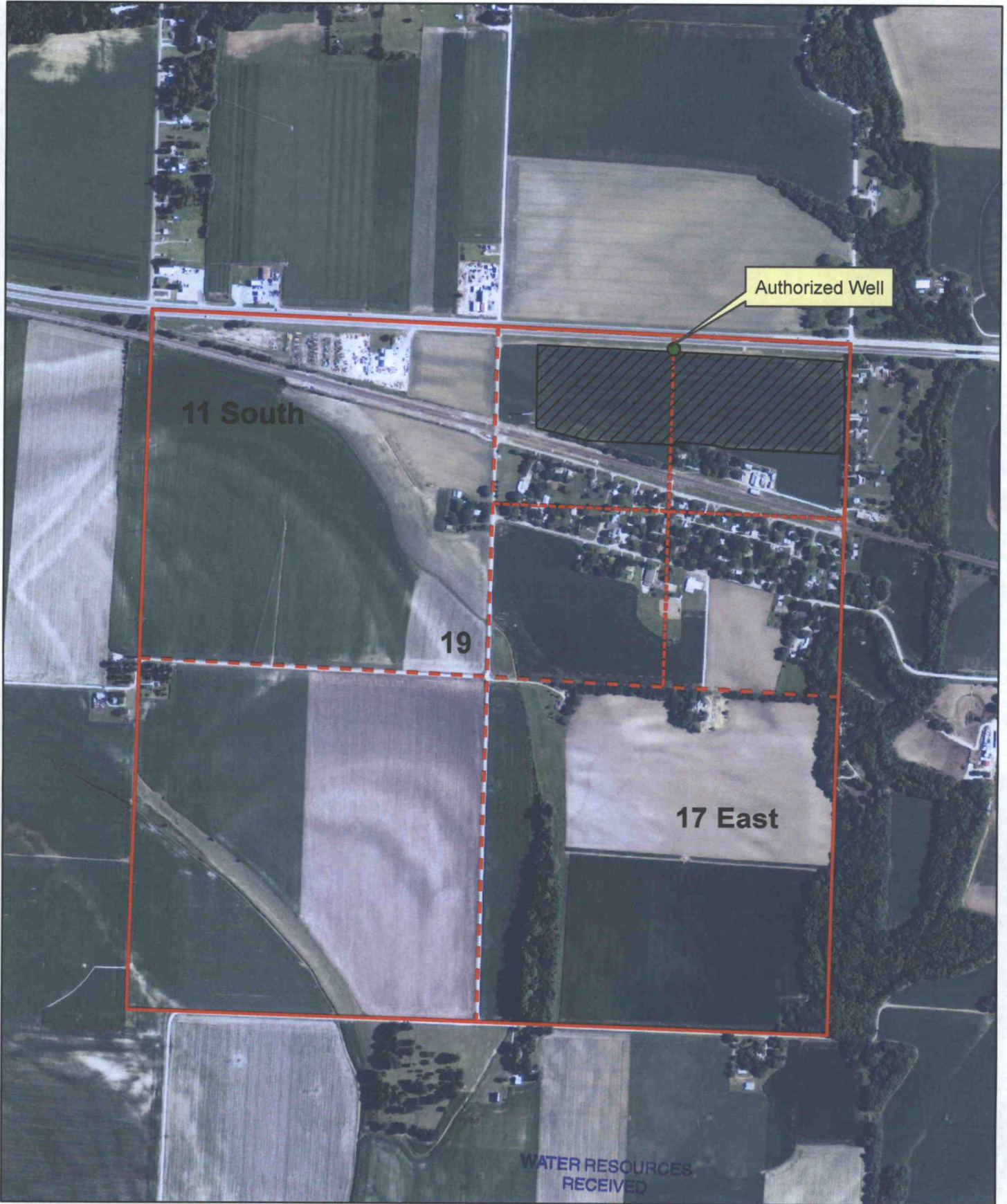
RECEIVED

MAY 19 2016





File No. 46,657 - AUTHORIZED PLACE OF USE  
Sec. 19, T11S, R17E



Authorized Place of Use

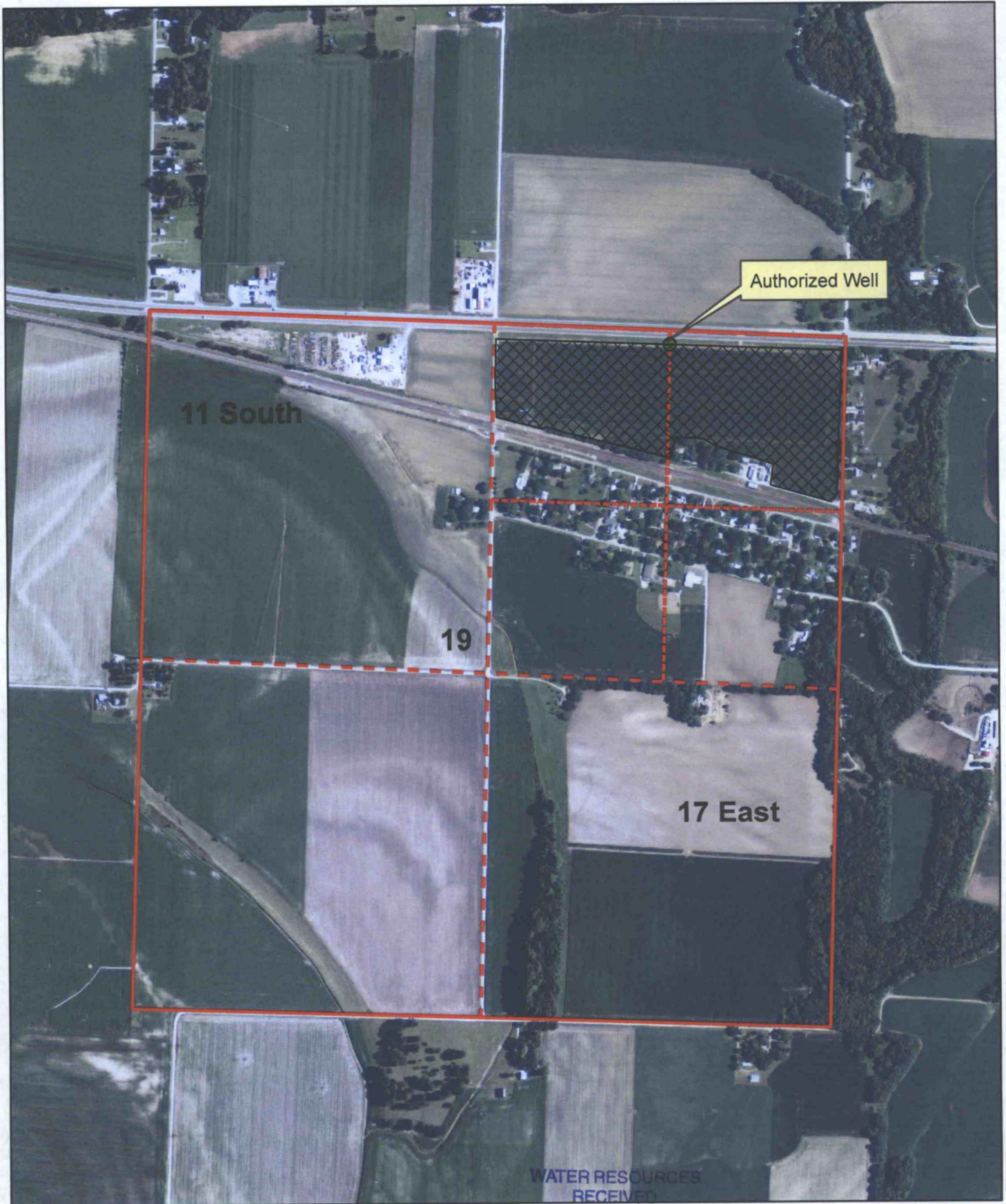
FEB 12 2016

KS DEPT OF AGRICULTURE

1:12,000  
SCANNED



File No. 46,657 - PROPOSED PLACE OF USE  
Sec. 19, T11S, R17E



Proposed Place of Use

FEB 12 2016

1:12,000

SCANNED

MS DEPT OF AGRICULTURE

