

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

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

1. File Number: <b>26460</b>	2. Status Change Date: <b>3/20/2017</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>01</b>	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: <b>08-DEC-2016</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>UNIVERSITY OF KANSAS FIELD STATION 2101 CONSTANT AVE LAWRENCE KS 66047</b>		Person ID <b>32632</b> Add Seq# <b>1</b>	8d. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/>  <b>KU ENDOWMENT ASSN PROPERTY MANAGEMENT PO BOX 928 LAWRENCE KS 66044-0928</b>		Person ID <b>8995</b> Add Seq# <b>1</b>	8e. Landowner(s) New to system <input checked="" type="checkbox"/>  Person ID _____ Add Seq# _____	
8c. Landowner(s) New to system <input type="checkbox"/>  <b>NO CHANGE</b>		Person ID _____ Add Seq# _____	8f. WUC New to system <input type="checkbox"/>  <b>UNIVERSITY OF KANSAS FIELD STATION 2101 CONSTANT AVE LAWRENCE KS 66047</b>  <b>NO CHANGE</b>	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter  <input type="checkbox"/> Conservation Plan                    Date Required: _____                    Date Approved: _____                    Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
Date Prepared: <b>03/08/17</b> By: <b>RAK</b> Date Entered: <b>3/23/2017</b> By: <b>WM</b>				

File No. **26460**      11. County: **DG**      Basin: **KANSAS RIVER**      Stream:      Formation Code: **112**      Special Use:

12. Points of Diversion  
 MOD  
 DEL PDIV  
 ENT      Qualifier      S      T      R      ID      'N      'W      Comment      Rate gpm      Quantity mgy/af      Rate gpm      Quantity mgy/af      Overlap PD Files

MOD 36255 SE¼ SE¼ SE¼      8      12      20E      3      101      90      97 gpm 4.204 mgy (12.9 AF) 97 gpm 4.204 mgy (12.9 AF) 40000 & 49739

**BETTER DESCRIBED PD WITH GPS FEET DISTANCES FROM WRIS**

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

14. Limitation: \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ 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 <input checked="" type="checkbox"/> 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				
<input checked="" type="checkbox"/>	7872	33	11S	20E	1	AQUATIC RESEARCH FACILITY (E2)--JEFFERSON COUNTY																8B	NO	40000 & 49739	
ENT	68144	34	11S	20E	2	AQUATIC RESEARCH FACILITY (SW)--LEAVENWORTH COUNTY																8B	NO	40000 & 49739	
MOD	33896	8	12S	20E	2	GEOHYDROLOGIC RESEARCH AND MONITORING SITE IN SE SE SE-DOUGLAS CO																8B	NO	40000 & 49739	

Comments:

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

**TO:** Files

**DATE:** March 8, 2017

**FROM:** Richelle A. Krueger

**RE:** Application, File No. 49,739  
Change Application,  
File Nos. 26,460 and 40,000

University of Kansas Field Station/KU Endowment Association filed the referenced application to appropriate groundwater for industrial use, requesting a quantity of 32.585 million gallons per calendar year (100 acre-feet) and a diversion rate of 300 gallons per minute. The proposed point of diversion is an existing well located 101 feet North and 90 feet West of the Southeast corner of Section 8, Township 12 South, Range 20 East, Douglas County within the drainage basin of the Kansas River. The proposed point of diversion and place of use will overlap Water Right, File Nos. 26,460 and 40,000. File Nos. 26,460 and 40,000 are authorized a limited total of 28.183 million gallons (86.49 acre-feet) and limited diversion rate of 120 gallons per minute. The referenced change applications for File Nos. 26,460 and 40,000 will update the place of use to match the actual location and will create an exact overlap in point of diversion and place of use with File No. 49,739.

Based on K.A.R. 5-3-11, the area of consideration is 4,286 acres, but recharge was determined to be 9.23 inches, with 75% available for appropriation, and safe yield is 2,472.16 acre-feet. Existing non-domestic water rights within the 2-mile circle have appropriated 1,891.41 acre-feet, so water is available. File No. 49,739 will be limited to 58.653 million gallons (180 acre-feet) when combined with File Nos. 26,460 and 40,000 since that is the quantity justified in the application.

The place of use will be described as an aquatic research facility located in the East Half (E $\frac{1}{2}$ ) of Section 33, Township 11 South, Range 20 East, Jefferson County, Kansas, and in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 34, Township 11 South, Range 20 East, Leavenworth County, Kansas, and at the Geohydrologic Research and Monitoring Site (GEMS) in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 8, Township 12 South, Range 20 East, Douglas County, Kansas.

WRIS and the application map indicate there are two municipal wells and two domestic wells within one-half mile of the proposed existing well. The nearby well owners were notified of the referenced applications in letters dated January 25, 2017. Dale Wise on behalf of the Bertha Wise Revocable Trust contacted this office via e-mail inquiring about the proposed applications. Mr. Wise was not opposed as long as KU did not affect their well operation and indicated their family has been there 75 years with good water and are not on the waterline. In an e-mail dated February 9, 2017, Mr. Wise was informed that based on our map the proposed existing well meets spacing requirements to their domestic well and to contact the field office if problems should occur. On February 14, 2017, a call was returned to Jerry Stewart of Jefferson RWD No. 13, nearby municipal well owner, to discuss the referenced applications. He was informed that the applicant filed for 100 acre-feet with no limitations, that the applicants are not really changing how they operate, just correcting and updating. I told him the additional quantity would be junior priority, and to call the field office if he became impaired. No further comments have been received.

The proposed well appears to meet 1,320 feet spacing requirements of K.A.R. 5-4-4 to nearby wells except for a municipal well authorized by File Nos. 24,331 and 42,725 since the wells are approximately 1,048 feet apart. However, K.A.R. 5-4-4 allows the Chief Engineer to determine spacing necessary to prevent direct impairment between wells. There have been no reports of problems between the two wells and it appears spacing is sufficient to prevent direct impairment.

The proposed well is existing so no test hole log was submitted with the pending new application. The source of supply was previously determined to be Tributary Alluvium (112).

The applicant submitted a signed Kansas River Assurance District form.

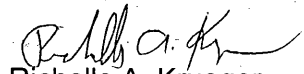
The proposed change in place of use for File Nos. 26,460 and 40,000 complies with K.A.R. 5-5-11, as the changes propose to create a complete overlap in the point of diversion and place of use with the new application. File No. 49,739 is sufficient to cover any increase in the consumptive use. The referenced change applications are not abandoned pursuant to K.S.A. 82a-718 and the same local source of supply will not change.

The authorized well under File Nos. 26,460 and 40,000 will be better described with g.p.s. feet distances.

In a phone conversation between Katherine Tietsort, Water Commissioner of the Topeka Field Office and Brent Turney, Change Application Unit Supervisor on March 2, 2017, Katie indicated no objections to approval of the referenced applications.

A water flowmeter is required and a check valve is required if chemigating.

Based on the above discussion, and the area is open to new appropriations, it has been recommended that the referenced applications be approved.

  
Richelle A. Krueger  
Environmental Scientist  
Change Application Unit

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

April 4, 2017

KU ENDOWMENT ASSN  
PROPERTY MANAGEMENT  
ATTN DALE SEUFERLING  
PO BOX 928  
LAWRENCE KS 66044-0928

**FILE COPY**

RE: Appropriation of Water, File No. 49,739  
Water Right, File Nos. 26,460 and 40,000

Dear Mr. Seuferling:

There is enclosed a permit (File No. 49,739) to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the source and at the location specified in the permit, and to use it for the purpose and at the location described in the permit.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit. A water meter is required and you must install it prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meter should be used to provide the information required on the annual water use report.

Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of this permit. Enclosed is a form which may be used to notify the Chief Engineer that the proposed diversion works have been completed.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in the permit to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

There is also enclosed an information sheet setting forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your water right.

(OVER→)

KU ENDOWMENT ASSN

File Nos. 26,460; 40,000 and 49,739

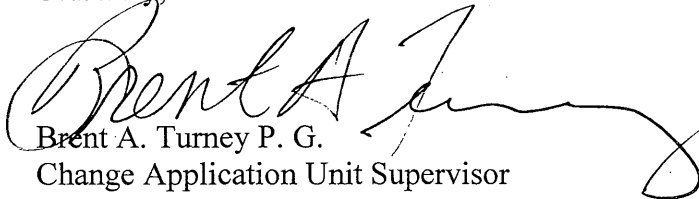
Page 2

In addition, enclosed are orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under Water Right, File Nos. 26,460 and 40,000. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the installation of the required meters as soon as these actions are completed.

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 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

KU-Field Station, Attn Scott W. Campbell



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  
ORDER BETTER DESCRIBING THE LOCATION OF THE  
AUTHORIZED POINT OF DIVERSION  
WATER RIGHT  
FILE NO. 26,460**

**FILE COPY**

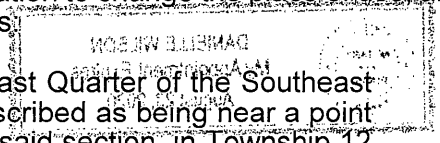
The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of University of Kansas-Field Station, 2101 Constant Avenue, Lawrence, Kansas, 66047, and Dale Seufferling, on behalf of KU Endowment Association-Property Management, P.O. Box 928, Lawrence, Kansas, 66044-0928, received in this office on December 8, 2016, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated August 9, 1994, approving the application to change the place of 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:

an aquatic research facility located in the East Half (E $\frac{1}{2}$ ) of Section 33, Township 11 South, Range 20 East, Jefferson County, Kansas, and in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 34, Township 11 South, Range 20 East, Leavenworth County, Kansas, and at the Geohydrologic Research and Monitoring Site in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 8, Township 12 South, Range 20 East, Douglas County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion is better described as:

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 101 feet North and 90 feet West of the Southeast corner of said section, in Township 12 South, Range 20 East, Douglas County, Kansas.



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. 26,460, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated March 19, 1993, 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 20<sup>th</sup> day of March, 2017 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 )  
County of Riley ) SS

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of March, 2017, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

*Danielle Wilson*

Notary Public



**CERTIFICATE OF SERVICE**

On this 4<sup>th</sup> day of April, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 26,460, dated March 20, 2017 was mailed postage prepaid, first class, US mail to the following:

KU ENDOWMENT ASSN  
PROPERTY MANAGEMENT  
ATTN DALE SEUFERLING  
PO BOX 928  
LAWRENCE KS 66044-0928.

with photocopies to:

UNIVERSITY OF KANSAS  
FIELD STATION  
2101 CONSTANT AVE  
LAWRENCE KS 66047

Topeka Field Office

*Danielle Wilson*  
Division of Water Resources



Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, 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**

DEC 08 2016

11:36  
KS DEPT OF AGRICULTURE

File No. 26,460

2. Name of applicant: UNIVERSITY OF KANSAS – FIELD STATION

Address: 2101 CONSTANT AVE

City, State and Zip: LAWRENCE KS 66047

Phone Number: (785) 864-1502

E-mail address: swcamp@ku.edu

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 AUTHORIZE AN EXPANSION IN THE AREA BEING SERVED TO REFLECT CURRENT OPERATIONS.  
THIS CHANGE WILL ALSO CREATE A COMPLETE OVERLAP WITH PENDING NEW APPLICATION.

The change(s) (was) (will be) completed by SPRING 2017

(Date)

**For Office Use Only:**

F.O. 1 GMD 0 Meets K.A.R. 5-5-1 (YES / NO) Use IND Source GYS County DG By KAB Date 12/8/16  
Code CPU Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 12/8/16 Check # INTERFUND

of 600

APPLICATION COMPLETE

318-117

REVIEWER: BAK

AA00198682

4. The presently authorized place of use is:

Owner of Land — NAME: KU ENDOWMENT ASSOCIATION – PROPERTY MANAGEMENT

ADDRESS: PO BOX 928 LAWRENCE KS 66044-0928

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	
			INDUSTRIAL USE AT AN AQUATIC RESEARCH FACILITY LOCATED IN THE EAST HALF (E½) OF SECTION 33, IN TOWNSHIP 11 SOUTH, RANGE 20 EAST, JEFFERSON COUNTY, KANSAS, AND FOR GEOHYDROLOGIC RESEARCH AND MONITORING SITE LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼ SE¼) OF SECTION 8, IN TOWNSHIP 12 SOUTH, RANGE 20 EAST, DOUGLAS COUNTY, KANSAS.																

List any other water rights that cover this place of use. File No. 40,000

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 — KU ENDOWMENT ASSOCIATION – PROPERTY MANAGEMENT

ADDRESS: PO BOX 928 LAWRENCE KS 66044-0928

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	
			INDUSTRIAL USE AT AN AQUATIC RESEARCH FACILITY LOCATED IN THE EAST HALF (E½) OF SECTION 33, IN TOWNSHIP 11 SOUTH, RANGE 20 EAST, JEFFERSON COUNTY, KANSAS, AND THE SOUTHWEST QUARTER OF SECTION 34, IN TOWNSHIP 11 SOUTH, RANGE 20 EAST, LEAVENWORTH COUNTY, KANSAS, and at the <i>* Geohydrologic Research &amp; Monitoring Site in the SE¼ SE¼ SE¼ of 8-125-20E Douglas Co KS</i>																

List any other water rights that cover this place of use. File No. 40,000 AND NEW APPLICATION \* 49739

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.**

*\* Mod: Filed per 12/15/16 letter from Scott Campbell, KU Field Station*

*\* RAK/OWN 3/9/17*

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 \* (Better describe with GPS) (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 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 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 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 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 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 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.

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

DEC 08 2016

\* *low/pw* 3/8/17

SCANNED

KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for INDUSTRIAL 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.

Pending New Application filed in conjunction with change application will adequately address any increase in consumptive use.

(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 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  
WATER RECORDS

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 Lawrence, Kansas, this 2nd day of December, 2016

[Signature]  
(Owner)

\_\_\_\_\_  
(Spouse)

Dele Senterling X  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

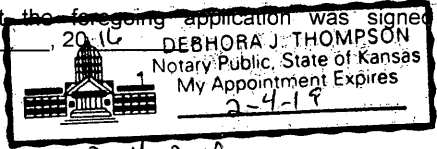
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas

County of Douglas } SS

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



[Signature]  
Notary Public

My Commission Expires 2-4-2019

**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

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

**WATER RESOURCES  
RECEIVED**

**DEC 08 2016**



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

January 25, 2017

JOSEPH AND BARBARA SABOL  
RT 1 BOX 303A  
WEST COXSACKIE NY 12192

RE: Water Right, File Nos. 26,460 and 40,000  
Application, File No. 49,739

Dear Sir or Madam:

This is to advise you that University of Kansas Field Station/KU Endowment Association have filed with the Division of Water Resources, Kansas Department of Agriculture, one(1) application for permit to appropriate water for beneficial use, identified as File No. 49,739. File No. 49,739 proposes the appropriation of 32.585 million gallons (100 acre-feet) of groundwater for industrial use to be diverted at a diversion rate of 300 gallons per minute from one existing well located as follows:

one(1) well located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 101 feet North and 90 feet West of the Southeast corner of said section, in Township 12 South, Range 20 East, Douglas County, Kansas.

University of Kansas Field Station/KU Endowment Association have also filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under Water Right, File Nos. 26,460 and 40,000.

Records in this office indicate that you may have a well or wells in this vicinity and you are notified of receipt of these applications in order that you may be fully informed of the proposed location of the applicant's point of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions, please contact me at (620) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

RAK

pc: Topeka Field Office  
University of Kansas-Field Station  
KU Endowment Association-Property Management

SCANNED



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

January 25, 2017

DICK A WISE  
RT 3  
LAWRENCE KS 66044

RE: Water Right, File Nos. 26,460 and 40,000  
Application, File No. 49,739

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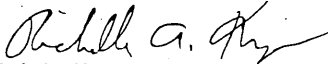
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Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

RAK  
pc: Topeka Field Office  
University of Kansas-Field Station  
KU Endowment Association-Property Management

SCANNED



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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 25, 2017

DICK A WISE TRUSTEE/BERTHA L WISE REV TRUST  
1634 N 1900 RD  
LAWRENCE KS 66044-9323

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Application, File No. 49,739

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Environmental Scientist  
Water Appropriation Program

RAK  
pc: Topeka Field Office  
University of Kansas-Field Station  
KU Endowment Association-Property Management

SCANNED





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Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

January 25, 2017

JEFFERSON RWD #13  
1951 WELLMAN RD  
LAWRENCE KS 66044

RE: Water Right, File Nos. 26,460 and 40,000  
Application, File No. 49,739

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Richelle A. Krueger  
Environmental Scientist  
Water Appropriation Program

RAK

pc: Topeka Field Office  
University of Kansas-Field Station  
KU Endowment Association-Property Management

SCANNED



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Topeka, Kansas 66612  
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Jackie McClaskey, Secretary

Governor Sam Brownback

**FILE COPY** December 9, 2016

UNIVERSITY OF KANSAS - FIELD STATION  
2101 CONSTANT AVE  
LAWRENCE, KS

RE: File No. 26460

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



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

pc: TOPEKA Field Office GMD

KU Endowment Assn  
 File Nos. 26,460 and 40,000 Change Applications  
 Authorized Place of Use

\* File No 26460



 Authorized Place of Use

WATER RESOURCES  
RECEIVED

1:24,000

 Existing Well

DEC 08 2016

*\* per WRTS  
\* Paulson 3/8/17*

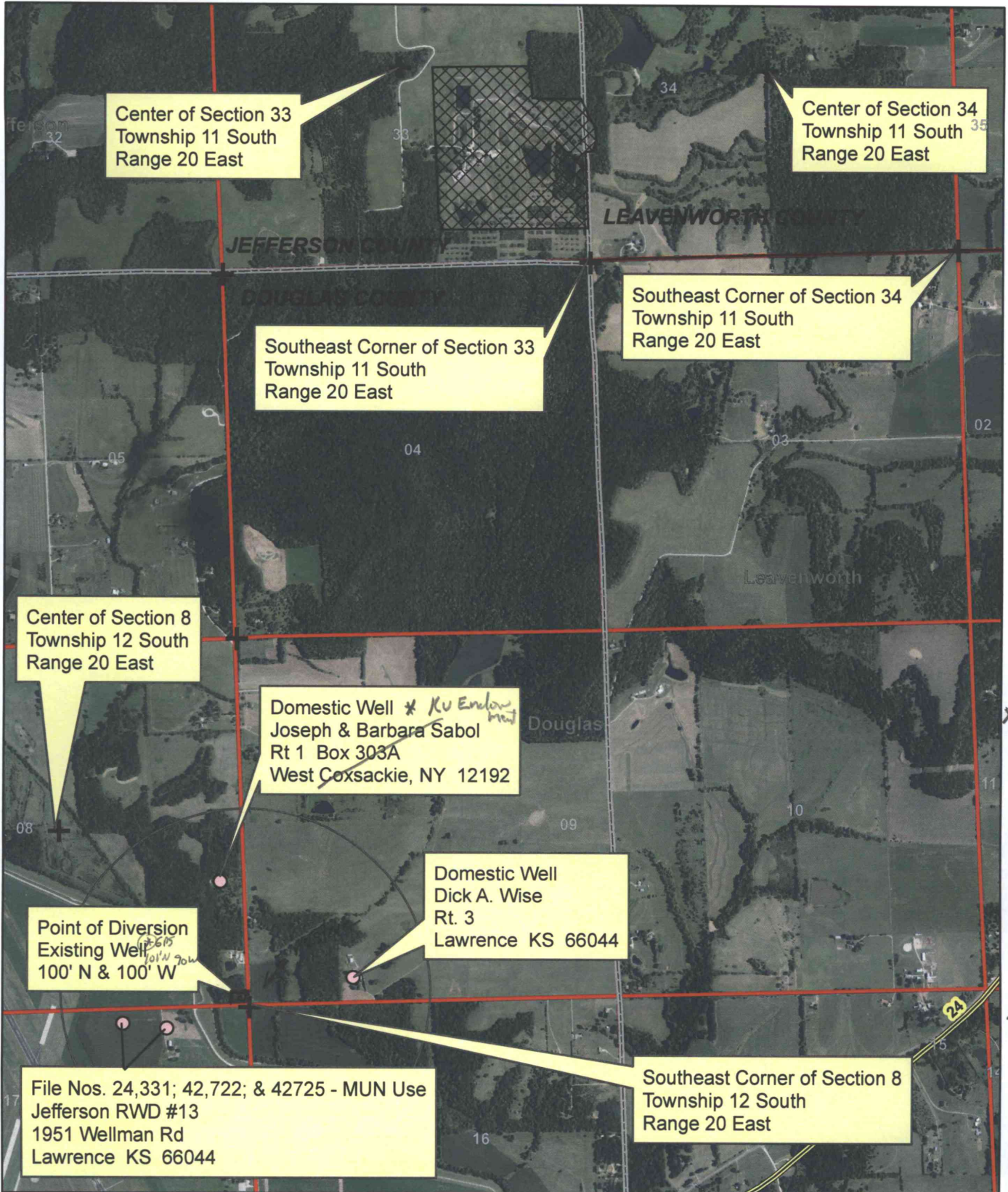
KS DEPT OF AGRICULTURE

SCANNED



KU Endowment Assn  
 File Nos. 26,460 and 40,000 Change Applications  
 Aquatic Research Facility  
 Proposed Place of Use

File No. 26460



Center of Section 33  
 Township 11 South  
 Range 20 East

Center of Section 34  
 Township 11 South  
 Range 20 East

Southeast Corner of Section 33  
 Township 11 South  
 Range 20 East

Southeast Corner of Section 34  
 Township 11 South  
 Range 20 East

Center of Section 8  
 Township 12 South  
 Range 20 East

Domestic Well \* KU Endowment  
 Joseph & Barbara Sabol  
 Rt 1 Box 303A  
 West Coxsackie, NY 12192

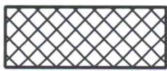
Domestic Well  
 Dick A. Wise  
 Rt. 3  
 Lawrence KS 66044

Point of Diversion  
 Existing Well  
 100' N & 100' W

File Nos. 24,331; 42,722; & 42725 - MUN Use  
 Jefferson RWD #13  
 1951 Wellman Rd  
 Lawrence KS 66044

Southeast Corner of Section 8  
 Township 12 South  
 Range 20 East

\* KU Endowment  
 Per 1/30/17  
 phone conversation  
 w/ Scott Campbell  
 \* 1/30/17



Proposed Place of Use

- Nearby Well
- Existing Point of Diversion

All known wells within one-half mile of the proposed point of diversion are shown on this map.

1:24,000

KS DEPT OF AGRICULTURE

SCANNED

\* 1/30/17

DEC 08 2016

*[Handwritten Signature]*