

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

Document Signature _____

1. File Number: 30799	2. Status Change Date: <i>9/15/2017</i>	3. Change Num: C1	4. Field Office: 01	5. GMD:	
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 14-JUN-2017	
8a. Applicant(s) New to system <input type="checkbox"/> WILLIAM J & LORNA M TAYLOR 14410 MILITARY TRAIL RD WAMEGO KS 66547		Person ID <u>17795</u> Add Seq# <u>1</u>	8c. Landowner(s) New to system <input type="checkbox"/> WILLIAM J & LORNA M TAYLOR 14410 MILITARY TRAIL RD WAMEGO KS 66547		
8b. Landowner(s) New to system <input type="checkbox"/> LOIS L JOHNSON 14750 MILITARY TRAIL RD WAMEGO KS 66547		Person ID <u>8772</u> Add Seq# <u>1</u>	8d. WUC New to system <input type="checkbox"/> WILLIAM J & LORNA M TAYLOR 14410 MILITARY TRAIL RD WAMEGO KS 66547		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/17</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/17</u>					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input 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: 08/30/17 By: RAK Date Entered: <i>9/18/2017</i> By: <i>UM</i>					

File No. **30799** 11. County: **PT** Basin: **KANSAS RIVER** Stream: Formation Code: **113** Special Use:

12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm	Quantity AF	Rate gpm	Quantity AF	
DEL	43913	NW¼NE¼SE¼	14	10	9E	5	2500	1000						
ENT	86339	NW¼ SE¼ SE¼	14	10	9E		1020	790		85 gpm	15 AF	85 gpm	15 AF	NO

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							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					
DEL	62613	14	10	9E	6													10			15	25.00	8A	NO	NO	
ENT	21795	14	10	9E	2													25			25	50.00	8B	NO	30402	

Comments:

30799KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files
DATE: September 11, 2017

FROM: Richelle A. Krueger
RE: Water Right
File No. 30,799

William J. and Lorna M. Taylor, water right owners, filed an application for approval to change the authorized place of use and point of diversion for Water Right, File No. 30,799, authorized groundwater for irrigation use in the Kansas River Basin.

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

The referenced file number is authorized 15 acre-feet and 85 gallons per minute from one well located 2,500 feet North and 1,000 feet West of the Southeast corner of Section 14, Township 10 South, Range 9 East, Pottawatomie County, for irrigation of 25 acres in the East Half of the Southeast Quarter (E½SE¼) of the aforementioned section. There are no current overlaps in the authorized point of diversion or place of use. The water right owners propose to move the authorized rate and quantity to an existing unauthorized irrigation well located 1,020 feet North and 790 feet West of the Southeast corner of the aforementioned section, a distance move of approximately 1,493 feet.

The proposed existing well does not meet 1,320 feet well spacing requirements to a well authorized by Water Right, File No. 30,402 owned by Lois L. Johnson since the wells are approximately 1,009 feet apart based on approved feet distances. As indicated in Paragraph No. 17 of the application, impairment should not be an issue since the wells have been operating in unison for 30 years, and at this point the proposed well has not caused any documented impairment of nearby water rights. In addition, the change in place of use for File No. 30,799 proposes to cover the exact same place of use as that authorized by File No. 30,402, so the wells in question will cover the same irrigation place of use. It appears the applications meet the requirements of K.A.R. 5-4-4 *Well spacing* since the wells in question operate together and it appears that the spacing between the wells is sufficient to prevent direct impairment between the wells located in a common source of supply or hydraulically connected sources of supply as per K.A.R. 5-4-4(a).

Based on WRIS and the application map there are seven (7) irrigation wells and two (2) domestic wells within one-half mile of the proposed well. Nearby well owners were notified of the proposed change in point of diversion by letters dated August 9, 2017; no responses have been received as of today's date.

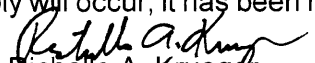
As stated above the requested change in place of use will create an exact overlap in the 50-acre place of use with Water Right, File No. 30,402 owned by Lois J. Johnson. The proposed place of use is also located in the East Half of the Southeast Quarter(E½SE¼) of Section 14 and the total quantity of water to be authorized for the place of use, 51 acre-feet, will irrigate the acreage with 1.00 acre-feet per acre. The 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Pottawatomie County is 0.80 acre-feet per acre, so the proposal appears reasonable.

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

In an e-mail dated September 8, 2017 Katherine Tietsort, Water Commissioner of the Topeka Field Office, indicated that she is not opposed to approval of the application.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the referenced application be approved.


Richelle A. Krueger
Environmental Scientist



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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

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

FILE COPY

RE: Water Right, File No. 30,799

Dear Mr. and Mrs. Taylor:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

Since the order for the referenced file number modifies the original document referred to above it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Topeka Field Office
Lois L. Johnson



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
AND
POINT OF DIVERSION
WATER RIGHT
FILE NO. 30,799**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of William J. and Lorna M. Taylor, 14410 Military Trail Road, Wamego, Kansas, 66547, and Lois L. Johnson, 14750 Military Trail Road, Wamego, Kansas, 66547, received in this office on June 14, 2017, for approval of a change in the location of the place of use and point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated February 10, 2015 reducing the authorized place of use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply 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					
14	10S	9E																25.00				25.00	50.00

a total of 50 acres in Pottawatomie County, Kansas, and the authorized location of the point of diversion shall be:

one (1) well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 14, more particularly described as being near a point 1,020 feet North and 790 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas,

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

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

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

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed.

The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 30,799, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated November 30, 1992, as modified and amended by the aforementioned order.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

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
JUN 14 2017
1:48
KS DEPT OF AGRICULTURE

File No. 30799

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

Address: 14410 MILITARY TRAIL RD

City, State and Zip: WAMEGO KS 66547

Phone Number: (785)456-9434

E-mail address: _____

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

Name of water use correspondent: SAME AS APPLICANT

Address: _____

City, State and Zip: _____

Phone Number: (_____) _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO COVER THE USE OF WATER FROM AN EXISTING IRRIGATION WELL THAT DOES NOT HAVE A WATER RIGHT.

The change(s) (was) (will be) completed by WELL IS ALREADY DRILLED AND HAS BEEN FOR MANY YEARS

(Date)

For Office Use Only:

F.O. 1 GMD Meets K.A.R. 5-5-1 (YES/NO) Use IRR Source (G)S County PT By AW Date 6/14/17
Code C-2 Fee \$ 400 TR # _____ Receipt Date 6/14/17 Check # 4198

8 29 17
RAK

4. The presently authorized place of use is:

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

ADDRESS: **14410 MILITARY TRAIL RD WAMEGO KS 66547**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
14	10	9E																	10				15	25

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: **LOIS L JOHNSON**

ADDRESS: ~~RR 3 BOX 167 WAMEGO KS 66547~~ * **14750 Military Trail Rd Wamego KS 66547**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
14	10	9E																	25				25	50

List any other water rights that cover this place of use. **30402**

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

* per WLD & Pottawatomic Co. Parcel Search * Rain/Run 8/08/17

WELLS WITHIN 1/2 MILE

File No. 30799

- #1) Irrigation Well – File Nos. 4549 & 44832
Owner = Applicant
- #2) Domestic Well
Owner = Same as #1
- #3) Domestic Well
Owner = Robert L. Shaw
14620 Military Trail Rd
Wamego KS 66547
- #4) Irrigation Well – File No. 30402
Owner = Lois L Johnson
RR 3 Box 167
Wamego KS 66547
- #5) Irrigation Well – File No. 30402
Owner = Same as #4
- #6) Irrigation Well – File No. 30402
Owner = Same as #4
- #7) Irrigation Well – File No. 41552
Owner = Thomas L & Kay A Ebert
11650 Louisville Rd
St George KS 6655
- #8) Irrigation Well – File No. 48542
Owner = Edward W & Cheri A Pugh
PO Box 138
Wamego KS 66547
- #9) Irrigation Well – File No. 48193
Owner = Same as #7

** 41620 D2*
** per WRD*
** 150/180*
8/9/17
41620 D2
Thomas Ebert
5213'w 1500'w
13-10-95

WATER RESOURCES
RECEIVED

JUN 14 2017

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) ONE WELL
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 14, Township 10 South, Range 9E (E/W), in POTTAWATOMIE County, Kansas, 2500 feet North 1000 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 NW Quarter of the SE Quarter of the SE Quarter of Section 14, Township 10 South, Range 9E (E/W), in POTTAWATOMIE County, Kansas, 1020 feet North 790 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 NONE

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
THE WELL WILL BE RETAINED FOR DOMESTIC PURPOSES

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

JUN 14 2017

SCANNED 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.
THE CONSUMPTIVE USE WILL NOT BE INCREASED BECAUSE THIS WILL SIMPLY CREATE A COMPLETE OVERLAP IN PLACE OF USE WITH FILE NO. 30402

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ 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 ½ 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) ½ mile downstream and ½ mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

THE PROPOSED WELL HAS BEEN IN OPERATION FOR AT LEAST 30 YEARS AND AT THIS POINT HAS NOT CAUSED ANY DOCUMENTED IMPAIRMENT OF ANY NEARBY WATER RIGHTS. THE PROPOSED WELL DOES NOT MEET SPACING TO ANOTHER IRIGATION WELL ON THE SAME FARM. HOWEVER, THE WELLS HAVE BEEN OPERATING IN UNISON FOR AT LEAST 30 YEARS SO IMPAIRMENT SHOULD NOT BE AN ISSUE.

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

N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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 14410 Military Trail Road, Wamego Kansas, this 23rd day of May, 2017.

<u>X William J Taylor</u> (Owner)	<u>X Katrina Taylor</u> (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas
County of Pottawatomie SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of May, 2017.

 **JAY TERRILL**
Notary Public - State of Kansas
My Appt. Expires 10-23-20

Jay Terrill
Notary Public

My Commission Expires 10-23-20

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

JUN 14 2017

KS DEPT OF AGRICULTURE

SCANNED

Krueger, Richelle

From: Tietsort, Katie
Sent: Friday, September 8, 2017 9:00 AM
To: Krueger, Richelle
Cc: Bunger, Brett
Subject: RE: Request for Recommendation Change in PD PU File No. 30799 William and Lorna Taylor

Richelle,

The proposal appears appropriate. The TFO has no objections to approval.

Thanks, Katie

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Krueger, Richelle
Sent: Tuesday, August 29, 2017 7:44 AM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: Request for Recommendation Change in PD PU File No. 30799 William and Lorna Taylor

Hi Katie,

Attached is a draft memo for the referenced change, I haven't received any comments from nearby well owners so far. I checked with Doug, no need to notify KRWAD or KWO. Do you recommend approval of this application?

Thanks,
Richelle

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

August 9, 2017

FILE COPY

ROBERT L SHAW
14620 MILITARY TRAIL RD
WAMEGO KS 66547

RE: Water Right
File No. 30,799

Dear Mr. Shaw:


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

from: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 14, more particularly described as being near a point 2,500 feet North and 1,000 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas, at a diversion rate not in excess of 85 gallons per minute (0.19 c.f.s.) and in a quantity not to exceed 15 acre-feet of water per calendar year, for irrigation use,

to: one (1) existing well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 14, more particularly described as being near a point 1,020 feet North and 790 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas, at a diversion rate not in excess of 85 gallons per minute (0.19 c.f.s.) and in a quantity not to exceed 15 acre-feet of water per calendar year, for irrigation use.

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If you have any questions, please contact me at (785) 564-6635 or Brent Turney, Change Application Unit Supervisor at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

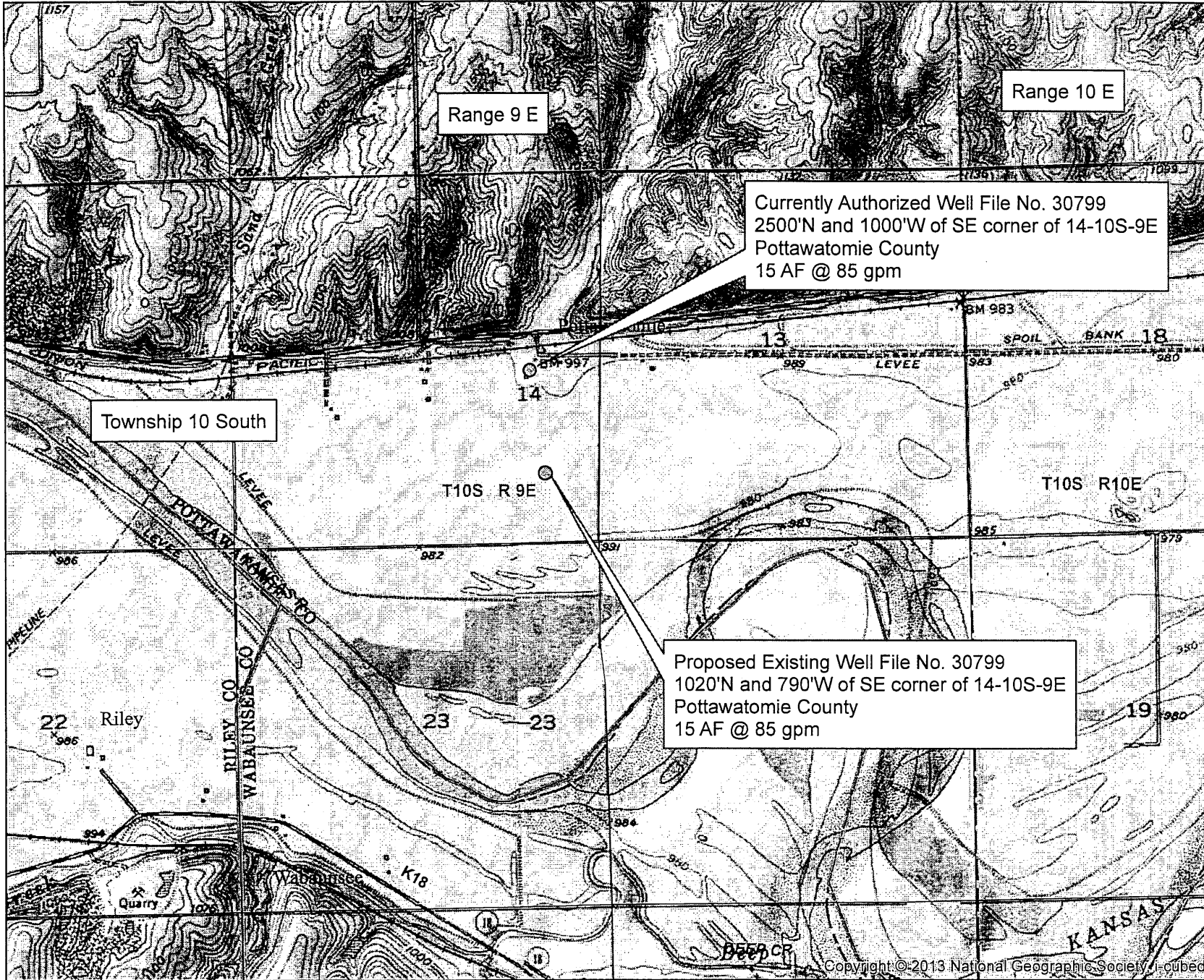
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

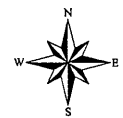
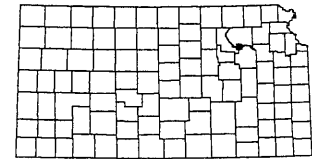
pc: Topeka Field Office
William J. and Lorna M. Taylor

SCANNED

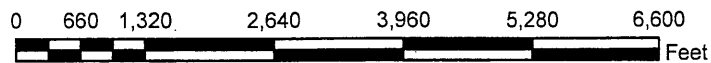
Application to Change the PD and PU File No. 30799



Index Map



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(785) 564-6700



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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 9, 2017

FILE COPY

LOIS L JOHNSON
14750 MILITARY TRAIL RD
WAMEGO KS 66547

RE: Water Right
File No. 30,799


Dear Ms. Johnson:

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

- from: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 14, more particularly described as being near a point 2,500 feet North and 1,000 feet West of the Southeast corner of said section, in Township 10 South, Range 9 East, Pottawatomie County, Kansas, at a diversion rate not in excess of 85 gallons per minute (0.19 c.f.s.) and in a quantity not to exceed 15 acre-feet of water per calendar year, for irrigation use,
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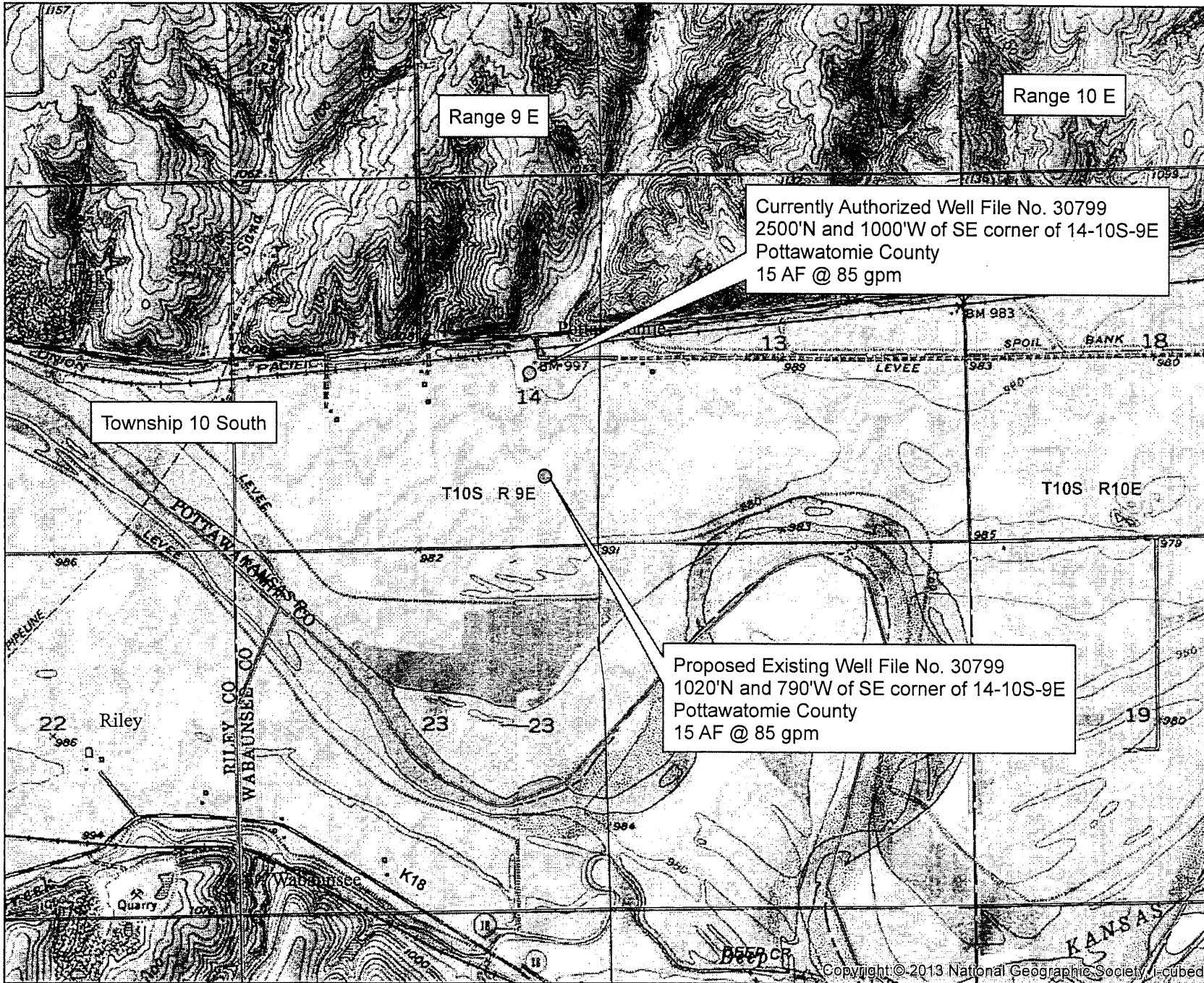
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Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

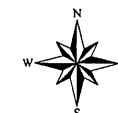
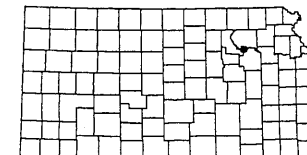
RAK
pc: Topeka Field Office
William J. and Lorna M. Taylor

SCANNED

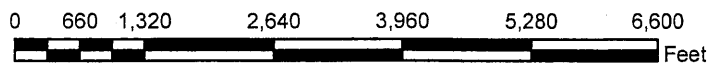
Application to Change the PD and PU File No. 30799



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Jackie McClaskey, Secretary

Governor Sam Brownback

August 9, 2017

FILE COPY

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

RE: Water Right
File No: 30,799

Dear Mr. and Mr. Ebert:

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


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Sincerely,

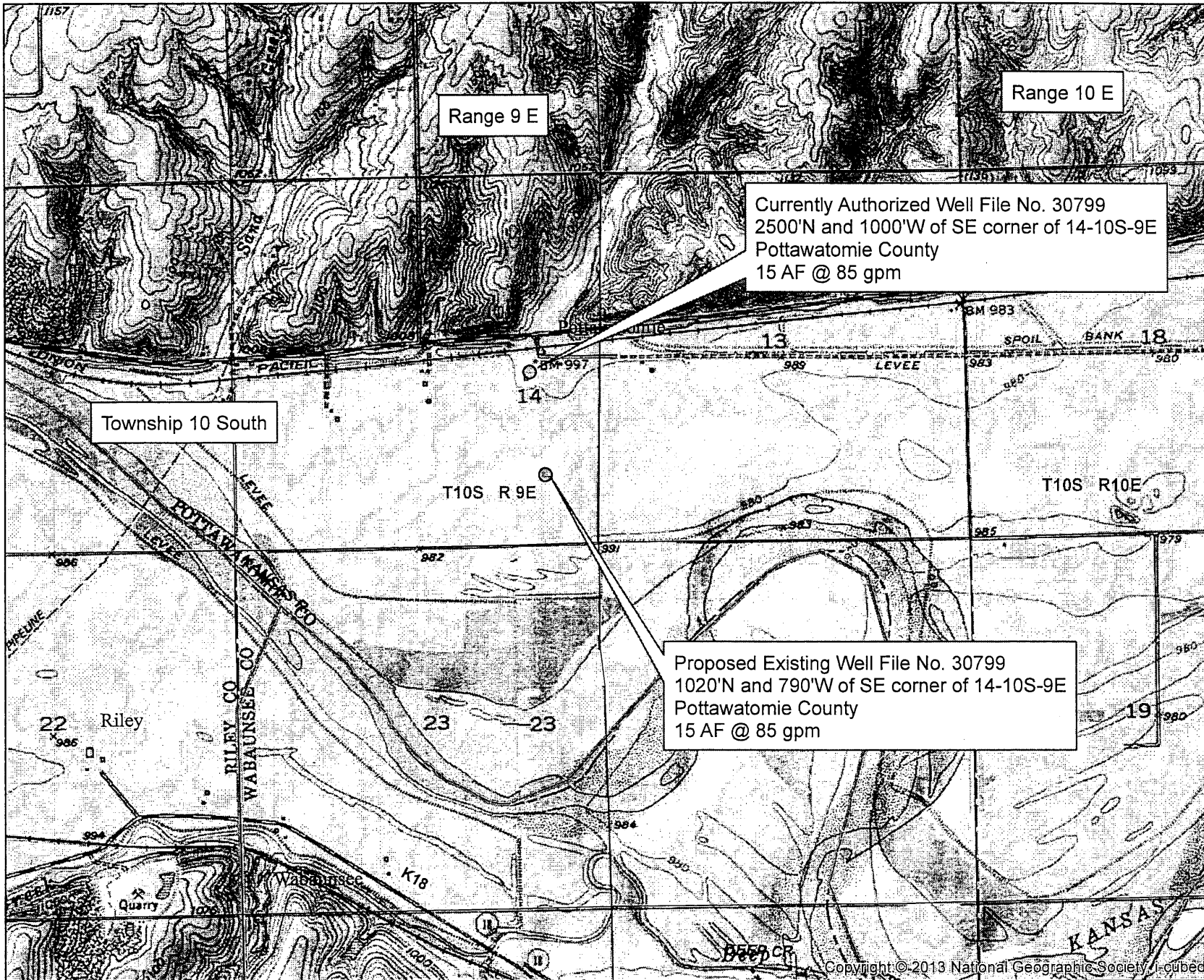

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

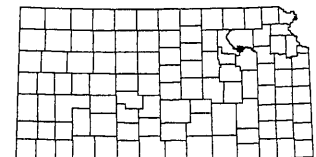
pc: Topeka Field Office
William J. and Lorna M. Taylor

SCANNED

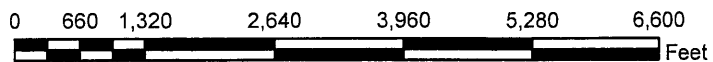
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(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 9, 2017

EDWARD W & CHERI A PUGH
PO BOX 138
WAMEGO KS 66547

RE: Water Right
File No. 30,799

DUPLICATE COPY


Dear Mr. and Mr. Ebert:

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

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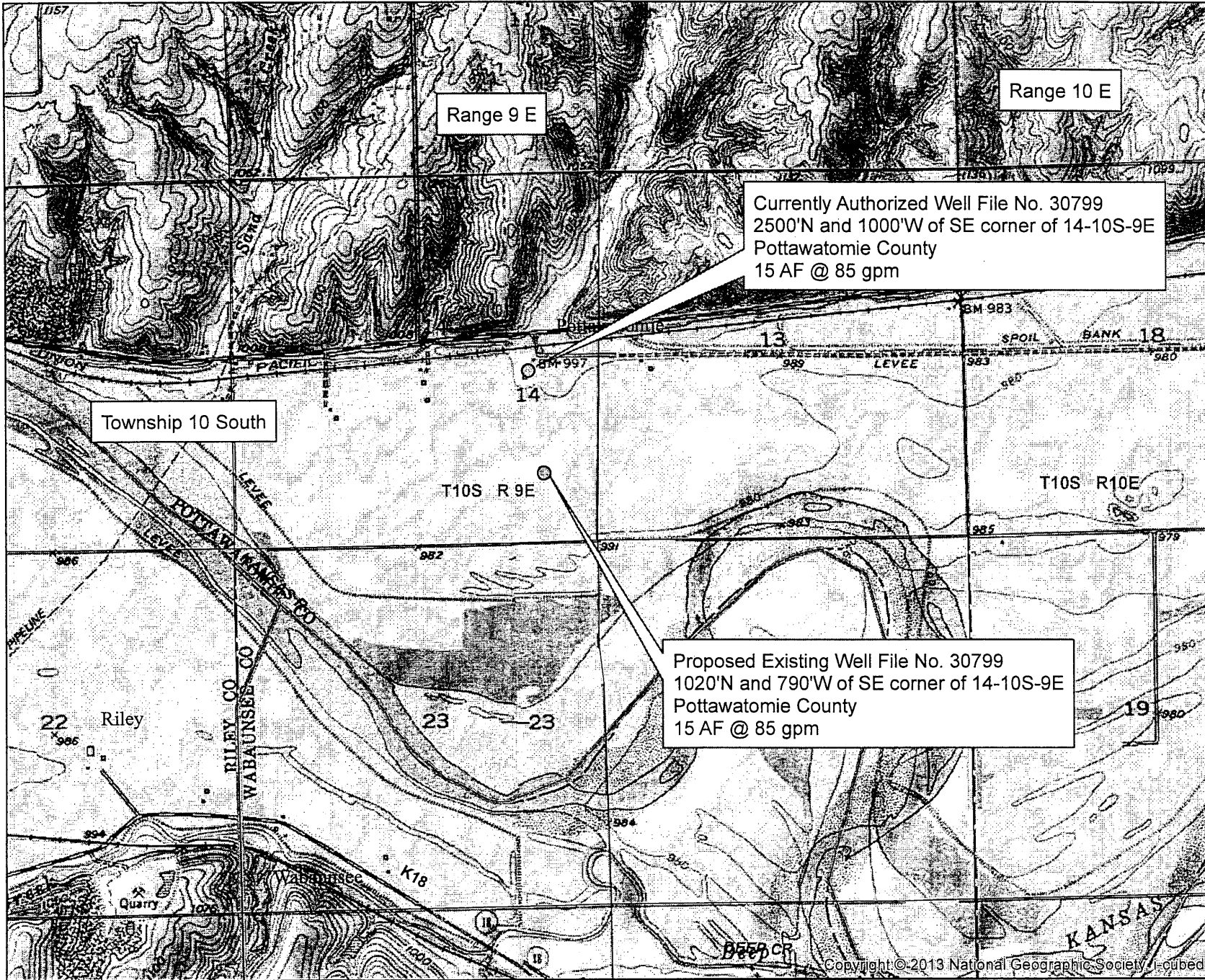
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Environmental Scientist
Water Appropriation Program

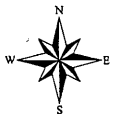
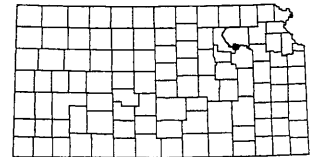
RAK
pc: Topeka Field Office
William J. and Lorna M. Taylor

SCANNED

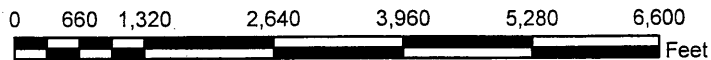
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Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 9, 2017

FILE COPY

NORMAN STUTZMAN
614 BROADWAY ST
BELVUE KS 66407

RE: Water Right
File No. 30,799


Dear Mr. Stutzman:

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

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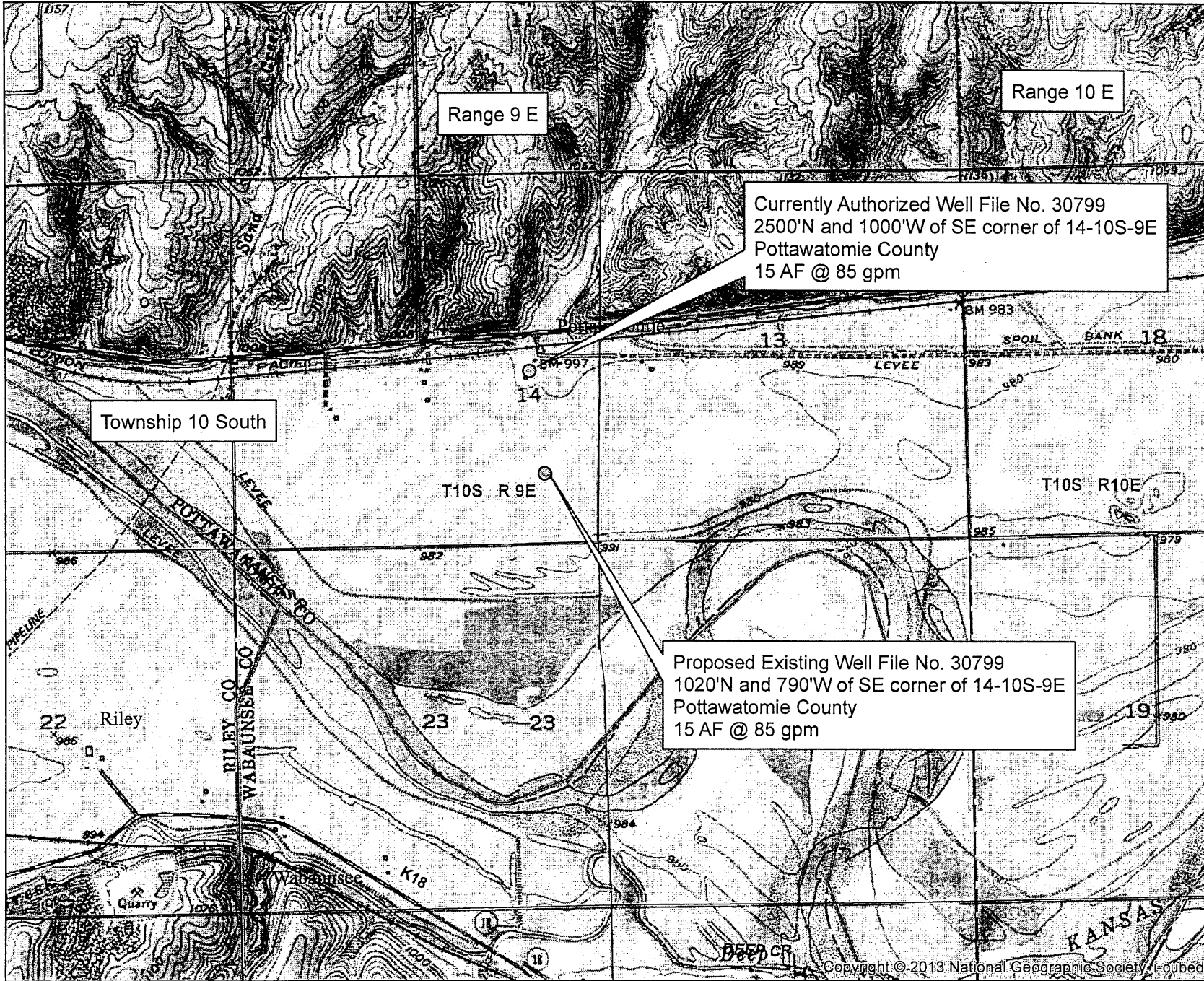
Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

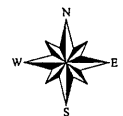
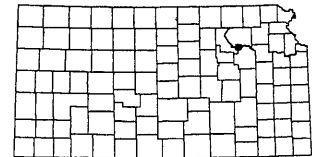
pc: Topeka Field Office
William J. and Lorna M. Taylor

SCANNED

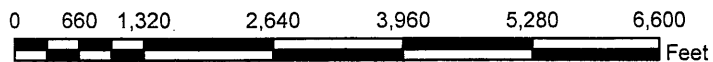
Application to Change the PD and PU File No. 30799



Index Map



1:24,000



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Krueger, Richelle

From: Schemm, Doug
Sent: Wednesday, August 9, 2017 10:21 AM
To: Krueger, Richelle
Subject: RE: Change in PD PU File No. 30799 William and Lorna Taylor KSWAD KWO notification needed?

Howdy Richelle,
Going well, thanks. Been really busy though.
No problem with this change, we are well over ¼ mile from the river so out of the KRWAD "boundary".
You are good to go.
Have a great day,
Doug

From: Krueger, Richelle
Sent: Tuesday, August 8, 2017 3:36 PM
To: Schemm, Doug <Doug.Schemm@ks.gov>
Subject: Change in PD PU File No. 30799 William and Lorna Taylor KSWAD KWO notification needed?

Hi Doug,
Hope things are well in the TFO today! Hey I am processing the change in pd/pu application for File No. 30799 William and Lorna Taylor. This appears to be in KS river alluvium, moving closer to river wasn't sure if either office needs notification but here ya go just in case.

Thanks,
Richelle

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

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

FILE COPY

June 15, 2017

RE: File No 30799

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU/PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

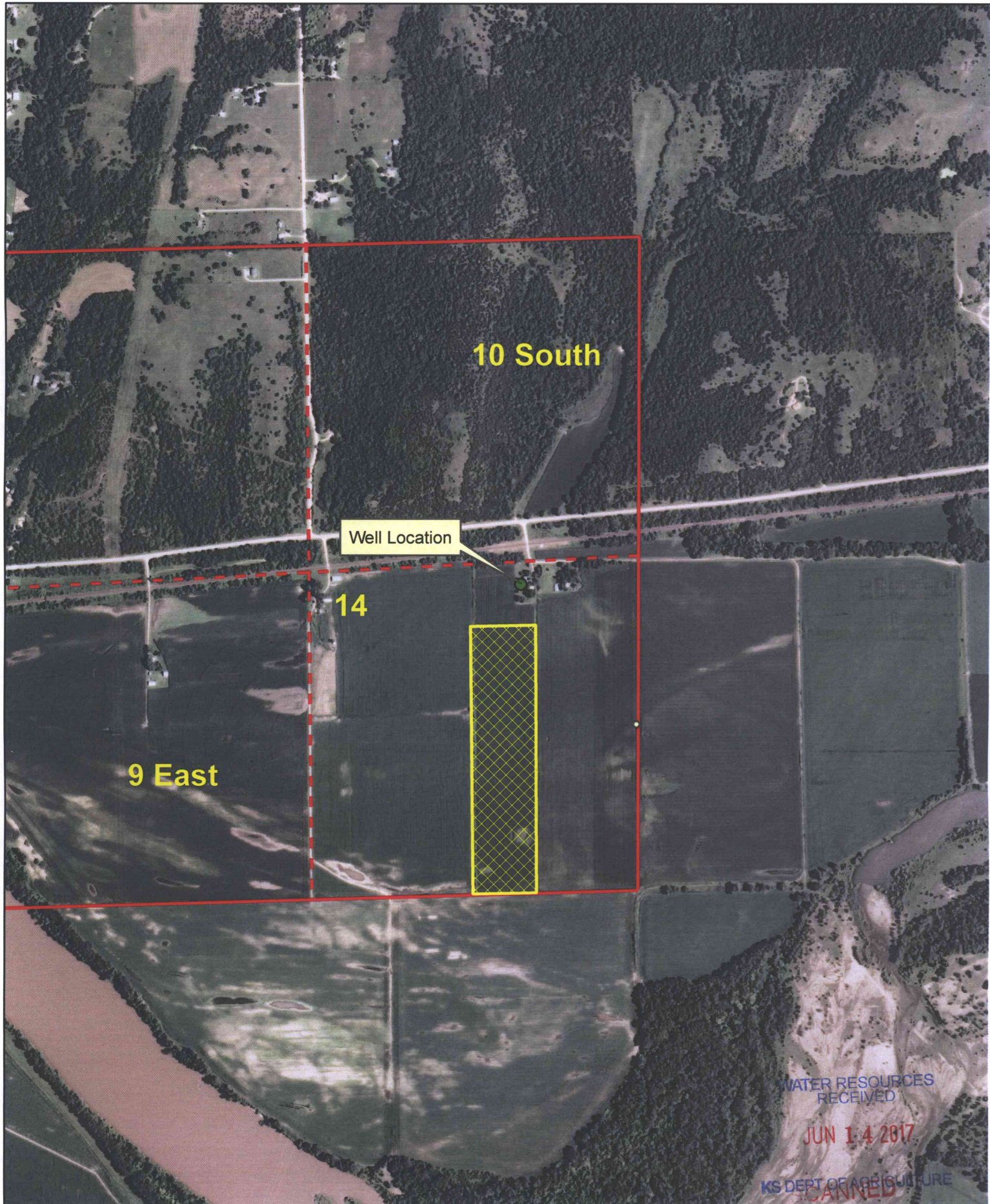
A handwritten signature in cursive script that reads "Brent A. Tourney".

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: TOPEKA Field Office GMD

1:12,000

Authorized Place of Use and Point of Diversion
File No. 30799



10 South

Well Location

14

9 East

WATER RESOURCES
RECEIVED

JUN 14 2017

KS DEPT OF AGRICULTURE
CANNED

1:12,000

Proposed Place of Use and Point of Diversion File No. 30799

