

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

Document Signature _____

1. File Number: 37928	2. Status Change Date: 3/23/2017	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: 30-DEC-2016
8a. Applicant(s) New to system <input type="checkbox"/> JEANNE L GANTZ 4123 SOUTH ST GRANTVILLE KS 66429		Person ID 26299 Add Seq# 1	8d. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/> JEANNE L GANTZ 4123 SOUTH ST GRANTVILLE KS 66429		Person ID 26299 Add Seq# 1	8e. Landowner(s) New to system <input checked="" type="checkbox"/> Person ID _____ Add Seq# _____	
8c. Landowner(s) New to system <input type="checkbox"/> ROD BIGHAM 5268 58TH ST MERIDEN KS 66512		Person ID 33327 Add Seq# 1	8f. WUC New to system <input type="checkbox"/> JEANNE L GANTZ 4123 SOUTH ST GRANTVILLE KS 66429 7c per new appropriation # 49751	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/18 <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: 03/21/17 By: RAK Date Entered: 3/27/2017 By: UM				

File No. **37928**

11. County: **JF**

Basin: **KANSAS RIVER**

Stream:

Formation Code: **113**

Special Use:

12. Points of Diversion

MOD DEL ENT	PDIV Qualifier	S	T	R	ID	'N	'W	Comment	Rate and Quantity				Overlap PD Files
									Authorized		Additional		
									Rate gpm	Quantity AF	Rate gpm	Quantity af	
MOD 42777	Lot 2	20	11	17E	5	4270	1960		480 g.p.m.	45 AF	480 g.p.m.	45 AF	49751

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 _____

MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD 24506	20 11 17E 5					Lot 1 4.00	Lot 2 28.00	Lot 2 28.00	Lot 1 4.00												64.00	8B & 8C	YES	49751	

Comments:

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

TO: Files

DATE: March 21, 2017

FROM: Richelle A. Krueger

RE: Water Right
File No. 37,928

Jeanne L. Gantz, and Rod and Linda L. Bigham, water right owners, filed an application for approval to change the authorized place of use for the referenced file number, authorized groundwater for irrigation use in the Kansas River Basin. The referenced change application has been filed in conjunction with Application, File No. 49,751 being processed by Douglas Schemm, Environmental Scientist of the Topeka Field Office.

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

File No. 37,928 is authorized 45 acre-feet of groundwater at a diversion rate of 480 gallons per minute for irrigation of 45 acres in the North Half (N½) of Section 20, Township 11 South, Range 17 East, Jefferson County, Kansas. There are no present overlaps in the authorized point of diversion or place of use. The referenced change application will create a complete overlap in the point of diversion and place of use with Application, File No. 49,751, which was filed for a limited quantity and diversion rate of 64 acre-feet and 1,000 gallons per minute and picking up additional acreage for a total of 64 acres in the North Half (N½) of Section 20.

The total limited quantity that will be available under File Nos. 37,928 and 49,751, 64 acre-feet, can irrigate the proposed 64 acres with 1.0 acre-feet per acre, which appears reasonable since the maximum acre-feet per acre allowed in Jefferson County is 1.0 acre-feet per acre. The additional quantity acquired by File No. 49,751 should be sufficient to cover any increase in consumptive use.


Doug notified all water well owners within one-half mile of the authorized point of diversion of the proposed change in place of use and new application in order to comply with Senate Bill No. 337 enacted by the Legislature of the State of Kansas, effective July 1, 2016. Doug received one call from a domestic well owner concerned about the extensive development of irrigation wells in his local area, but did not provide any specific information indicating that the referenced applications would impair his water right.

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

In an e-mail dated March 21, 2017, Katherine Tietsort, Water Commissioner of the Topeka Field Office, indicated no objection to approval of the referenced change 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 change is 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 application be approved.


Richelle 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

March 29, 2017

ROD BIGHAM
5268 58TH ST
MERIDEN KS 66512

FILE COPY

RE: Water Right, File No. 37,928

Dear Mr. Bigham:

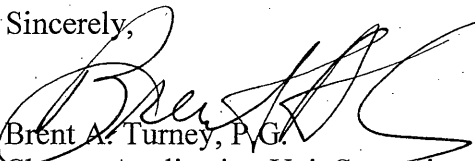
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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 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
Jeanne L. Gantz

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE AND ORDER
BETTER DESCRIBING THE LOCATION OF THE
AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 37,928**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jeanne L. Gantz, 4123 South Street, Grantville, Kansas, 66429, and Rod and Linda L. Bigham, 5268 58th Street, Meriden, Kansas, 66512, received in this office on December 30, 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, 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	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
20	11S	17E	Lot 1 4.00	Lot 2 28.00	Lot 2 28.00	Lot 1 4.00													64.00

a total of 64.00 acres in Township 11 South, Range 17 East, Jefferson 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 Lot 2 of Section 20, more particularly described as being near a point 4,270 feet North and 1,960 feet West of the Southeast corner of said section, in Township 11 South, Range 17 East, Jefferson 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. 37,928, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 22, 1995.

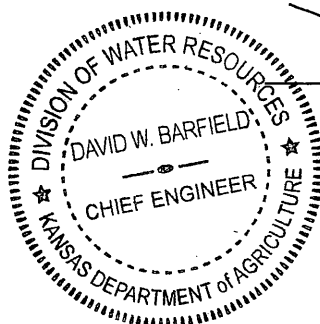
This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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 23rd day of March, 2017, in 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) SS

The foregoing instrument was acknowledged before me this 23rd day of March, 2017, 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 23rd day of March, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 37,928, dated March 23rd, 2017 was mailed postage prepaid, first class, US mail to the following:

ROD AND LINDA L BIGHAM
5268 58TH ST
MERIDEN KS 66512

with a true and correct copy to:

JEANNE L GANTZ
4123 SOUTH ST
GRANTVILLE KS 66429

with photocopies to:

Topeka Field Office

Danielle Wilson

Division of Water Resources

#2

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.

WATER RESOURCES
RECEIVED
DEC 30 2016
10:10
KS DEPT OF AGRICULTURE

- 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

File No. 37928

2. Name of applicant: JEANNE L GANTZ ROD BIGHAM
 Address: 4123 SOUTH ST 5268 58TH ST
 City, State and Zip: GRANTVILLE KS 66429 MERIDEN KS 66512
 Phone Number: () _____ E-mail address: _____

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

Name of water use correspondent: JEANNE L GANTZ
 Address: 4123 SOUTH STREET
 City, State and Zip: GRANTVILLE, KS 66429
 Phone Number: (785) 246-3187 E-mail address: _____

- 3. The change(s) proposed herein are desired for the following reasons (please be specific):
A CORNER SYSTEM IS GOING TO BE ADDED TO THE EXISTING CENTER PIVOT WHICH WILL WATER ACRES NOT CURRENTLY COVERED BY THIS WATER RIGHT.

The change(s) (was) (will be) completed by JULY 2016 (Date)

For Office-Use Only:					
F.O. Code	<u>1</u>	GMD	<u>1</u>	Meets K.A.R. 5-5-1 (YES/NO)	<u>(YES)</u>
Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>JF</u>
Fee \$	<u>200</u>	TR #	Receipt Date	<u>12/30/16</u>	By <u>KAB</u> Date <u>12/30/16</u>
				Check #	<u>4705</u>

APPLICATION COMPLETE
3/21/17
Reviewer RAK

1/5/2017 UM

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: **JEANNE L GANTZ**

ROD BIGHAM

ADDRESS: **4123 SOUTH ST GRANTVILLE KS 66429 5268 58TH ST MERIDEN KS 66512**

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	
20	11	17E		30	12		2				1							45	

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: **JEANNE L GANTZ**

ROD BIGHAM

ADDRESS: **4123 SOUTH ST GRANTVILLE KS 66429 5268 58TH ST MERIDEN KS 66512**

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	
20	11	17E	4 L-1	28 L-2	28 L-2	4 L-1												64	

List any other water rights that cover this place of use. **NEW APPLICATION * 49751**

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

* Row/own 3/7/17

Property Detail Information

JEFFERSON COUNTY KANSAS

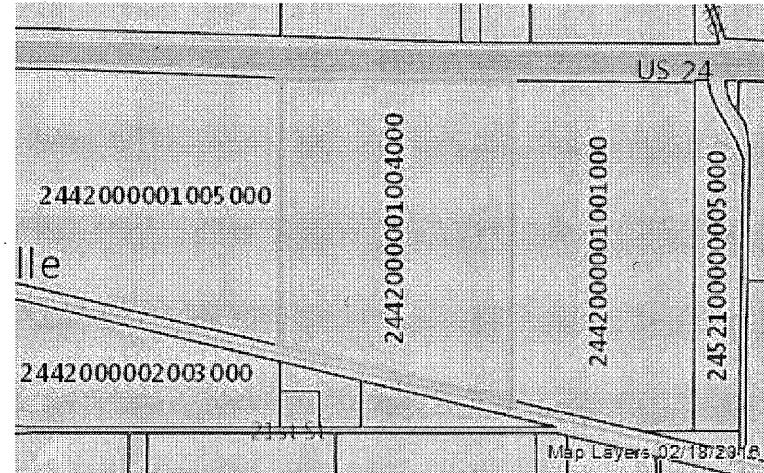
Generated: 3/21/2017 2:43:08 PM

Report for Parcel No. 044-244-20-0-00-01-004.00-0 (Quick Ref. ID R14429)

Property Physical (Situs) Address
00000 Vacant, Grantville, KS 66429

Tract (Legal) Description
S20, T11, R017, ACRES 64.65, W1508' OF NE1/4 FR LYG N OF RR ROW; LESS ROW

Owner(s)	Owner Mailing Address
Gantz, Jeanne Bigham - (P)	4123 South ST Grantville, KS 66429
Bigham, Rodney B	4123 South ST Grantville, KS 66429



Property Factors	
Topography	Level - 1
Utilities	Public Water - 3
Access	Semi Improved Road - 2
Fronting	Secondary Street - 3
Location	Neighborhood or Spot - 6
Parking Type	None - 0
Parking Quantity	None - 0
Parking Proximity	Far - 0
Covered Parking	Not Available
Uncovered Parking	Not Available

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 LOT 2 Quarter of the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section 20, Township 11 South, Range 17E (E/W),
 in JEFFERSON County, Kansas, 4270 feet North 1960 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 _____
 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 _____
 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 _____
 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 _____
 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 _____
 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. _____
N/A

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

DEC 30 2016

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 A NEW APPLICATION HAS BEEN FILED WHICH
REQUESTS ADDITIONAL QUANTITY FOR THE INCREASED PLACE OF 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). 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.

IMPAIRMENT SHOULD NOT BE AN ISSUE AS THIS IS A CHANGE IN PLACE OF USE ONLY

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 JEFFERSON COUNTY, Kansas, this 27th day of DECEMBER, 2016

Jeanne L. Gantz
(Owner)

(Spouse)

Jeanne L. Gantz
(Please Print)

(Please Print)

Rod Bigham
(Owner)

Linda L. Bigham
(Spouse)

ROD BIGHAM
(Please Print)

Linda L. Bigham
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of JEFFERSON } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of DECEMBER, 2016

Tiffany Marie McCall
Notary Public

My Commission Expires 10-25-2020

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 30 2016

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 JEFFERSON COUNTY, Kansas, this 27th day of DECEMBER, 2016.

Jeanne L. Gantz
(Owner)

(Spouse)

Jeanne L. Gantz
(Please Print)

(Please Print)

POD BIGHAM
(Owner)

Linda L. Bigham
(Spouse)

POD BIGHAM
(Please Print)

Linda L. Bigham
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of JEFFERSON } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of DECEMBER, 2016.

Tiffany Marie McCall
Notary Public

My Commission Expires 10-25-2020

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 30 2016

KS DEPT OF AGRICULTURE SCANNED

DEC 25, 2016

ROD ZIGMAN

5268 58TH

KS DEPT OF AG.

MERIDEN KS 66512

PH 785-221-8572

FILE # 37928

THE WATER RIGHT EXPANSION FOR JEANIE GANTZ FOR AN ADDITION OF A CORNER SYSTEM ONTO A EXISTING PIVOT; ON THE APPLICATION IT WAS DATED 2016, JULY. THIS DID NOT GET DONE AS THE COMPANY OUT OF NEBRASKA WAS BUSY LAST SUMMER. WAS SUPPOSED TO BE HERE IN OCTOBER TO LOOK AT AND PERHAPS START WORK IN NOVEMBER. HAS YET TO SHOW UP. LAST ABLE TO MAKE CONTACT OCTOBER 5TH, 2016.

WATER RESOURCES
RECEIVED

DEC 30 2016

Rod Zigman

KS DEPT OF AGRICULTURE

SCANNED

Krueger, Richelle

From: Tietsort, Katie
Sent: Tuesday, March 21, 2017 12:51 PM
To: Krueger, Richelle
Cc: Bunger, Brett; Schemm, Doug
Subject: RE: Request for Recommendation Change in PU File No. 37928

Thanks everyone, this package looks ready to go.

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, March 21, 2017 10:23 AM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>
Subject: Request for Recommendation Change in PU File No. 37928

Hi Katie,

Attached is a draft memo for the referenced change in pu, which overlaps the pd and pu of Application File No. 49,751-
Doug is wrapping up the new app. Do you recommend approval of the referenced change in pu?

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

December 30, 2016

JEANNE L GANTZ
4123 SOUTH ST
GRANTVILLE, KS

FILE COPY

RE: File No. 37928-D1

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

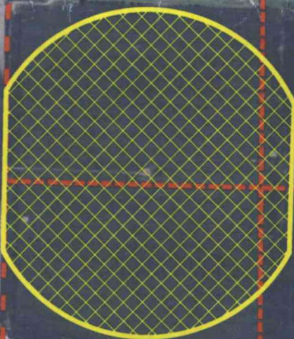
Authorized Place of Use

File No. 37928

1:12,000



11 South



L-2

L-1

20

Boundary of KHBIL Survey #11

17 East

WATER RESOURCES RECEIVED

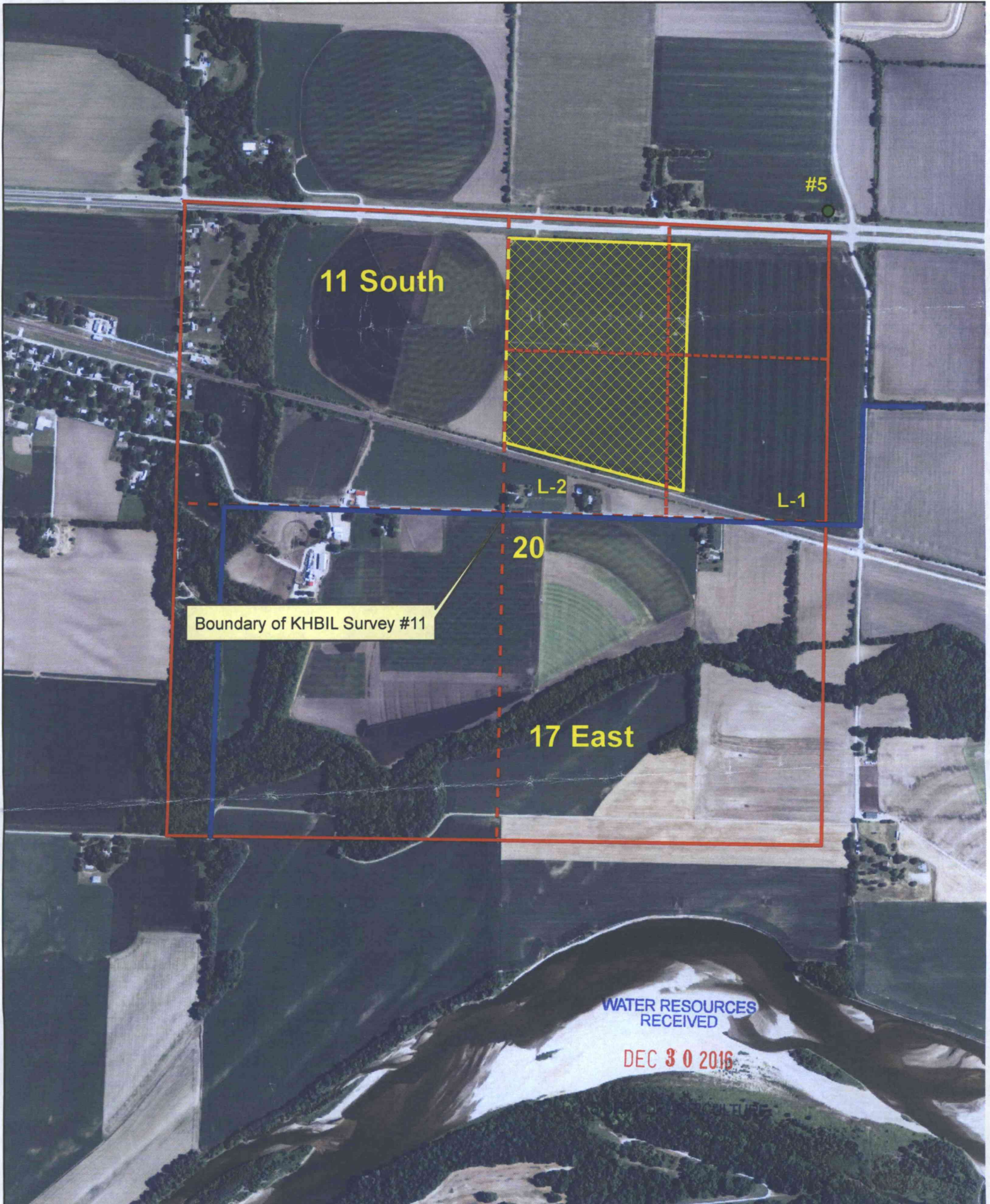
DEC 30 2016

SCANNED

AGRICULTURE

Proposed Place of Use File No. 37928

1:12,000



Boundary of KHBIL Survey #11

11 South

20

17 East

L-2

L-1

#5

WATER RESOURCES
RECEIVED

DEC 30 2016