

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

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

1. File Number: <b>41089</b>	2. Status Change Date: <i>2/6/2017</i>	3. Change Num: <b>C2</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>28-DEC-2016</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>CRAWFORD RWD 01 PO BOX 902 FRONTENAC KS 66763-0984</b>		Person ID <b>15206</b> Add Seq# <u>1</u>	8d. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/>  <b>CRAWFORD RWD 01 PO BOX 902 FRONTENAC KS 66763-0984</b>		Person ID <b>15206</b> Add Seq# <u>1</u>	8e. Landowner(s) New to system <input checked="" type="checkbox"/>  Person ID _____ Add Seq# _____	
8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____		8f. WUC New to system <input type="checkbox"/>  <b>CRAWFORD RWD 01 PO BOX 902 FRONTENAC KS 66763-0984</b>  Person ID <b>15206</b> Add Seq# <u>1</u>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/17</u> <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>01/20/17</b> By: <b>RAK</b> Date Entered: <i>2/8/2017</i> By: <i>UM</i>				

File No. **41089**      11. County: CR      Basin: **SPRING RIVER**      Stream:      Formation Code:      Special Use:

12. Points of Diversion  
 MOD    
 DEL   
 ENT

Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm      mgy      gpm      mgy      Overlap PD Files

MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files
✓				17072 SWNWSW	26	29	25E	1	1757	5337		200	9.04	120	9.04	18870 & 47563

**NO CHANGES**

**NO CHANGE TO RATE LIMITATION MODIFICATION IN WRIS - DOCUMENT MODIFICATION ONLY**

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

14. **KEEP** Limitation: \_\_\_ gpm ( **200GPM COM/W #18870** 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 MOD <input checked="" type="checkbox"/> DEL ENT	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				
DEL 61513 12 29 24E 2	WITHIN BOUNDARIES OF CRAWFORD RWD 02 & IMMEDIATE VICINITY																			
DEL 61514 12 29 24E 3	WITHIN BOUNDARIES OF CRAWFORD RWD 07 & IMMEDIATE VICINITY																			
✓ 33657 26 29 25E 1	WITHIN BOUNDARIES OF CRAWFORD RWD 01 & IMMEDIATE VICINITY																	8B	NO	18870; 41089 & 47563
ENT 6621D 26 29 25E	WITHIN BOUNDARIES OF CRAWFORD RWD 03 & IMMEDIATE VICINITY																	8B	NO	18870; 41089 & 47563

Comments:

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

**TO:** Files  
**DATE:** January 23, 2017

**FROM:** Richelle A. Krueger  
**RE:** Water Right  
File No. 18,870  
Appropriation of Water  
File Nos. 41,089 and 47,563

Tim A. Gintner, on behalf of Rural Water District No. 1, Crawford County, filed applications for approval to change the authorized place of use under the referenced file numbers, all files authorized groundwater for municipal use.

The referenced file numbers do not appear to be abandoned pursuant to K.S.A. 82a-718. The perfection period for File No. 41,089 expires December 31, 2021 and the perfection period for File No. 47,563 expires on December 31, 2031.

The above referenced files are authorized a total limited quantity and diversion rate of 40.308 million gallons per calendar year and 350 g.p.m. from the same well for municipal use within the boundaries of Crawford County Rural Water District Nos. 1, 2 and 7 and their immediate vicinities.

Plans to supply Crawford County RWD Nos. 2 and 7 never materialized and there is no physical connection with those districts. However, Crawford RWD No. 1 does have an emergency connection to supply Crawford County Rural Water District No. 3 so the District filed the referenced changes. The District proposes to drop Crawford County RWD Nos. 2 and 7, and add Crawford County RWD No. 3 so that the proposed place of use will be described as:

within the boundaries of Rural Water District No. 1, Crawford County, Kansas and immediate vicinity; and within the boundaries of Rural Water District No. 3, Crawford County, Kansas and immediate vicinity.

It appears that Crawford County RWD No. 1 has sufficient quantity at this point in time to supply the other rural water district. Crawford County RWD No. 3 is also authorized its own water rights, Water Right, File Nos. 8,697 and 34,866.

The additional limitations on the rate under File No. 41,089 and on the rate and quantity under File No. 47,563 will be modified to reflect the change in place of use.

There are no other non-domestic wells within one-half mile of the authorized point of diversion and the applicant did not identify any domestic wells within one-half mile. Also, no domestic wells were identified within one-half mile of the authorized well in the WWC-5 records.

The same local source of supply will not change.

In an e-mail dated January 19, 2017, Katherine Tietsort, Water Commissioner of the Topeka Field Office, indicated no objection to approval of the referenced applications.

Water flow meters will be required on the diversion works in accordance with existing rules and regulations. Check valves will be 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 applications 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

February 9, 2017

CRAWFORD RWD 01  
ATTN TIM A GINTNER  
PO BOX 902  
FRONTENAC KS 66763-0984

**FILE COPY**

RE: Water Right, File No. 18,870  
Appropriation of Water, File Nos. 41,089 and 47,563

Dear Mr. Gintner:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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 an acceptable water flow meter 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 meter as soon as these actions are completed.

Since the order for File No. 18,870 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,

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

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

Enclosures

pc: Topeka Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN PLACE OF USE  
APPROPRIATION OF WATER AND  
ORDER MODIFYING THE  
ADDITIONAL RATE LIMITATION  
FILE NO. 41,089**

**FILE COPY**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Tim A. Gintner, on behalf of Rural Water District No. 1, Crawford County, Kansas, P.O. Box 902, Frontenac, Kansas, 66763-0984, received in this office on December 28, 2016, for approval of a change in the location of the place of use under the Approval of Application, File No. 41,089, for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated November 3, 2010, 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:

within the boundaries of Rural Water District No. 1, Crawford County, and immediate vicinity;  
and within the boundaries of Rural Water District No. 3, Crawford County, and immediate vicinity,

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

This order effectively modifies the additional limitation on the diversion rate as set forth by the Approval of Application, File No. 41,089 dated April 11, 1996 as follows:

That the rate of diversion approved under this permit is further limited to the rate which combined with Water Right, File No. 18,870 will provide a maximum diversion rate not in excess of 200 gallons per minute (0.45 c.f.s.) for municipal purposes from the well described herein.

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 Approval of Application, File No. 41,089, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated April 11, 1996, 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 6<sup>th</sup> day of February, 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 )  
                          ) SS  
County of Riley )

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of February, 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 9<sup>th</sup> day of February, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 41,089, dated Feb. 6, 2017 was mailed postage prepaid, first class, US mail to the following:

CRAWFORD RWD 01  
PO BOX 902  
FRONTENAC KS 66763-0984

With photocopies to:

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
- Point of Diversion
- Use Made of Water

(Check one or more)

**WATER RESOURCES  
RECEIVED**  
**DEC 28 2016**  
**9:17**  
**KS DEPT OF AGRICULTURE**

File No. 41089

2. Name of applicant: Crawford RWD 01

Address: PO Box 902

\*City, State and Zip: Frontenac, KS 66763-0984

Phone Number: (620)249-3580 E-mail address: ccrwd\_1@yahoo.com

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): \_\_\_\_\_

Plans to supply water to CR RWD 02 and CR RWD 07 never came to fruition. However, there is an emergency supply connection to CR RWD 03 through which water has been sold in the past.

The change(s) (was) (will be) completed by upon approval \_\_\_\_\_  
(Date)

For Office Use Only:							
F.O. Code	<u>1</u>	GMD	<u>0</u>	Meets K.A.R. 5-5-1 (YES/NO)	Use	Source	Date
	<u>CR</u>			<u>YES</u>	<u>MUN</u>	<u>S</u>	<u>12/28/16</u>
		Fee \$	<u>200</u>	TR #		Receipt Date	Check #
						<u>12/28/16</u>	<u>6241</u>

\*note 1/23/17

1 23 17  
RLK

4. The presently authorized place of use is:

Owner of Land — NAME: Same as applicant

Distribution System ADDRESS: \_\_\_\_\_

Sec.	Within the boundaries of Crawford RWD 01 and immediate vicinity Within the boundaries of Crawford RWD 02 and immediate vicinity Within the boundaries of Crawford RWD 07 and immediate vicinity																TOTAL ACRES	
*26-29-25E																		

List any other water rights that cover this place of use. 18870 & 47563

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: Same as applicant

Distribution System ADDRESS: \_\_\_\_\_

Sec.	Within the boundaries of Crawford RWD 01 and immediate vicinity <b>Within the boundaries of Crawford RWD 03 and immediate vicinity</b>																TOTAL ACRES	
* 26-29-25E																		

List any other water rights that cover this place of use. 18870 & 47563

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 WNIS \* 1/23/11



6. The presently authorized point(s) of diversion is One Well  
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (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 SW Quarter of the NW Quarter of the SW Quarter of Section 26, Township 29 South, Range 25 E, in Crawford County, Kansas, 1757 feet North 5337 feet West of Southeast corner of section. Authorized Rate 350 gpm Authorized Quantity 100 AF 9.04 MG (27.74 AF) Limited to design WK (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West) File No. 15870

This point will not be changed  This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

9. Presently authorized point of diversion:

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)

This point will not be changed  This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. Presently authorized point of diversion:

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)

This point will not be changed  This point will be changed as follows:

Proposed point of diversion: (Complete only if change is requested)

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W), in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

DEC 28 2016

\* per Approval dated 4/11/96 & WR 25

\* WR 122 - 1/23/17

SCANNED

KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for Municipal 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 change proposes to remove two water districts from the place of use and add only one more. The net result will be fewer end users to the CR RWD 01 distribution system.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to No Change (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to No Change 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 change in P/D

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.

Meets all rules and regs

**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 12/13/16 272 S. 250, R. H. sburg, Kansas, this 12<sup>th</sup> day of December, 2016.

Tim A. Hintus Chairman  
(Owner)

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

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

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

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

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

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

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

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

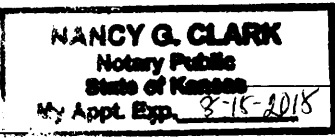
\_\_\_\_\_  
(Spouse)

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

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

State of Kansas  
County of Chawford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13<sup>th</sup> day of December, 2016.



Nancy G. Clark  
Notary Public

My Commission Expires 8-15-2016

**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 28 2016**

**KS DEPT. OF AGRICULTURE**  
**SCANNED**

  
**Kansas**  
Department of Agriculture  
Division of Water Resources

Topeka Field Office  
6531 SE Forbes Ave., Suite B  
Topeka, Kansas 66619

Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733  
Fax: (785) 862-2460  
www.agriculture.ks.gov

Sam Brownback, Governor

December 9, 2016

CRAWFORD RWD 01  
PO BOX 902  
FRONTENAC KS 66763-0984

Re: Water Right,  
File No. 18,870  
Appropriation of Water  
File Nos. 41089 & 47563

Dear Sir/Madam:

As per the approval of application to change the place of use and approval to appropriate water dated 11/3/10, your files allow the beneficial use of water within the boundaries of Crawford RWD's 01, 02, & 07 and their immediate vicinities.

On October 28, 2016, a compliance investigation was conducted for the above listed files.

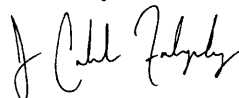
It was discovered that there is no actual physical connection with Crawford RWD 02 or Crawford RWD 07. However, there is an emergency connection to Crawford RWD 03, and water has occasionally been supplied to them. Therefore, the above listed files have been deemed to be out of compliance.

To remedy the situation, please submit completed applications to change the place of use for each file. Applications have been drafted and enclosed with this letter. Please review the applications for accuracy, sign and notarize on page 5 of each app, sign each map, and enclose the \$200 filing fee for each file (\$600 total). Then mail the completed applications and fees to the address on page 1 of the application (Manhattan, KS).

Please have these change applications submitted by 1/9/16. Failure to meet the deadline could result in additional orders, civil penalties being issued, and/or the issuing of a Cease and Desist Order by the Chief Engineer.

Thank you for your prompt attention to this matter. If you have any questions about the information contained in this letter or if you need additional information, please feel free to contact me at (620) 421-2697. Or, you may contact the Topeka Field Office at (785) 296-5733.

Sincerely,



Caleb Fabrycky  
Environmental Scientist  
Topeka Field Office – Parsons Satellite

Enclosures

WATER RESOURCES  
RECEIVED

DEC 28 2016

KS DEPT OF AGRICULTURE

SCANNED

## Krueger, Richelle

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**From:** Tietsort, Katie  
**Sent:** Thursday, January 19, 2017 2:04 PM  
**To:** Krueger, Richelle  
**Cc:** Bunger, Brett  
**Subject:** RE: Request for Recommendation Change in PU File Nos. 18870; 41089 and 47563 Crawford RWD No 1

Hi Richelle,

Yes, the TFO agrees with your recommendation to approve the change applications under the referenced files. They do met the requirements and will get the PU Into compliance.

Have a great weekend,  
Katie

Katie Tietsort

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

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**From:** Krueger, Richelle  
**Sent:** Thursday, January 12, 2017 2:18 PM  
**To:** Tietsort, Katie <Katie.Tietsort@ks.gov>  
**Cc:** Bunger, Brett <Brett.Bunger@ks.gov>  
**Subject:** Request for Recommendation Change in PU File Nos. 18870; 41089 and 47563 Crawford RWD No 1

Hi Katie,  
Attached is a draft memo for the referenced changes in pu, do you recommend approval?  
Thanks,  
Richelle

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

December 28, 2016

CRAWFORD RWD 01  
PO BOX 902  
FRONTENAC, KS

RE: File No. 41089

**FILE COPY**

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



# Place of Use Change

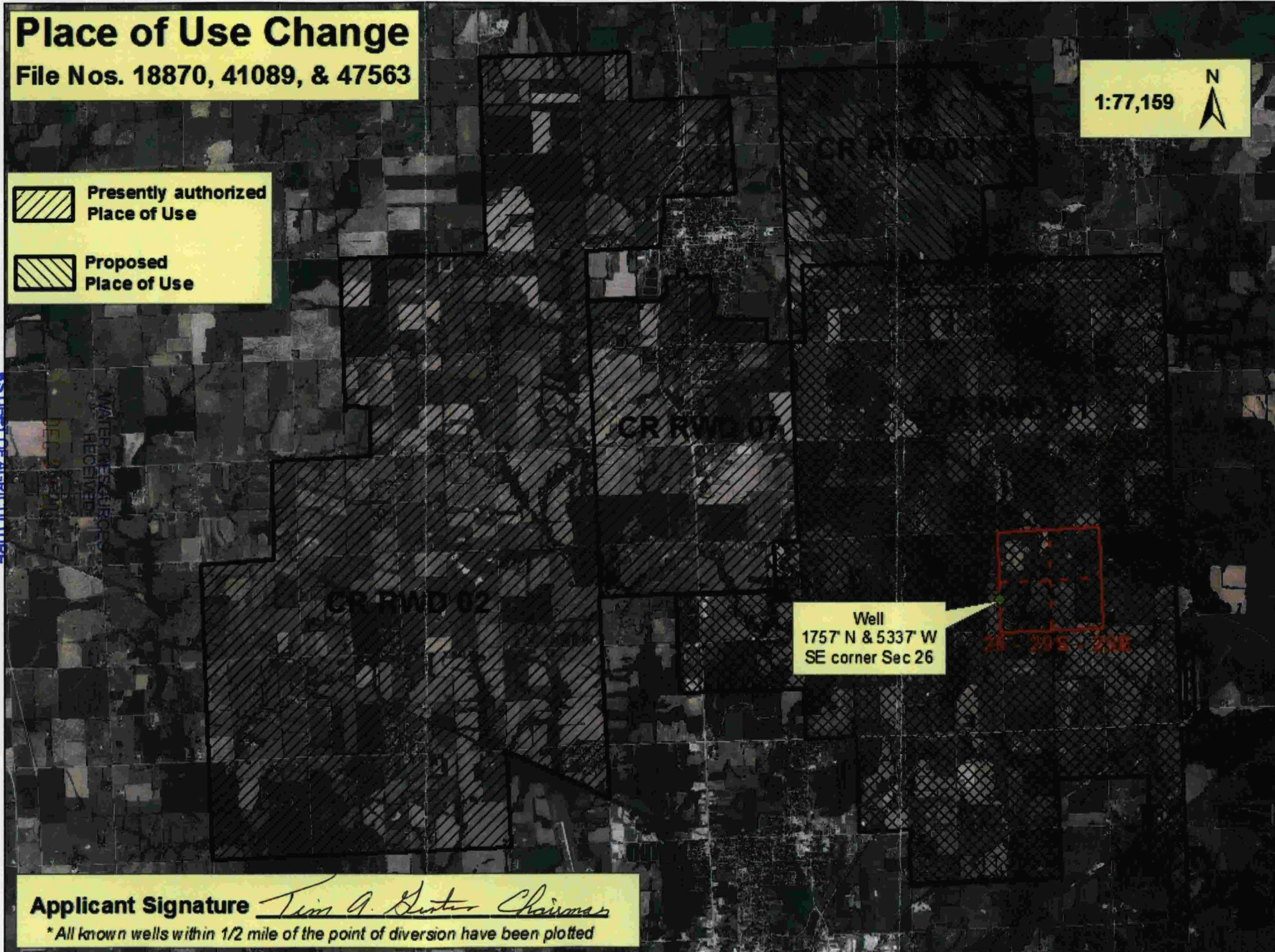
File Nos. 18870, 41089, & 47563

1:77,159 

-  Presently authorized Place of Use
-  Proposed Place of Use

DEPT. OF AGRICULTURE

WATER RESOURCES  
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DEC 2 2017



Well  
1757' N & 5337' W  
SE corner Sec 26

**Applicant Signature** *Tim A. Dexter Chairman*  
\* All known wells within 1/2 mile of the point of diversion have been plotted