

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

Document Signature _____

1. File Number: 47563	2. Status Change Date: 2/6/2017	3. Change Num: C1	4. Field Office: 01	5. GMD:
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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: 28-DEC-2016
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID 15206 Add Seq# 1	8d. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
CRAWFORD RWD 01 PO BOX 902 FRONTENAC KS 66763-0984			

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID 15206 Add Seq# 1	8e. Landowner(s) New to system <input checked="" type="checkbox"/>	Person ID _____ Add Seq# _____
CRAWFORD RWD 01 PO BOX 902 FRONTENAC KS 66763-0984			

8c. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____	8f. WUC New to system <input type="checkbox"/>	Person ID 15206 Add Seq# 1
		CRAWFORD RWD 01 PO BOX 902 FRONTENAC KS 66763-0984	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/17 <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: 01/20/17 By: RAK Date Entered: 2/8/2017 By: CLM
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File No. 47563	11. County: CR	Basin: SPRING RIVER	Stream:	Formation Code:	Special Use:
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MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Rate and Quantity				
										Authorized		Additional		
										Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	Overlap PD Files

√	17072	SWNWSW	26	29	25E	1	1757	5337	350	32.58	150	19.228	18870 & 41089
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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 (**40.308MGY @ 350GPM COM/W #18870 & 41089**) 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								
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	68210	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:

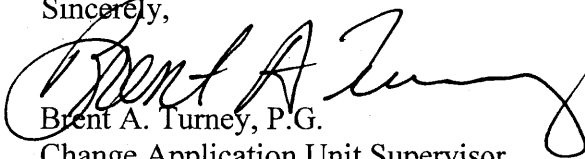
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

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,


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

Enclosures

pc: Topeka Field Office



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
APPROPRIATION OF WATER AND ORDER MODIFYING THE ADDITIONAL
QUANTITY AND RATE LIMITATION
FILE NO. 47,563**

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 Term Permit Application, File No. 20109068A, for permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated December 29, 2010, converting Term Permit, File No. 20109068A to Appropriation of Water, File No. 47,563, 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 limitations on the authorized quantity and diversion rate as set forth by the Approval of Term Permit Application, File No. 20109068A, for permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated December 29, 2010, converting Term Permit, File No. 20109068A to Appropriation of Water, File No. 47,563 as follows:

That the quantity of water and rate of diversion approved under this permit are further limited to the quantity and rate which combined with Water Right, File No. 18,870 and Appropriation of Water, File No. 41,089 will provide a total not to exceed 40.308 million gallons of water per calendar year to be diverted at a maximum diversion rate not in excess of 350 gallons per minute (0.78 c.f.s.) from the well described herein for municipal purposes at the places of use 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.

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
9:18
KS DEPT OF AGRICULTURE

File No. 47563

2. Name of applicant: Crawford RWD 01

Address: PO Box 902

City, State and Zip: Frontenac, KS 66763

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. 1 GMD Meets K.A.R. 5-5-1 (YES) NO Use MUN Source G/S County CR By AW Date 12/28/16
Code CPU Fee \$ 500 TR # _____ Receipt Date 12/28/16 Check # 10241

1 23 17
Rox

4. The presently authorized place of use is:

Owner of Land — NAME: Same as applicant

Distribution System ADDRESS: _____

Sec.													TOTAL ACRES		
	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														
* 26-29-35E															

List any other water rights that cover this place of use. 18870 & 41089

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.													TOTAL ACRES		
	Within the boundaries of Crawford RWD 01 and immediate vicinity Within the boundaries of Crawford RWD 03 and immediate vicinity														
* 26-29-35E															

List any other water rights that cover this place of use. 18870 & 41089

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

* FAX 1/20/12
1/23/12

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 (32.58 MG) Limited to 40.28 MG @ 350 gpm rate. (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West) *15576*
 This point will not be changed This point will be changed as follows: *11089*
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

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

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES

DEC 28 2016

SCANNED

KS DEPT OF AGRICULTURE

APR 14 2015 *1/23/17*

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). 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 250th P. Hsburg, Kansas, this 13th day of December, 2016.

Tim A. Gintner Chairman
(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Crawford } SS

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

NANCY G. CLARK
Notary Public
State of Kansas
My Appt. Exp. 8-18-2016

Nancy Clark
Notary Public

My Commission Expires 8-18-2016

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

Krueger, Richelle

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
Phone 785-296-5733

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

FILE COPY

RE: File No. 47563

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,

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

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


BAT: dlw
pc: TOPEKA Field Office GMD


* File No 47563

Place of Use Change

File Nos. 18870, 41089, & 47563

1:77,159 

 Presently authorized Place of Use

 Proposed Place of Use

KS DEPT OF AGRICULTURE

SCANNED

CR BND 07
CR BND 02

Well
1757 N & 5337 W
SE corner Sec 26



Applicant Signature Tim A. Dwyer Cassman

* All known wells within 1/2 mile of the point of diversion have been plotted

* ROK/OWN 1/27/17