

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

Document Signature DWB

1. File Number: WL 011	2. Status Change Date: <i>10/31/2017</i>	3. Change Num: C1	4. Field Office: 01	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 5/24/2017
8a. Applicant(s) New to system <input type="checkbox"/> CITY OF NEODESHA ED TRUELOVE CITY ADMINISTRATOR PO BOX 336 NEODESHA KS 66757		8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/> 8d.		8d. WUC New to system <input type="checkbox"/> CITY OF NEODESHA DIRECTOR WATER/WASTEWTR PO BOX 336 NEODESHA KS 66757		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2018</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 checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 10/25/2017 By: LI Date Entered: <i>11/1/2017</i> By: <i>LLM</i>				

File No. **WL011** 11. County: WL Basin: FALL RIVER (40) Stream: FALL RIVER (40) Formation Code: NA Special Use: NA

12. Points of Diversion											Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files	
										Rate gpm/cfs	Quantity mgy	Rate gpm/cfs	Quantity mgy		
ENT	86397	NE SW SE	19	30	16E		917	1739		6013.92 GPM	1000 MGY	6013.92 GPM	1000 MGY	WL 003	
DEL	33254	SE NW SE	19	30	16E	4	1710	1586							
DEL	34268	SE NW SE	19	30	16E	10	1800	1800						NONE	
CK	31205	NW SE SW	19	30	16E	5	1073	3518	CITY DAM					NONE	
CK	38425	NE NE SW	2	30	15E	1	2578	2806	DUNN DAM					NONE	
CK	40941	SW BW NE	14	30	15E	2	4581	2200	MIDDLE DAM					NONE	

13. Storage: Rate NF NF Quantity 1000 ac/ft Additional Rate NF NF Additional Quantity 1000 ac/ft

14. Limitation: af/yr at gpm (cfs) when combined with file number(s) NONE NO CHANGE
 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																			Total	Owner	Chg?	Overlap Files
MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				
						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	
NO Change																						

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

MEMORANDUM

TO: File

DATE: October 23, 2017

FROM: Leslie Ireland

RE: Vested Right, File Nos. WL 003 & WL 011

Terry Harper, Mayor, for the City of Neodesha on behalf of Vested Right, WL 003, and Ed Truelove City Administrator for the City of Neodesha owner of the referenced files authorized for municipal use filed applications for approval to change the point of diversion. The applications were received in the office of the Chief Engineer on July 10, 2017 and July 24, 2017. The City has been assisted with the application by Josh Golka, P.E. Municipal Project Manager for Professional Engineering Consultants, P.A. The records indicate the company has been in contact with Katie Tietsort about the project since 2014.

The water rights do not appear to be abandoned per K.S.A. 82a-718 and are in compliance with K.S.A. 82a-732. 11

The application for WL 003 was returned to the City via email to correct the authorized and proposed points of diversion as they originally only listed the pumpsite that will change. The updated application was returned by Ed Truelove on October 19, 2017. The applications comply with K.A.R. 5-5-2a, *Complete change application*, and as required by K.S.A. 82a 1906, nearby landowners were contacted by letter dated September 19, 2017, for comments on the proposed changes. No comments of any kind were received.

The proposal is to change the pumpsite location authorized under both File Nos. WL 003 & WL 011. The rights will maintain their overlap in point of diversion moving approximately 1,000 feet down the Fall River from the Northside to the Southside of the Highway 75 bridge. The second pumpsite authorized by WL 011 that had been located in the Southeast Quarter of Section 19, Township 30 South Range 16 East, approximately 1,800 feet North and 1,800 feet West of the Southeast Corner of Section 19, has been requested to be removed for the right. The three low head dams permitted under WL 011, were originally permitted by the American Oil Company and transferred in 1988 to municipal use are referenced by the City as City, Dunn, and Middle Dams, that have been in existence since the 50's will remain as authorized. These dams are permitted to impound a combined reservoir total of 1,000 acre-feet. The permitting for the change to the stream channel for the raw water intake has been permitted under water structure number LWL-0060, and was completed by our DWR Structures Division on September 19, 2017. The change downstream will not alter the source of supply and will not jump over any other rights.

The pumpsite currently authorized under both File Nos. WL 003 & WL 011, authorized as being located 1,710 feet North and 1,586 feet West of the Southeast corner of Section 19, will be authorized by the change approval to be 917 feet North and 1,739 feet West of the Southeast corner of Section 19, with the updated qualifiers of being in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter, (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$). As the rights have always overlapped in point of diversion there will not be operational changes needed for the referenced rights. The new pumpsite will be approximately 77 feet from the City's 2015 obtained recreational diversion right, File No. 36,217. This right authorized to divert 5.3 acre-feet at a maximum of 235 gallons per minute to fill a pond has not been utilized in several years citing rain.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R. 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed. A meter will be required however, water level measurement devices for the dams will not be a condition of File No. WL 011.

Katie Tietsort, Water Commissioner of the Topeka Field Office was contacted for recommendation of the proposed changes. She stated in an e-mail dated October 25, 2017, that she recommended approval of the changes.

Based on the above discussion, that the changes are reasonable, there will not be a significant increase in the consumptive use, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

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



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

Jackie McClaskey, Secretary

FILE COPY
Governor of Sam Brownback

CITY OF NEODESHA
ED TRUELOVE, CITY ADMINISTRATOR
PO BOX 336
NEODESHA, KS 66757

November 1, 2017

RE: Vested Right, File Nos. WL 003 & WL 011

Dear Mr. Truelove:

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 the approvals for change. A condition of these approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced file numbers. Please return the required and enclosed form, *Notification of Completion of the Diversion Works and/or Installation of the Required Flowmeter*, as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633. 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, appearing to read "Brent A. Turney".

Brent A. Turney, P.G.
Change Application Unit Supervisor

BAT:LI:li
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 POINT OF DIVERSION
VESTED RIGHT
FILE NO. WL 011**

FILE COPY

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Ed Truelove, City Administrator on behalf of the City of Neodesha, PO Box 336, Neodesha, Kansas 66757, received on July 24, 2017, for approval of a change in the point of diversion under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 6211, Wilson County, now identified as Vested Right, File No. WL 011, as modified and amended by the Findings and Order of the Chief Engineer dated January 28, 1982, in the matter of authorized point of diversion, and the Correctional Order of the Chief Engineer dated February 19, 1988, to correct the description of the authorized points of diversion, and by the Order of the Chief Engineer dated May 27, 1988, approving the application to change the place of use, point of diversion and use made of water and the Findings and Order of the Chief Engineer dated January 11, 2012, in the matter of the authorized points of diversion, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the points of diversion shall be:

one (1) pumpsite located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 19, more particularly described as being near a point 917 feet North and 1,739 feet West of the Southeast corner of said section,

one(1) dam, further identified by the City of Neodesha as being the City Dam, located in the Northwest Quarter of the Southeast Quarter Southwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 19, more particularly described as being near a point 1,073 feet North and 3,518 feet West of the Southeast corner of said section,

both in Township 30 South, Range 16 East, Wilson County, Kansas, and

one(1) dam, further identified by the City of Neodesha as being the Dunn Dam, located in the Northeast Quarter of the Northeast Quarter Southwest Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 2, more particularly described as being near a point 2,578 feet North and 2,806 feet West of the Southeast corner of said section, and

one(1) dam, further identified by the City of Neodesha as being the Middle Dam, located in the Southwest Quarter of the Northwest Quarter Northeast Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 14, more particularly described as being near a point 4,581 feet North and 2,200 feet West of the Southeast corner of said section,

both in Township 30 South, Range 15 East, Wilson County, Kansas.

located substantially as shown on the topographic maps accompanying the application to change the points of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The applicant shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

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.

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.

In all other respects, the vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. WL 011, is as stated and set forth in the vested right order executed by the Chief Engineer on March 11, 1963, as modified and amended by the aforementioned orders.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

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

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

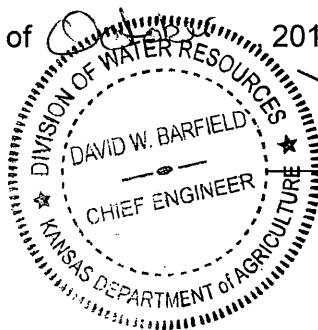
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

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

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

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

Ordered this 31st day of October, 2017, at 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 31st day of October, 2017, by David W. Barfield, P.E., Chief Engineer, P.E., Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 1st day of November, 2017, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Vested Right, File No. WL 011, dated October 31, 2017 was mailed postage prepaid, first class, US mail to the following:

City of Neodesha
Ed Truelove, City Administrator
PO Box 336
Neodesha, KS 66757

With photocopies to:

Topeka Field

Danielle Wilson
Division of Water Resources Staff

Submit To: CHIEF ENGINEER
 Division of Water Resources
 Kansas Department of Agriculture
 1320 Research Park Drive
 Manhattan, Kansas 66502
 http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
 CHANGE THE PLACE OF USE, THE
 POINT OF DIVERSION OR THE USE
 MADE OF THE WATER UNDER AN
 EXISTING WATER RIGHT**



State of Kansas

*Filing Fee Must Accompany the Application
 (Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

WATER RESOURCES
 RECEIVED

JUL 24 2017

12:00

KS DEPT OF AGRICULTURE

File No. WL-11

2. Name of applicant: City of Neodesha: Ed Truelove, City Administrator

Address: 1407 N. 8th, P.O. Box 336

City, State and Zip: Neodesha, KS 66757

Phone Number: (620) 325-2828

E-mail address: etruelove@ci.neodesha.ks.us

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

Name of water use correspondent: City of Neodesha: Ed Truelove, City Administrator

Address: 1407 N. 8th, P.O. Box 336

City, State and Zip: Neodesha, KS 66757

Phone Number: (620) 325-2828

E-mail address: etruelove@ci.neodesha.ks.us

3. The change(s) proposed herein are desired for the following reasons (please be specific): Construction of a new raw water intake structure for the city of Neodesha to replace existing failed intake. Point of diversion for existing water right WL-11 will be changed to location of new intake structure.

The change(s) (was) (will be) completed by 12/31/2017

(Date)

For Office Use Only:		Meets K.A.R. 5-5-1 (YES/NO) Use <u>MUN</u>		Source <u>G</u> County <u>WL</u>		By <u>AW</u> Date <u>7/24/17</u>	
F.O. Code	<u>GMD</u>	Fee \$	<u>300</u>	TR #	Receipt Date	Check #	<u>1055</u>
	<u>CGT</u>				<u>7/24/17</u>		

SAMAN, UNLUK @ PEEL, COM -

APPLICATION COMPLETE
10/19/17
 Reviewer LI

7/28/17 DW SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: City of Neodesha: Ed Truelove, City Administrator

ADDRESS: 1407 N. 8th, P.O. Box 336

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	
19	30	16															X		

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

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: City of Neodesha: Ed Truelove, City Administrator

ADDRESS: 1407 N. 8th, P.O. Box 336

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	
19	30	16															X		

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

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

WATER RESOURCES RECEIVED

JUL 24 2017

SCANNED

KS DEPT OF AGRICULTURE

6. The presently authorized point(s) of diversion (is) (are) Submerged raw water intake structure, 1 diversion point- 2 PUMPSITES & 3 DAMS
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) Submerged raw water intake structure, 1 diversion point- 1 PUMPSITE & 3 DAMS
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**

One in the SE Quarter of the NW Quarter of the SW SE Quarter
of Section 19, Township 30 South, Range 16 (EW),
in Wilson County, Kansas, 1,710 feet North 1,586 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 SE NE Quarter of the SW Quarter of the NW SE Quarter
of Section 19, Township 30 South, Range 16 (EW),
in Wilson County, Kansas, 917 feet North 1,739 feet West of Southeast corner of section.
Proposed Rate No Change Proposed Quantity No Change
This point is: Additional Well Geo Center List other water rights that will use this point: WL-03 & WL-11

9. **Presently authorized point of diversion: AKA CITY DAM IN FALL RIVER**

One in the NW Quarter of the SE Quarter of the SW Quarter
of Section 19, Township 30 South, Range 16 (EW),
in WILSON County, Kansas, 1073 feet North 3518 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 _____ (EW),
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: PUMPSITE**

One in the SE Quarter of the NW Quarter of the SE Quarter
of Section 19, Township 30 South, Range 16 (EW),
in WILSON County, Kansas, 1800 feet North 1800 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) REMOVED FROM RIGHT
One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (EW),
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

ERT 10/18/17
INITIAL DATE

** LSP/DM 9/18/17

WATER RESOURCES ASSOCIATES
OCT 24 2017
WATER RESOURCES RECEIVED SCANNED
KS DEPT OF AGRICULTURE
OCT 19 2017

Presently authorized point of diversion: aka DUNN DAM

One in the NE Quarter of the NE Quarter of the SW Quarter of Section 2, Township 30 South, Range 15 EAST, in WILSON County, Kansas, 2578 feet North 2806 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

Presently authorized point of diversion: aka MIDDLE DAM

One in the SW Quarter of the NW Quarter of the NE Quarter of Section 14, Township 30 South, Range 15 EAST, in WILSON County, Kansas, 4581 feet North 2200 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

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 _____ Depth of well _____ (feet)
 (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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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 _____ Depth of well _____ (feet)
 (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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

ERT 10/18/17

- 6. The presently authorized point(s) of diversion (is) (are) Submerged raw water intake structure, 4 diversion point - 2 PUMPSITES & 3 DAMS
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) Submerged raw water intake structure, 1 diversion point - 1 PUMPSITE & 3 DAMS
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**

One in the SE Quarter of the NW Quarter of the SW SE Quarter of Section 19, Township 30 South, Range 16 (E/W), in Wilson County, Kansas, 1,710 feet North 1,586 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 SE NE Quarter of the SW Quarter of the NW SE Quarter of Section 19, Township 30 South, Range 16 (E/W), in Wilson County, Kansas, 917 feet North 1,739 feet West of Southeast corner of section.
 Proposed Rate No Change Proposed Quantity No Change
 This point is: Additional Well Geo Center List other water rights that will use this point WL-03 & WL-11

9. **Presently authorized point of diversion:** KA CITY DAM IN FALL RIVER

One in the NW Quarter of the SE Quarter of the SW Quarter of Section 19, Township 30 South, Range 16 (E/W), in Wilson County, Kansas, 1073 feet North 3518 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:** PUMPSITE

One in the SE Quarter of the NW Quarter of the SE Quarter of Section 19, Township 30 South, Range 16 (E/W), in Wilson County, Kansas, 1800 feet North 1800 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) REMOVED FROM RIGHT

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

LS/DWR 9/18/17

WATER RESOURCES
DIVISION
JUL 24 2017

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INITIAL _____ DATE _____

12. The presently authorized use of water is for Municipal purposes.

It is proposed that the use be changed to Municipal purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

Current Demand 0.7 MGD and Proposed Demand 0.766 MGD is within existing Water Rights WL-3 and WL-11 authorized quantity.

(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 (1.18 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.

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.

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY
JUL 24 2017

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.

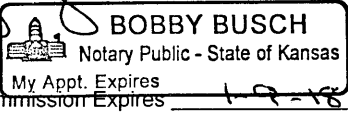
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application 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 Neodesha, Kansas, this 19th day of July, 2017.

<u>E. R. Jualoa</u> (Owner)	_____	(Spouse)
<u>Eddy R. Trselove</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Wilson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of July, 2017.


BOBBY BUSCH
 Notary Public - State of Kansas
 My Appt. Expires 1-9-18
 My Commission Expires 1-9-18

Bobby Busch
Notary Public

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.

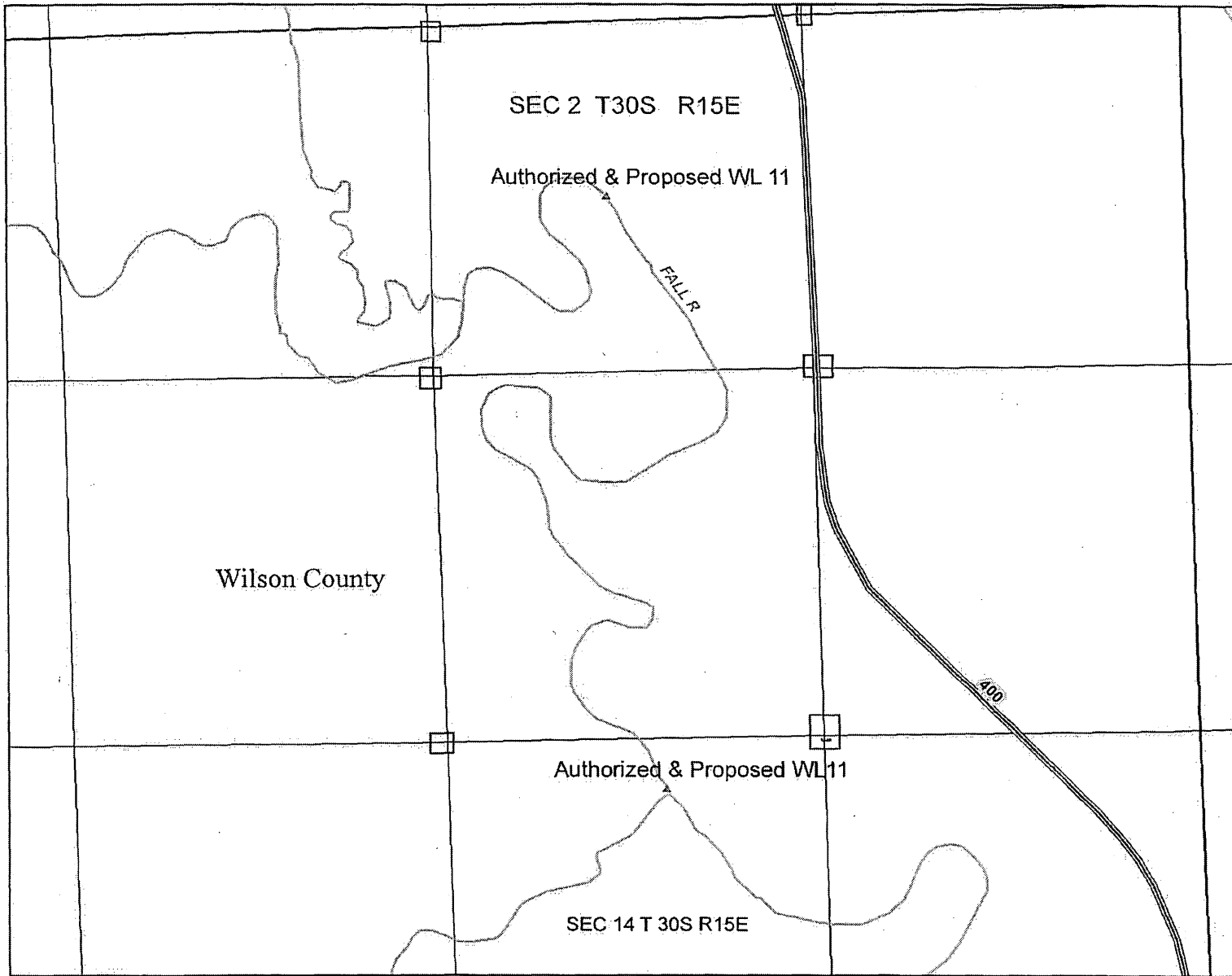
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Vested Right, File No. WL 11, Change in Point of Diversion



Legend

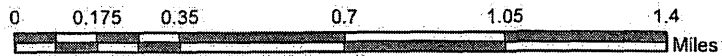
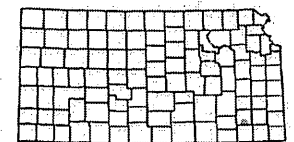
S_UMW

▲ S_MUN

Wilson County

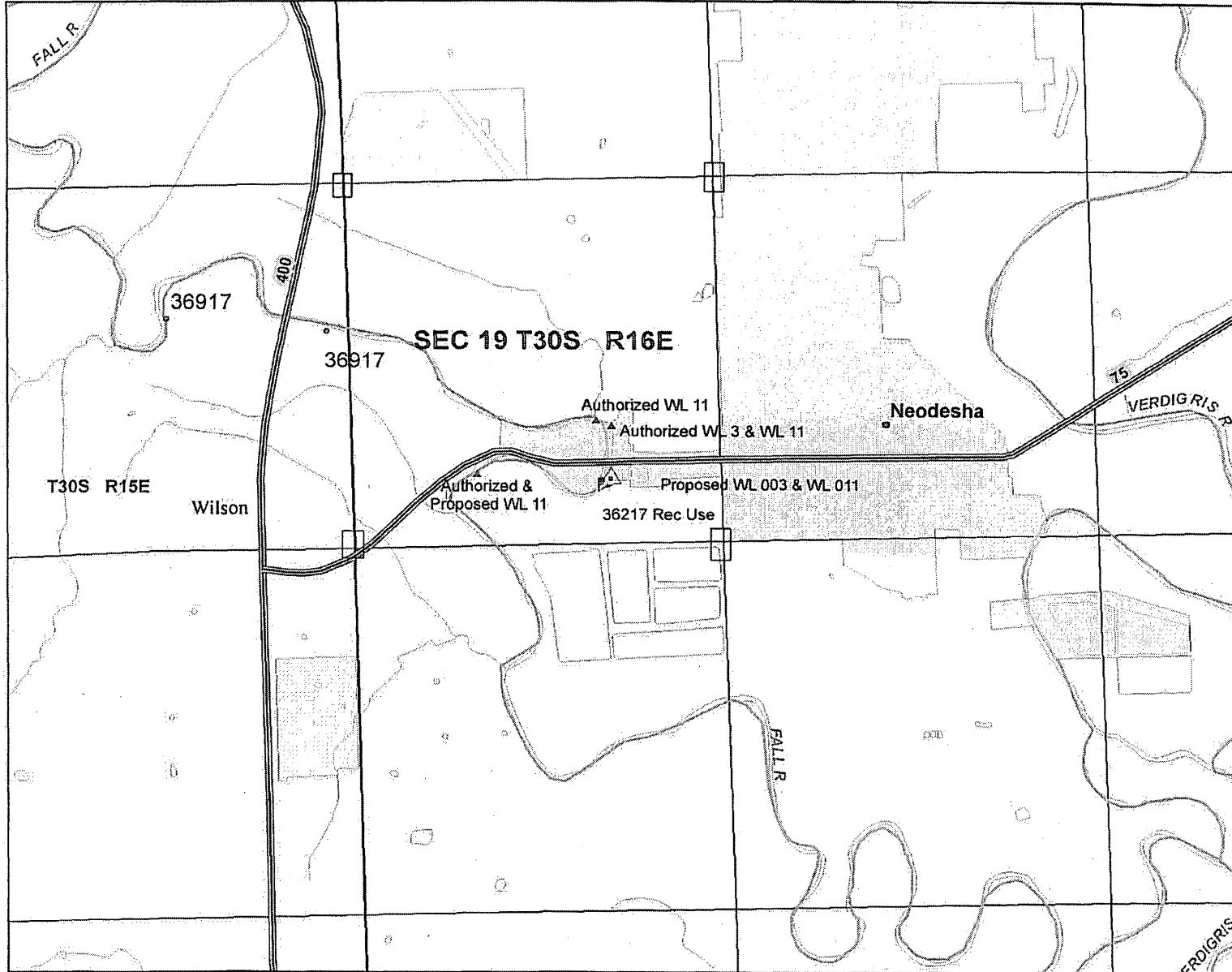
ERT 10/18/17
INITIAL DATE

Index Map



This map was created by L. Ireland in WIMAS on 10/11/2017.

Vested Right, File No. WL 11, Change in Point of Diversion



Legend

WIMAS_PD

S_UMW

• S_IRR

▲ S_MUN

◻ S_REC

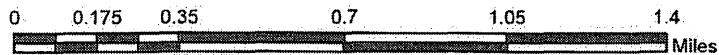
◻ Proposed Pumpsite
917' N & 1,739' W

EAT 10/18/17
INITIAL DATE

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OCT 19 2017

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This map was created by L.Ireland in WIMAS on 10/11/2017.

Ireland, Leslie

From: Tietsort, Katie
Sent: Wednesday, October 25, 2017 3:34 PM
To: Ireland, Leslie
Subject: RE: Recommendation for Change in PD File Nos. WL003 & WL011_ City of Neodesha

Leslie,

In your memo, it indicates the PD change was filed on September 9, 2013, that date is incorrect. The applications for change were filed July 10, 2016 and on July 24, 2017(?). Apparently filed at different times I guess.

The PD changes requested appear to meet all applicable rules and regulations and should be moved forward for signature.

The PU is correct as it is currently authorized by the change approval in 1988, so the WRIS just needs a quick fix based on those change approvals to properly reflect the PU which hasn't changed. The part in the memo discussing references to WRIS becomes very confusing since WRIS is not the official repository of any place of use but just a representation of what the file documents actually authorize and the discussion references back to a change from 1988 not these changes or these documents. The changes as they were approved in 1988 are correct. I would strongly suggest we remove the entire discussion about the WRIS PU out of the application for change memo regarding a completely different change and that someone simply apply common sense to use the 1988 change approval documents located in the scanned images that already exist to fix the WRIS entry errors not create additional, unnecessary documents. Including all this language in a memo under a different action becomes very confusing when someone looks at this in the future since nothing will show at that point regarding this WRIS not being properly adjusted at the time of the 1988 change approvals.

Kansas,

and the authorized location of the place of use and the use made of the water shall be:

for Municipal Use in the City of Neodesha, Kansas and the immediate vicinity, Rural Water District No. 3, 4, 6, 8 and 12, Wilson County, Kansas, Rural Water District No. 12, Montgomery County, Kansas, Penn Subdivision, Little Bear and Glasstown Water Districts.

All diversion works into which any type of chemical or other foreign

Thanks for all your efforts.
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: Ireland, Leslie

Sent: Monday, October 23, 2017 2:32 PM

To: Tietsort, Katie <Katie.Tietsort@ks.gov>

Subject: Recommendation for Change in PD File Nos. WL003 & WL011_ City of Neodesha

Katie,

Please let me know if you could recommend these changes.

I did find one other item that may need to be corrected. The WRIS database listed place of use for File No. WL 011, needs to be updated to match WL 003. This would remove the Neodesha Refinery of American Oil Company in 19-30-16E, as detailed in the 1988 change approval.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

Ireland, Leslie

From: Ed Truelove <etruelove@ci.neodesha.ks.us>
Sent: Wednesday, October 18, 2017 10:14 AM
To: Ireland, Leslie
Cc: Sarah Unruh; Bobby Busch
Subject: RE: Change in Point of Diversion File No. WL 11
Attachments: DOC101817.pdf

Leslie,

Thank you for your patience. I have examined the documents regarding Neodesha's points of diversion (WL-11), and asked our engineer to examine them also. I have initialed and dated each page, and I'm returning them to you (please see the attachment).

Thanks for your assistance.

*Ed Truelove
City Administrator
City of Neodesha
(620) 325-2828 Ext. 204*

From: Ireland, Leslie [mailto:Leslie.Ireland@ks.gov]
Sent: Wednesday, October 11, 2017 3:58 PM
To: Ed Truelove
Subject: Change in Point of Diversion File No. WL 11

Ed,

Per my voice mail please review the attached portion of the application and maps for the change in point of diversion for Vested Right, File No. WL 11 .

To summarize, the application for change appears to have listed only the point of diversion that you will be changing. Vested Right, File No. WL 11 currently authorizes three low head dams and two pumpsites. It would appear that the city will retain the three low head dams, and will be reducing the pumpsites to just one pumpsite under WL 11.

The application under Vested Right, File No. WL 3 is filled out correctly as it has only one pumpsite that will be changing. The proposed pumpsite under File No. WL 3, will also be the pumpsite that will be authorized by Vested Right, File No. WL 11.

The attachments should represent your proposed changes to Vested Right File No. WL 11, if so initial and date and email them back to me. However, should you have any questions please don't hesitate to give me a call.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

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OCT 19 2017

KS DEPT OF AGRICULTURE

July 21, 2017

Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, KS 66502

WATER RESOURCES
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JUL 24 2017

KS DEPT OF AGRICULTURE

Attention: CHIEF ENGINEER

Reference: Neodesha River Intake Improvements – DWR Change of Point of Diversion
PEC Project No. 34-15E65-001-0000

Dear Chief:

This letter, along with accompanying documentation, is provided to address comments from DWR provided after review of the original Change of Point of Diversion for WL-03 and WL-11 sent on July 6, 2017. DWR requires separate applications for each water right. A new application and permit fee are provided for WL-11 as requested. It is our understanding that the original application packet will be processed for WL-03 and any notation of WL-11 has been marked out.

If you have any questions or require additional information in order to make a determination, please contact me either by telephone, (316) 262-2691, or by email Josh.Golka@pec1.com.

Very truly yours,

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

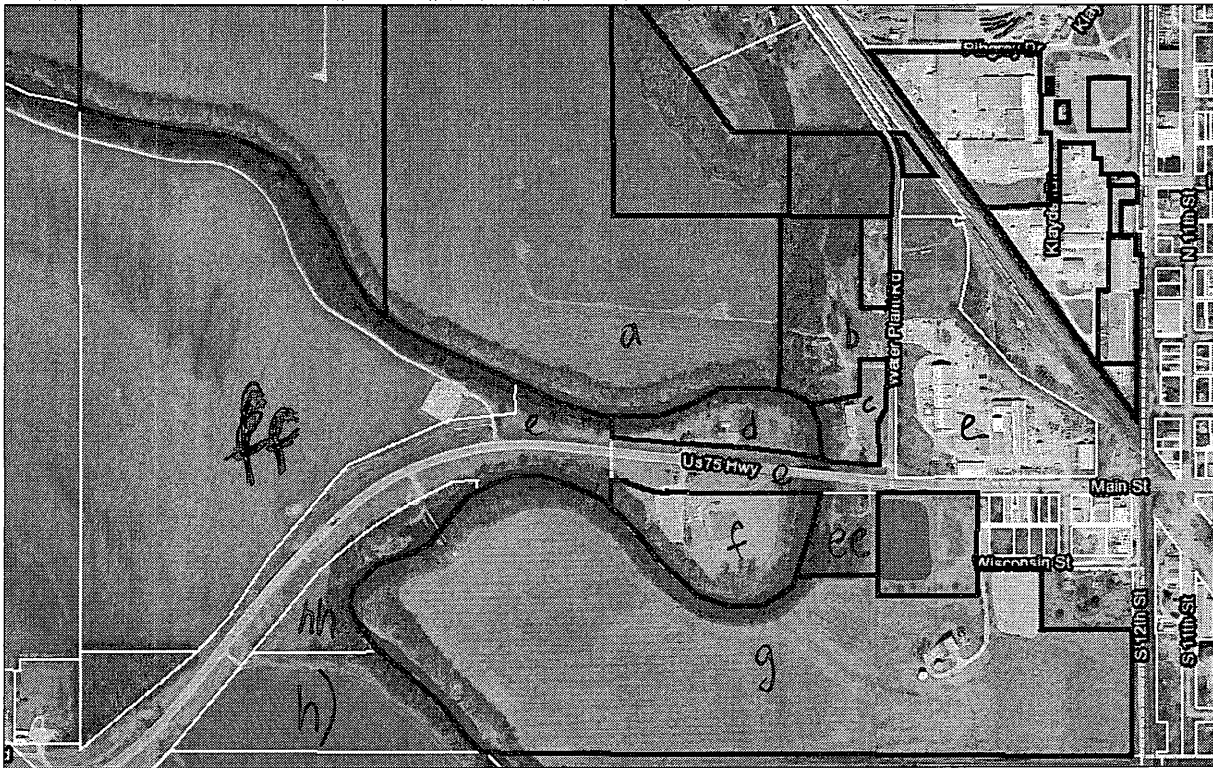


Josh Golka, P.E.
Municipal Project Manager

Encl: As noted

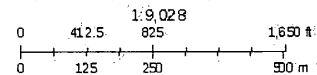
cc: Ed Truelove, City of Neodesha

.000|1031941901006003000|1031941901007001000|1031941904006003000|10319419040030030



September 18, 17

- Parcels: Green: Band_2
- Parcels:18057 Blue: Band_3
- Red: Band_1



Kansas coordinates, NAD83
Kansas Counties, KCRS, OSM

- a) BAILEY
- b) CITY OF NEODESHA
- c) CITY OF NEODESHA
- d) #2836 CITY OF NEODESHA
- ~~f)~~ SPRINGER
- f) CITY OF NEODESHA
- g) CITY OF NEODESHA
- ee) MATHEWS
- e) CITY OF NEODESHA
- hh) SPRINGER
- h) NEWLAND
- i) NEWLAND
- j) CITY OF NEODESHA
- k) THOMPSON
- l) LUTHER
- m) GILLUM

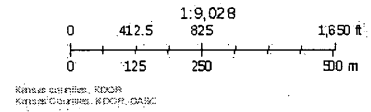
N. JONES / JAMES M JUSTICE

3300000002010|1031993002001003000|1031993000000001000|1031993000000002000|10319930



September 18, 17

- Parcels: Green: Band_2
- Parcels 18057 Blue: Band_3
- Red: Band_1



##

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

FILE COPY

ST LOUIS WICHITA & WEST RR
BURLINGTON NORTHERN RR
PO BOX 961089
FORT WORTH TX 76161-0089

RE: Vested Right, File Nos. WL 003 & WL 011

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The City of Neodesha, owner of the referenced appropriations of water has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Vested Right, File Nos. WL 003 & WL 011, propose a change in the location of the points of diversion:

from: one (1) pumpsite in the Southeast Quarter of the Northwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 19, more particularly described as being near a point 1,710 feet North and 1,586 feet West of the Southeast corner of said section,

to: one (1) pumpsite in the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 19, more particularly described as being near a point more accurately defined as being 917 feet North and 1,739 feet West of the Southeast corner of said section,

all in Township 30 South, Range 16 East, Wilson County, Kansas.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Topeka Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

WILMA G MATTHEWS ESTATE
% STEVEN RAY MATTHEWS
1087 W RIVER ST STE 230
BOISE ID 83702

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(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

LEE A & DOROTHY SPRINGER
3321 CR 5800
INDEPENDENCE KS 67301

RE: Vested Right, File Nos. WL 003 & WL 011

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

JOE & DANA NEWLAND TR
6395 TREGO RD
NEODESHA KS 66757

RE: Vested Right, File Nos. WL 003 & WL 011

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Topeka Field Office

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

CLARK W & SUZANNE J THOMPSON
1323 N 7TH
NEODESHA KS 66757

RE: Vested Right, File Nos. WL 003 & WL 011

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Environmental Scientist
Water Appropriation Program

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Manhattan, Kansas 66502
(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

HOMER G & PEGGY L LUTHER
SCHWEITZER, TAB T
4337 GOLF COURSE DR
WESTLAKE VILLAGE CA 91362

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(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

GARY & JANIE GILLUM
2593 OTTAWA RD
NEODESHA KS 66757

RE: Vested Right, File Nos. WL 003 & WL 011

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The City of Neodesha, owner of the referenced appropriations of water has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Vested Right, File Nos. WL 003 & WL 011, propose a change in the location of the points of diversion:

from: one (1) pumpsite in the Southeast Quarter of the Northwest Quarter of the Southeast Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 19, more particularly described as being near a point 1,710 feet North and 1,586 feet West of the Southeast corner of said section,

to: one (1) pumpsite in the Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 19, more particularly described as being near a point more accurately defined as being 917 feet North and 1,739 feet West of the Southeast corner of said section,

all in Township 30 South, Range 16 East, Wilson County, Kansas.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Topeka Field Office

SCANNED

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

JON B & JANICE M JUSTICE
7915 SPURLOCK
BEAUMONT TX 77713

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Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

ALBIAN W BAILEY AND/OR
GENE M BAILEY
P O BOX 446
NEODESHA KS 66757

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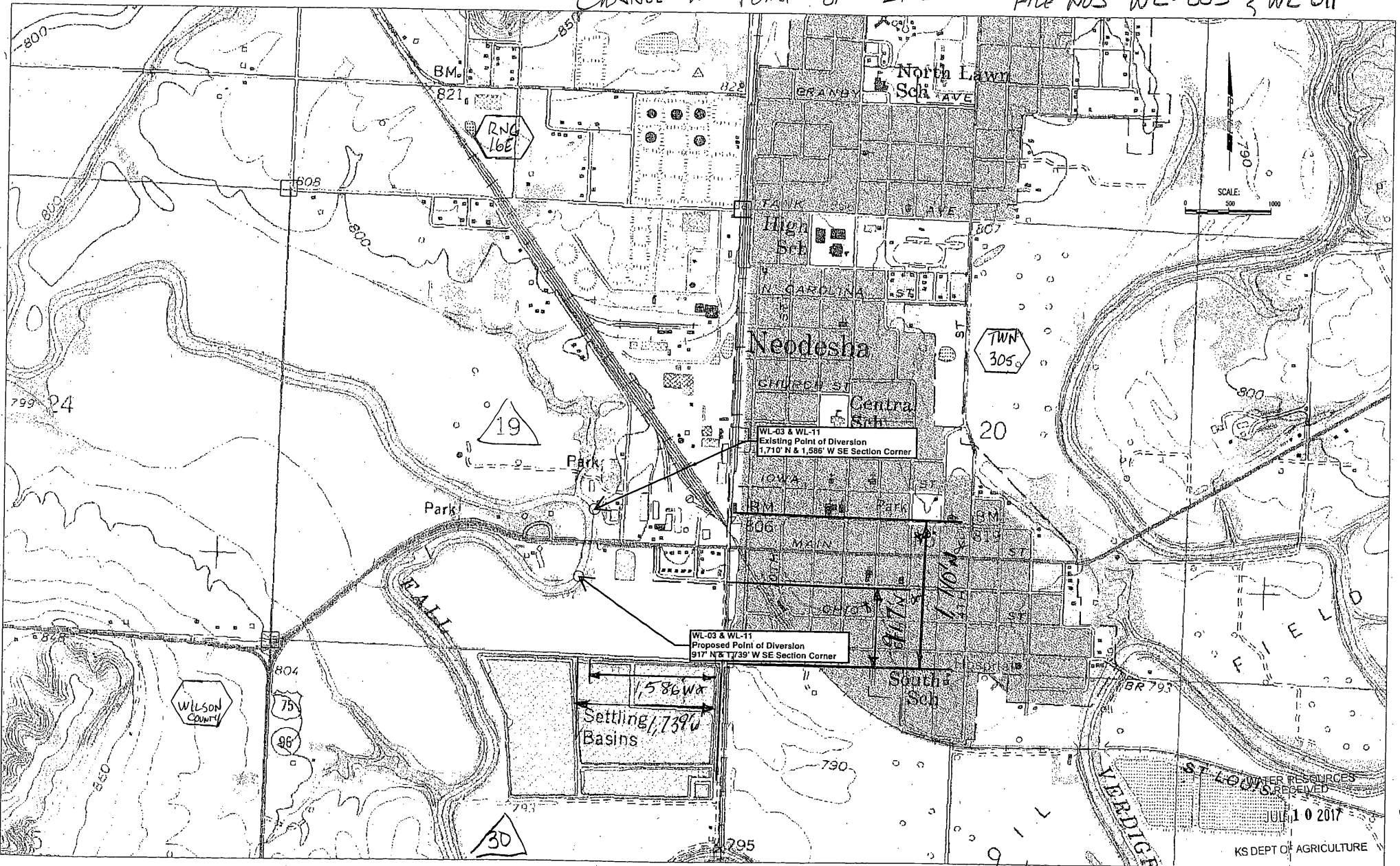
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Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Topeka Field Office

SCANNED

CHANGE IN POINT OF DIVERSION FILE NOS WL-003 & WL 011



* 15.12.2017

ADDRESS LISTING NEARBY NOTIFICATION LETTER DATED
Vested Right, File Nos. WL 003 & WL 011

File No. WL 003 & WL 011 change in point of diversion surface water
Nearbys letter list

- a) S19, T30, R16, ACRES 94.8, BEG 1518' E & 360'S NW/C NW4 S TO RIVER ELY ALG RIVER TO E LI SW4 N-TOA
PT 510'S NE/C W2 W 150' N 150' W TO POB &
ALBIAN W BAILEY AND/OR
GENE M BAILEY
P O BOX 446
NEODESHA KS 66757
- b) S19, T30, R16, ACRES 8.4, BEG 1270.75' W & 625' N NE/C S2 SE4 W 150' SWLY 185' NWLY ALG RIVER 230'
N TO N LN SE4 E 405' S 450' E 150' S TO POB.
ST LOUIS WICHITA & WEST RR
BURLINGTON NORTHERN RR
PO BOX 961089
FORT WORTH TX 76161-0089
- c) CITY OF NEODESHA
d) CITY OF NEODESHA
e) CITY OF NEODESHA
- ee) S19, T30, R16, ACRES 2.7, BEG 1311' W & 40'S NE/C S2 SE4 S 405' W 350' NLY ALG RIVER 410' E TO POB.
WILMA G MATTHEWS ESTATE
% STEVEN RAY MATTHEWS
1087 W RIVER ST STE 230
BOISE ID 83702
- ff) S19, T30, R16, ACRES 75.4, W2 N OF HWY 75 & S & W OF RIV EXC: S478.5' & R/W.
LEE A & DOROTHY SPRINGER
3321 CR 5800
INDEPENDENCE KS 67301
- f) CITY OF NEODESHA
g) CITY OF NEODESHA
- hh) S19, T30, R16, ACRES 6.3, BEG E LI HWY 75 478.5' N OF S LI SEC E TO RIV NELY ALG RIV TO A PT 550' W
SE/C N2 SW4 N T O HWY SLY ALG HWY TO POB EXC.
LEE A & DOROTHY SPRINGER
3321 CR 5800
INDEPENDENCE KS 67301
- h) S30, T30, R16, ACRES 69.7, NW4 W OF RIV EXC BEG 151' N NW/ C SW4 NW4 E 798.48' SELY 369.2' NELY 187.6'
NELY 170' SELY 252.9' SELY 195' NELY.
JOE & DANA NEWLAND TR
6395 TREGO RD
NEODESHA KS 66757
- i) S30, T30, R16, ACRES 69.7, NW4 W OF RIV EXC BEG 151' N NW/ C SW4 NW4 E 798.48' SELY 369.2' NELY
187.6' NELY 170' SELY 252.9' SELY 195' NELY.
JOE & DANA NEWLAND TR
6395 TREGO RD
NEODESHA, KS 66757
- j) CITY OF NEODESHA
- k) S30, T30, R16, ACRES 26.5, BEG 151' N NW/C SW4 NW4 E 798.48' SELY 369.2' NELY 187.6' NELY 170' SELY 252.9'
SELY 195' NELY 60.4' SELY TO RIV W TO SEC LI, N TO POB.
CLARK W & SUZANNE J THOMPSON
1323 N 7TH
NEODESHA KS 66757

FILE COPY
SCANNED

l) S30, T30, R16, ACRES 84.2, BEG 1674' S NE/C W TO RIV SLY ALG RIVER TO E SEC LI N TO POB EXC R/W.
HOMER G & PEGGY L LUTHER
SCHWEITZER, TAB T
4337 GOLF COURSE DR
WESTLAKE VILLAGE CA 91362

m) S30, T30, R16, ACRES 39.6, S 811' NW4 W OF RIVER EXC R/W
GARY & JANIE GILLUM
2593 OTTAWA RD
NEODESHA KS 66757

n) S30, T30, R16, ACRES 109.9, SW4 S OF RIVER EXC: N 495' OF W 515' SW4 SW4 BEG 50' E NW/C SW4 SW4 N 250' E
350' S 250' W TO POB & R/W.
JON B & JANICE M JUSTICE
7915 SPURLOCK
BEAUMONT TX 77713

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



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

Jackie McClaskey, Secretary

Governor Sam Brownback

September 19, 2017

ADDRESS LIST

RE: Vested Right, File Nos. WL 003 & WL 011

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Topeka Field Office

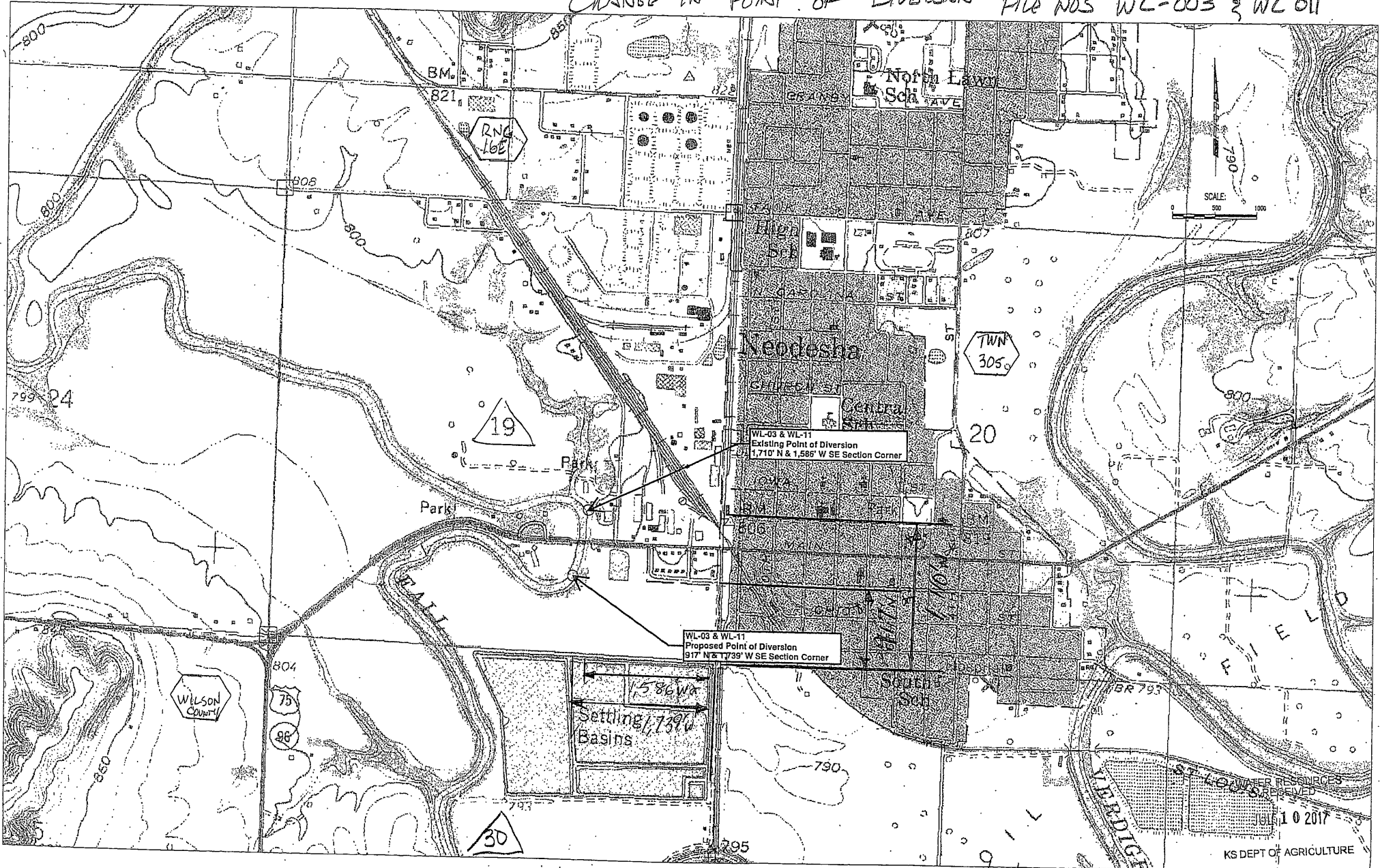
FILE COPY

SCANNED

FILE COPY

CHANGE IN POINT OF DIVERSION FILE NOS WL-003 & WL 011

SCANNED



wilson ag 1/17

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

ED TRUELOVE, CITY ADMINISTRATOR
CITY OF NEODESHA
PO BOX 336
NEODESHA, KS 66757

July 25, 2017

FILE COPY

RE: File No WL-11

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 PD
- point of diversion
- use made of water

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

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

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

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

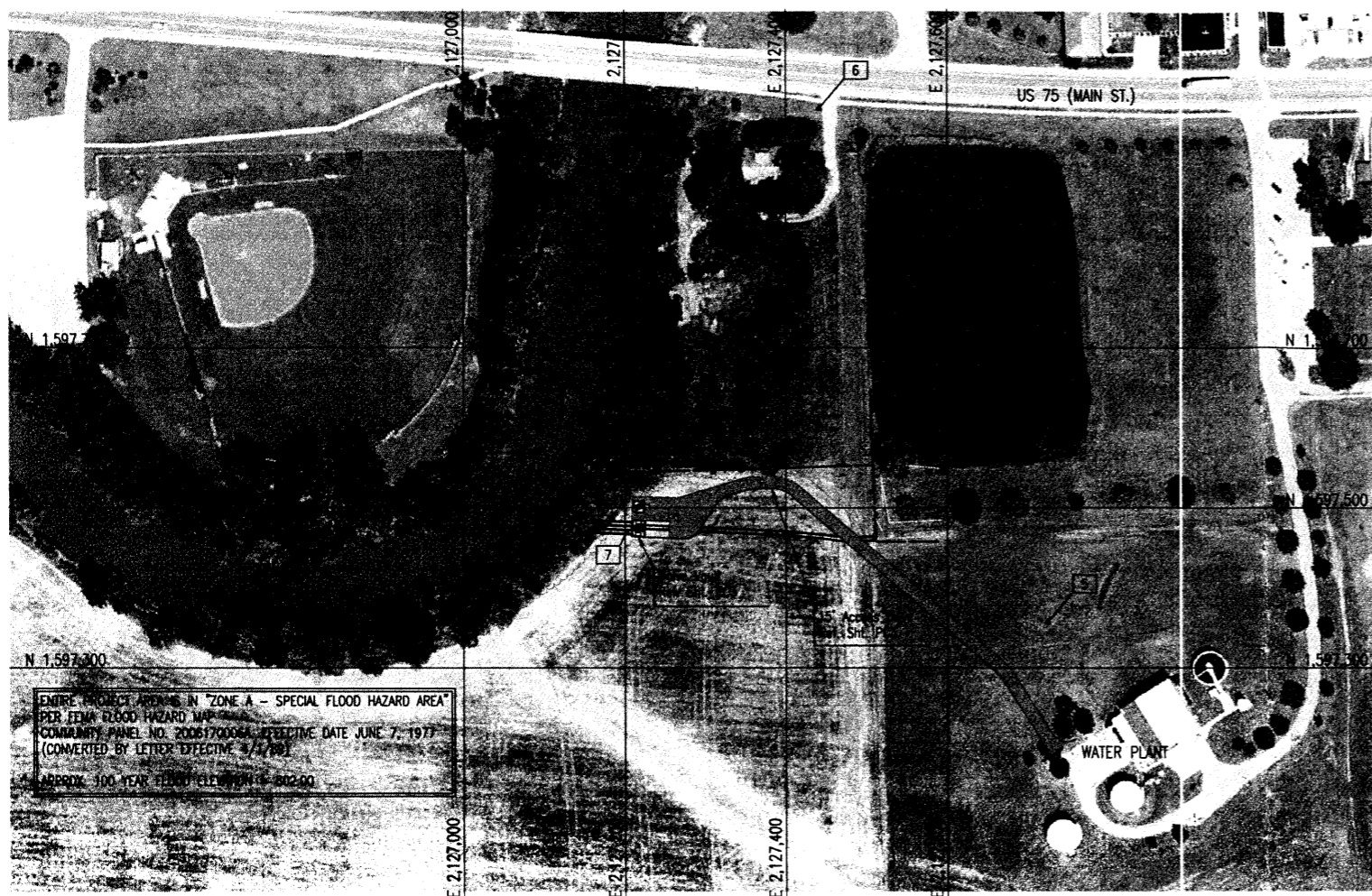
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

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

Sincerely,

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

BAT: DLW
pc: TOPEKA Field Office GMD



ENTIRE PROJECT AREAS IN "ZONE A - SPECIAL FLOOD HAZARD AREA"
 PER FEMA FLOOD HAZARD MAP
 COMMUNITY PANEL NO. 20061700044 EFFECTIVE DATE JUNE 7, 1977
 (CONVERTED BY LETTER EFFECTIVE 8/1/79)
 APPROX. 100-YEAR FLOOD ELEVATION ON THE DRAWING

GENERAL NOTES

- ALL ELEVATIONS SHOWN ARE BASED ON VERTICAL DATUM NAVD 88.
- AT LEAST 72 HOURS PRIOR TO BEGINNING ANY EXCAVATION (EXCLUDING WEEKENDS AND HOLIDAYS), THE CONTRACTOR SHALL CONTACT THE KANSAS ONE-CALL SYSTEM, A UTILITY LOCATION SERVICE, AT 1-800-344-7233 OR 811 TO REQUEST THE LOCAL UTILITY COMPANIES TO LOCATE ANY EXISTING LINES WITHIN THE PROJECT AREA.
- THE CONTRACTOR SHALL CONTACT THE FOLLOWING AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION TO ADVISE THEM OF THE INTENDED WORK AND OF HIS PROPOSED SCHEDULE:

MICHAEL GROGAN
 CITY OF NEODESHA
 1400 W. WISCONSIN
 NEODESHA, KS 66757
 (620) 325-2750
- THE BURIED UTILITIES AS LOCATED ON THE DRAWINGS ARE APPROXIMATE LOCATIONS ONLY. IT SHOULD BE NOTED THAT OTHER BURIED LINES AND CABLES MAY EXIST WHICH ARE NOT SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL HAVE ALL BURIED LINES LOCATED AND FLAGGED IN THE FIELD PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL CONTACT THE ENGINEER AND REVIEW ALL BURIED LINES LOCATED TO DETERMINE IF CONFLICTS EXIST. THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION DURING TRENCHING OPERATIONS TO AVOID DAMAGING THESE LINES. ANY LINES DAMAGED SHALL BE REPLACED OR REPAIRED IMMEDIATELY AS DIRECTED BY THE ENGINEER AT THE CONTRACTOR'S EXPENSE. VARIANCES SHALL BE CONSIDERED SUBSIDIARY TO THE PRICE BID FOR WATERLINE PIPE.
- EXISTING UTILITIES AND THEIR LOCATION, AS SHOWN ON THE DRAWINGS, REPRESENT THE BEST INFORMATION OBTAINABLE FOR DESIGN. LOCATION INFORMATION HAS BEEN OBTAINED FROM THE VARIOUS UTILITY COMPANIES AND IS EITHER FROM COMPANY RECORD DRAWINGS OR COMPANY PROVIDED FIELD LOCATIONS. THE CONTRACTOR WILL BE REQUIRED TO WORK AROUND EXISTING UTILITIES WITHIN THE RIGHT-OF-WAY WHICH DO NOT CONFLICT WITH PROPOSED CONSTRUCTION.
- ALL TRENCHING AND BACKFILLING SHALL BE TYPE I OR II UNLESS NOTED OTHERWISE ON THE DRAWINGS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRESERVING PROPERTY IRONS. THE CONTRACTOR SHALL BE REQUIRED TO RE-ESTABLISH ANY PROPERTY IRONS WHICH ARE DAMAGED OR DESTROYED BY HIS CONSTRUCTION OPERATIONS. SUCH IRONS SHALL BE RE-ESTABLISHED BY A LICENSED LAND SURVEYOR IN ACCORDANCE WITH STATE LAWS. PRIOR TO START OF CONSTRUCTION THE CONTRACTOR SHALL FLAG AND REFERENCE ALL PROPERTY CORNERS THAT MAY BE DISTURBED BY CONSTRUCTION OPERATIONS, AND VERIFY THESE IN THE FIELD IN THE PRESENCE OF THE ENGINEER AND THE CONTRACTOR'S SURVEYOR. AFTER CONSTRUCTION AND BEFORE THE FINAL INSPECTION, A LETTER SIGNED AND SEALED BY THE LICENSED LAND SURVEYOR CERTIFYING REPLACEMENT OF ALL DISTURBED PROPERTY CORNERS SHALL BE SUBMITTED TO THE ENGINEER.
- EASEMENTS AND RIGHT-OF-WAY PROVIDED BY THE OWNER FOR THE PROJECT ARE SHOWN ON THE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACQUISITION OF ANY ADDITIONAL TEMPORARY EASEMENTS OR RIGHT-OF-WAY THAT HE DESIRES TO USE IN COMPLETING THE WORK.
- THE CONTRACTOR SHALL VERIFY HORIZONTAL AND VERTICAL LOCATION, TYPE, SIZE AND CLASS OF EXISTING WATERLINES PRIOR TO MAKING CONNECTIONS. EXISTING WATERLINE LOCATIONS AS SHOWN ON THE DRAWINGS ARE APPROXIMATE. CONTRACTOR SHALL MAKE ADJUSTMENTS AS REQUIRED. PROVISION AND INSTALLATION OF PIPE ADAPTORS, SHORT SECTION OF PIPE, AND COUPLERS SHALL BE SUBSIDIARY TO THE PRICE BID FOR WATERLINE PIPE.
- THE CONTRACTOR MUST SCHEDULE THE CONNECTIONS TO THE EXISTING WATER MAINS WITH THE CITY SUCH THAT THERE IS A MINIMUM OF DISRUPTION TO THE CITY.
- RUBBLE FROM THE REMOVAL OF MISCELLANEOUS STRUCTURES INCLUDING ANY TREES REMOVED, TREE TRIMMINGS, AND EXCESS EXCAVATION WHICH IS TO BE WASTED SHALL BE DISPOSED OF ON SITES PROVIDED BY THE CONTRACTOR. THESE SITES SHALL ALSO BE APPROVED BY THE ENGINEER AS TO SUITABILITY, APPEARANCE, AND SITE LOCATION. LOCATIONS THAT, IN THE OPINION OF THE ENGINEER, WILL LEAVE AN UNSIGHTLY APPEARANCE WILL NOT BE APPROVED. ALL DISPOSAL SITES MUST BE APPROVED BY THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT. MATERIAL EITHER STOCKPILED OR DISPOSED OF IN A FLOOD PLAIN WILL REQUIRE A KANSAS STATE BOARD OF AGRICULTURE PERMIT. ANY MATERIAL DUMPED IN WATERS OF THE UNITED STATES OR WETLANDS IS SUBJECT TO U.S. CORPS OF ENGINEERS PERMITTING REGULATIONS. ANY MATERIAL BURIED OR STOCKPILED BEYOND APPROVED CONSTRUCTION LIMITS MAY REQUIRE ARCHAEOLOGICAL INVESTIGATIONS UNLESS BURIED IN A PREVIOUSLY APPROVED DISPOSAL LOCATION.
- THE CONTRACTOR SHALL RESTORE ALL DITCHES, SWALES, ROAD SHOULDERS, AND BANKS TO THEIR ORIGINAL SLOPES AND GRADES. WHERE EXISTING ENTRANCE PIPE, DRAINAGE PIPE, SIGNS, FENCES, ETC., CONFLICT WITH THE PROPOSED WORK HEREIN, THEY SHALL BE REMOVED AND REPLACED OR RESET, UNLESS OTHERWISE NOTED ON THE DRAWINGS. THE REPLACEMENT OF ALL THE AFORESAID ITEMS, INCLUDING SEEDING, FERTILIZER, AND MULCHING SHALL BE CONSIDERED SUBSIDIARY TO "SITE CLEARING AND RESTORATION".
- THE CONTRACTOR SHALL AVOID REMOVAL OR TRIMMING OF ANY TREES OR SHRUBS WHERE POSSIBLE. WHERE THE CONTRACTOR BELIEVES THE REMOVAL OR TRIMMING IS UNAVOIDABLE, HE SHALL COORDINATE SUCH WORK WITH THE ENGINEER. COSTS FOR TREE/SHRUB REMOVAL AND TRIMMING REGARDLESS OF SIZE SHALL BE CONSIDERED SUBSIDIARY TO THE LUMP SUM PRICE BID FOR "SITE CLEARING AND RESTORATION".
- ALL GRASSED AREAS DISTURBED BY CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE REPLANTED WITH GRASS AND FERTILIZED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. EXISTING GRASSED AREAS DISTURBED BY CONSTRUCTION SHALL BE REPLANTED WITH THE SAME TYPE OF GRASS AS WAS REMOVED. PASTURES AND NATIVE GRASSED AREAS SHALL BE RESEDED IN ACCORDANCE WITH THE CRITERIA SHOWN BELOW:

NATIVE GRASS MIX:
 BIG BLUESTEM - 8 LBS/ACRE
 BROME GRASS - 8 LBS/ACRE
 SWITCH GRASS - 5 LBS/ACRE
 WESTERN WHEATGRASS - 8 LBS/ACRE
 INDIAN GRASS - 8 LBS/ACRE
 LITTLE BLUESTEM - 5 LBS/ACRE
 SIDE OATS GRAMA - 5 LBS/ACRE
 TOTAL = 45 LBS/ACRE
 SEED APPLICATION = 1 LB/1,000 SQ. FT.
 FERTILIZER APPLICATION (N-P-K) = 12-24-12
 MULCH = PRAIRIE HAY
 MULCH APPLICATION = 90 LBS/1,000 SQ. FT.

 ALL COSTS FOR SEEDING AND FERTILIZING SHALL BE CONSIDERED SUBSIDIARY TO "SITE CLEARING AND RESTORATION".
- THE CONTRACTOR SHALL SEED ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES WITH TEMPORARY RYE GRASS. RYE GRASS SEED SHALL BE PLANTED AT A MINIMUM RATE OF SIX (6) POUNDS PER ONE THOUSAND (1,000) SQUARE FEET. THIS TEMPORARY SEEDING MAY BE OMITTED ONLY IF OTHER SEEDING IS REQUIRED IN ACCORDANCE WITH GENERAL NOTE NO. 14 ABOVE. TEMPORARY SEEDING OR PERMANENT SEEDING/SODDING SHALL BE APPLIED WITHIN 14 DAYS AFTER THE AREA HAS BEEN DISTURBED. ALL COSTS FOR TEMPORARY RYE GRASS SEEDING SHALL BE CONSIDERED SUBSIDIARY TO "SITE CLEARING AND RESTORATION".
- WATERLINES SHALL HAVE A MINIMUM DEPTH OF BURY OF 48 INCHES, UNLESS SHOWN OTHERWISE.
- THE CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM ALL VALVE BOX COVERS.
- ALL VALVE BOXES SHALL BE INSTALLED FLUSH WITH EXISTING GROUND.
- CONTRACTOR SHALL TAKE CARE TO PREVENT SILT AND DEBRIS FROM ENTERING ANY STORM DRAINAGE SYSTEM DURING CONSTRUCTION. PIPES OR STRUCTURES WHICH CONTAIN MATERIALS FROM THE CONTRACTOR'S ACTIVITIES SHALL BE THOROUGHLY CLEANED BY THE CONTRACTOR, AT HIS OWN EXPENSE, PRIOR TO THE FINAL INSPECTION.
- CONTRACTOR SHALL CONTAIN HIS OPERATIONS TO PERMIT LOCAL AND EMERGENCY TRAFFIC THROUGH AND ACROSS CONSTRUCTION AT ALL TIMES. THE CONTRACTOR SHALL ERECT WARNING SIGNS, FLASHING LIGHTS, AND BARRICADES IN COMPLIANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) TO ENSURE SAFETY AS DIRECTED IN THE GENERAL CONDITIONS. THE CONTRACTOR SHALL LIMIT THE EXTENT OF TRENCH TO REMAIN OPEN OVERNIGHT AND WEEKENDS TO LESS THAN 50 FEET.
- THE CONTRACTOR SHALL NOT START WORK ON THE PROJECT UNTIL THE PROJECT INSPECTOR IS ASSIGNED AND IS PRESENT ON THE SITE. ANY WORK DONE WITHOUT INSPECTION WILL BE REQUIRED TO BE UNCOVERED FOR INSPECTION AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL GIVE ALL PROPERTY OWNERS AND/OR TENANTS OF DEVELOPED PROPERTY DIRECTLY ADJACENT TO THE CONSTRUCTION OF THIS PROJECT A MINIMUM OF TEN (10) DAYS ADVANCE NOTICE PRIOR TO THE START OF CONSTRUCTION.
- EACH BIDDER SHALL VISIT THE SITE OF THE PROJECT BEFORE SUBMITTING THE PROPOSAL FOR THIS WORK SO THAT HE WILL BE FULLY INFORMED OF THE EXISTING FIELD CONDITIONS AND THE OBSTACLES WHICH MIGHT BE ENCOUNTERED. UPON AWARD OF THE CONTRACT THE CONTRACTOR WILL NOT BE GRANTED ANY ADDITIONAL COMPENSATION WITH REGARDS TO TIME AND MONEY FOR CONDITIONS THAT MAY HAVE BEEN EVALUATED DURING ANY INSPECTION OF THE SITE.
- THE CONTRACTOR SHALL INSTALL AND/OR MAINTAIN EROSION CONTROL METHODS AS DETAILED. THE GENERAL LOCATION OF THE REQUIRED EROSION CONTROL IS ILLUSTRATED IN THE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE EROSION CONTROL SHOWN THROUGH THE COMPLETION OF THIS PROJECT. INSTALLATION OF THESE EROSION CONTROL DEVICES DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF ABATING SOIL EROSION. CONTRACTOR SHALL MEET ALL NOTICE OF INTENT (NOI) REQUIREMENTS. THE CONTRACTOR MAY OBTAIN COPIES OF THE PERMIT FROM THE ENGINEER UPON REQUEST. CONTRACTOR SHALL REMOVE EROSION CONTROL DEVICES ONCE APPROVED STAND OF GRASS IS ACHIEVED.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL RE-ESTABLISH CONTROL POINTS AND BENCH MARKS AND VERIFY THEIR ACCURACY.
- SMALL HORIZONTAL AND VERTICAL DEFLECTIONS ARE NOT SHOWN ON THE PLANS. CONTRACTOR WILL BE REIMBURSED FOR THE LENGTH INDICATED BY THESE PLANS ONLY. THE CONTRACTOR, AT HIS OPTION, MAY INSTALL ADDITIONAL PIPE BY TRENCHLESS METHODS IN EXCESS OF THE PLAN QUANTITIES AND WILL BE AT THE SOLE EXPENSE OF THE CONTRACTOR. ALL TRENCHLESS PIPE INSTALLATION, INCLUDING PIPE INSTALLED WITHIN STEEL CASING SHALL BE RESTRAINED JOINT IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS. ALL TRENCHLESS PIPE INSTALLATIONS UNDER COUNTY ROADS, HIGHWAYS, STREAMS AND CREEKS SHALL HAVE THE DEPTH OF COVER INDICATED BY THE PROJECT DETAIL DRAWINGS OR GENERAL NOTES. FOR AREAS WITH RADIUS LESS THAN 90', BENDS SHALL BE INSTALLED. MINIMUM LENGTH TO BE USED FOR PVC PIPE SHALL BE 6'-8". HIGH DEFLECTION COUPLINGS WILL BE ALLOWED WITH A MAXIMUM OF 4" DEFLECTION.

BENCH MARK LIST

- BM-1 ELEVATION: 798.23 NAVD88
TOP OF THE HEAD OF A RAILROAD SPIKE IN SOUTH SIDE OF 30" DIAMETER TREE AT SOUTHWEST CORNER OF POND NORTH OF THE NEODESHA WATER TREATMENT PLANT, WEST SIDE OF NEODESHA, SOUTH OFF OF U.S. 75 HIGHWAY.
- BM-2 ELEVATION: 803.46 NAVD88
FINISH FLOOR ELEVATION AT THE FRONT ENTRANCE TO THE NEODESHA WATER TREATMENT PLANT, WEST SIDE OF NEODESHA, SOUTH OFF OF U.S. 75 HIGHWAY.
- BM-3 = BM-H ELEVATION: 814.67 NAVD88
CHISELED SQUARE ON TOP OF THE NORTH CORNER OF THE CONCRETE PAD FOR THE GAS TANKS ENCLOSED IN A CHAIN LINK FENCE CAGE AT THE NORTH END OF THE PARKING LOT FOR THE NEODESHA HOSPITAL "WILSON MEDICAL CENTER - NEODESHA" ON EAST SIDE OF U.S. 400 HIGHWAY AND SOUTH OFF OF U.S. 75 HIGHWAY.
- BM-4 ELEVATION: 799.51 NAVD88
TOP OF THE "3" IN WELDED WRITING OF "6-7-03" ON TOP OF THE SOUTHWEST GUARD POST OF THREE GUARD POSTS IN A SHORT GUARD RAIL AT THE SMALL PARKING AREA AT THE NORTHWEST END OF THE LOW WATER DAM AT THE END OF AN ASPHALT ACCESS ROAD SOUTH OFF OF U.S. 75 HIGHWAY, HALF-MILE WEST OF NEODESHA.

CONTROL POINTS

- HORIZONTAL CONTROL POINT NO. 1 (NGS MONUMENT NDSK A)
N: 1,586,433.1200, E: 2,142,514.6200 EL: 875.4100
FOUND NGS BRASS DISK IN ROCK OUTCROPPING ON THE NORTH SIDE OF COUNTY ROAD 6600 AND THE WEST SIDE OF THE ENTRANCE TO GRANDVIEW CEMETERY.
44.00' SOUTH TO A WITNESS POST.
20.30' EAST TO THE CENTERLINE OF THE CEMETERY ENTRANCE.
9.70' SOUTHEAST TO THE TOP-WEST END OF A CORRUGATED METAL CULVERT.
- HORIZONTAL CONTROL POINT NO. 2
N: 1,602,507.8000, E: 2,149,792.3800 EL: 868.1800
SET 1/2" x 24" REBAR WITH "PEC CP" CAP SET ON THE NORTH SIDE OF A FIELD ENTRANCE AT THE NORTHWEST CORNER OF THE INTERSECTION OF 410 ROAD AND THOMAS ROAD.
6.05' NORTH TO THE SOUTH FACE OF A CORNER POST.
25.05' SOUTH TO THE NORTH FACE OF A CORNER POST.
23.10' WEST TO THE EAST FACE OF A GATE POST.
- HORIZONTAL CONTROL POINT NO. 3
N: 1,618,246.8600, E: 2,138,813.3200 EL: 862.9000
SET 1/2" x 24" REBAR WITH "PEC CP" CAP SET AT THE NORTHWEST CORNER OF THE INTERSECTION OF HIGHWAY 75 AND 700 ROAD.
62.65' EAST TO THE WEST EDGE OF THE ASPHALT SURFACE OF HIGHWAY 75.
45.35' SOUTH TO THE NORTH EDGE OF THE GRAVEL SURFACE OF 700 ROAD.
96.20' SOUTHEAST TO THE NORTH FACE OF A STOP SIGN POST.
- HORIZONTAL CONTROL POINT NO. 5
N: 1,597,357.116, E: 2,127,723.860 EL: 795.801
SET 1/2" REBAR IN GRASS
96.5' SSE TO TOP OF GAS REGULATOR
52.5' E. TO $\frac{1}{4}$ OF FLOWLINE GOING NORTH AND SOUTH
168.6' ESE TO NORTH CORNER OF BUILDING NEODESHA WTP
124.5' N. TO SOUTH FACE OF HEADWALL FOR CONC. CULVERT IN BERM
211.5' W. TO POWER POLE LOOKING SE, IN-LINE WITH NORTH BUILDING CORNER AND SW CORNER OF BROWN SHED.
- HORIZONTAL CONTROL POINT NO. 6
N: 1,597,999.458, E: 2,127,441.335 EL: 805.022
SET 1/2" REBAR IN GRASS
7.33' N. TO BACK OF SIDEWALK ON SOUTH SIDE OF HWY 75
6.4' E. TO WEST EDGE OF ASPHALT DRIVEWAY
115' E. TO $\frac{1}{4}$ OF WATER PLANT ROAD GOING NORTH

- HORIZONTAL CONTROL POINT NO. 7
N: 1,597,468.3810, E: 2,127,201.6480
SET 1/2" REBAR IN BARE SPOT IN CROP FIELD NEAR THE DRIP LINE OF THE TREES
- HORIZONTAL CONTROL POINT NO. 10
N: 1,597,552.506, E: 2,127,519.724 EL: 796.611
SET 1/2" REBAR IN GRASS
19.30' NW TO CENTER OF POWER POLE
17.46' SW TO NORTH CORNER OF 4"x4" POST FOR SIGN
17.0' ENE TO CENTER OF 30" ELW AT SW CORNER OF POND
- HORIZONTAL CONTROL POINT NO. 11
N: 1,597,572.1820, E: 2,127,203.6750
SET 1/2" REBAR IN THE WOODS NEAR THE CREEK BANK

HORIZONTAL DATUM

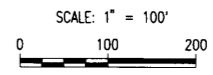
GRID COORDINATES BASED ON KANSAS STATE PLANE COORDINATE SYSTEM
 NAD 83 (2011) - SOUTH ZONE
 COMBINED SCALE FACTOR TO SCALE FROM GROUND COORDINATES TO GRID COORDINATES:
 0.99993546 (HELD PUBLISHED DATA FOR NDSK A - C.S.F. FROM OPUS PROJECT HCP2)

LIST OF OTHER ELEVATIONS

- TOP OF CONCRETE LANDING (FLOOR) 785.20 NAVD88
AT THE BOTTOM OF THE STAIRS LEADING DOWN TO THE LOW WATER DAM, MEASURED IMMEDIATELY ABOVE THE NORTHWEST END OF THE LOW WATER DAM.
- TOP OF LOW WATER DAM 781.63 NAVD88
WATER SURFACE BEHIND THE LOW WATER DAM 782.43 NAVD88
WATER SURFACE AT PROJECT SITE 782.80 NAVD88

LEGEND

- PROPERTY LINE
- 100 HORIZONTAL CONTROL POINT
- BM #513 BENCHMARK



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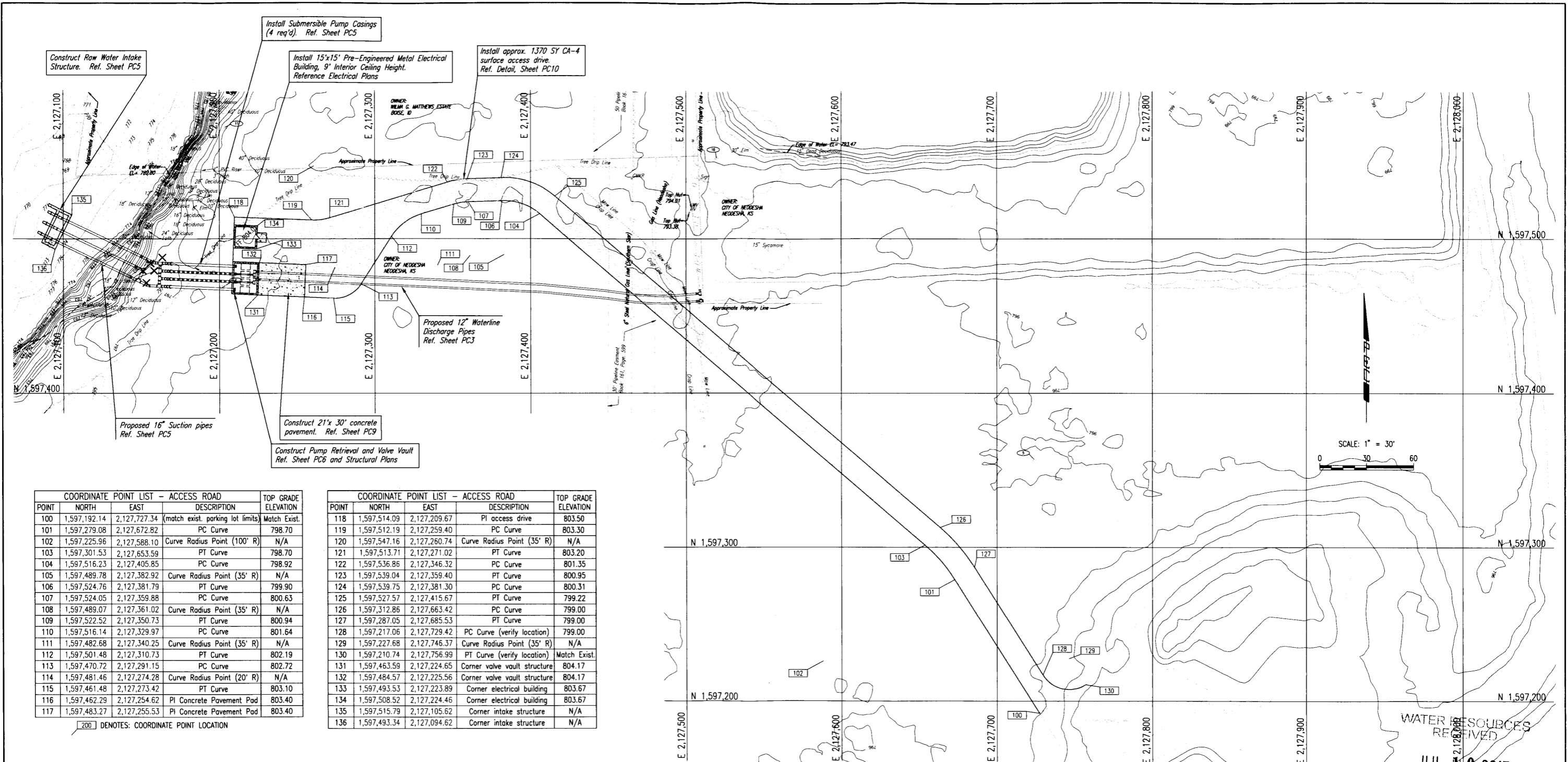
KEY MAP AND GENERAL NOTES

NEODESHA RIVER INTAKE IMPROVEMENTS
PEC PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
 303 SOUTH TOPEKA WICHITA, KS 67202
 316-262-2691 www.pec1.com

No.	Revision	By	Date

Designed by RWG Job No. 34-15E65-001 Sht. PC1 of 12
 Drawn by CAE Date JUNE 2017

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 0:\Vitalberg\2017\15E65\001\Key Map and General Notes



COORDINATE POINT LIST - ACCESS ROAD

POINT	NORTH	EAST	DESCRIPTION	TOP GRADE ELEVATION
100	1,597,192.14	2,127,727.34	(match exist. parking lot limits)	Match Exist.
101	1,597,279.08	2,127,672.82	PC Curve	798.70
102	1,597,225.96	2,127,588.10	Curve Radius Point (100' R)	N/A
103	1,597,301.53	2,127,653.59	PT Curve	798.70
104	1,597,516.23	2,127,405.85	PC Curve	798.92
105	1,597,489.78	2,127,382.92	Curve Radius Point (35' R)	N/A
106	1,597,524.76	2,127,381.79	PT Curve	799.90
107	1,597,524.05	2,127,359.88	PC Curve	800.63
108	1,597,489.07	2,127,361.02	Curve Radius Point (35' R)	N/A
109	1,597,522.52	2,127,350.73	PT Curve	800.94
110	1,597,516.14	2,127,329.97	PC Curve	801.64
111	1,597,482.68	2,127,340.25	Curve Radius Point (35' R)	N/A
112	1,597,501.48	2,127,310.73	PT Curve	802.19
113	1,597,470.72	2,127,291.15	PC Curve	802.72
114	1,597,481.46	2,127,274.28	Curve Radius Point (20' R)	N/A
115	1,597,461.48	2,127,273.42	PT Curve	803.10
116	1,597,462.29	2,127,254.62	PI Concrete Pavement Pad	803.40
117	1,597,483.27	2,127,255.53	PI Concrete Pavement Pad	803.40

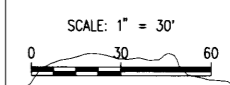
COORDINATE POINT LIST - ACCESS ROAD

POINT	NORTH	EAST	DESCRIPTION	TOP GRADE ELEVATION
118	1,597,514.09	2,127,209.67	PI access drive	803.50
119	1,597,512.19	2,127,259.40	PC Curve	803.30
120	1,597,547.16	2,127,260.74	Curve Radius Point (35' R)	N/A
121	1,597,513.71	2,127,271.02	PT Curve	803.20
122	1,597,536.86	2,127,346.32	PC Curve	801.35
123	1,597,539.04	2,127,359.40	PT Curve	800.95
124	1,597,539.75	2,127,381.30	PC Curve	800.31
125	1,597,527.57	2,127,415.67	PT Curve	799.22
126	1,597,312.86	2,127,663.42	PC Curve	799.00
127	1,597,287.05	2,127,685.53	PT Curve	799.00
128	1,597,217.06	2,127,729.42	PC Curve (verify location)	799.00
129	1,597,227.68	2,127,746.37	Curve Radius Point (35' R)	N/A
130	1,597,210.74	2,127,756.99	PT Curve (verify location)	Match Exist.
131	1,597,463.59	2,127,224.65	Corner valve vault structure	804.17
132	1,597,484.57	2,127,225.56	Corner valve vault structure	804.17
133	1,597,493.53	2,127,223.89	Corner electrical building	803.67
134	1,597,508.52	2,127,224.46	Corner electrical building	803.67
135	1,597,515.79	2,127,105.62	Corner intake structure	N/A
136	1,597,493.34	2,127,094.62	Corner intake structure	N/A

200 DENOTES: COORDINATE POINT LOCATION

ENTIRE PROJECT AREA IS IN "ZONE A - SPECIAL FLOOD HAZARD AREA" PER FEMA FLOOD HAZARD MAP COMMUNITY PANEL NO. 2006170006A. EFFECTIVE DATE JUNE 7, 1977 (CONVERTED BY LETTER EFFECTIVE 4/1/89)
 APPROX. 100 YEAR FLOOD ELEVATION = 802.00

- LEGEND**
- 797 = EXISTING SPOT ELEVATIONS
 - 702 = EXISTING MINOR CONTOUR LINE AND ELEV.
 - 700 = EXISTING MAJOR CONTOUR LINE AND ELEV.



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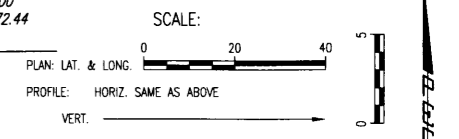
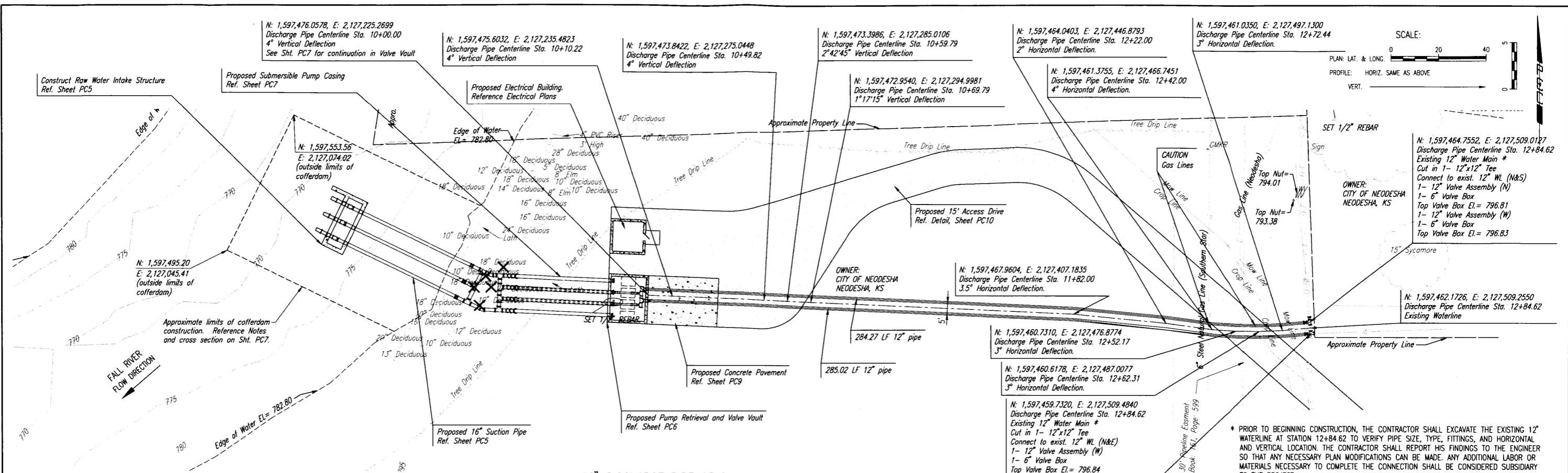
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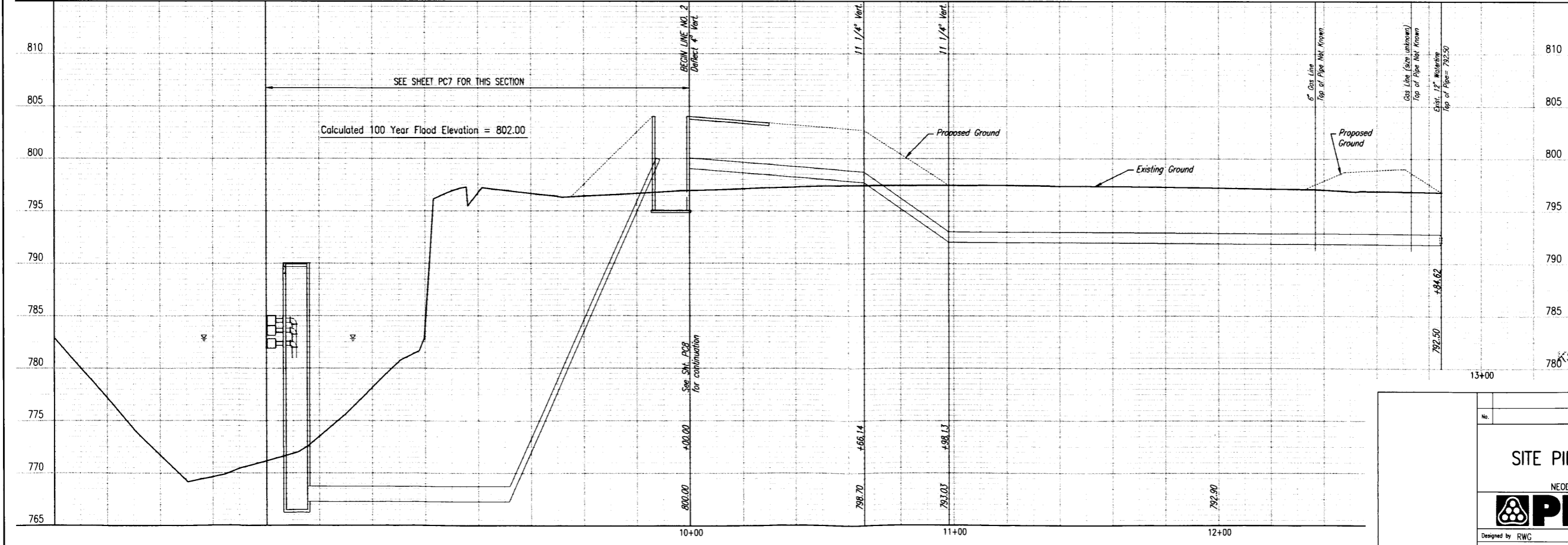
No.	Revision	By	Date
CITY OF NEODESHA			
OVERALL SITE PLAN			
NEODESHA RIVER INTAKE IMPROVEMENTS			
PEC PROFESSIONAL ENGINEERING CONSULTANTS, P.A. 303 SOUTH TOPEKA WICHITA, KS 67202 316-262-2691 www.pec1.com			
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Drawn by	CAE	Date	JUNE 2017
			SH. PC2 of 12

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12" DISCHARGE PIPE CENTERLINE PROFILE



* PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE THE EXISTING 12" WATERLINE AT STATION 12+84.62 TO VERIFY PIPE SIZE, TYPE, FITTINGS, AND HORIZONTAL AND VERTICAL LOCATION. THE CONTRACTOR SHALL REPORT HIS FINDINGS TO THE ENGINEER SO THAT ANY NECESSARY PLAN MODIFICATIONS CAN BE MADE. ANY ADDITIONAL LABOR OR MATERIALS NECESSARY TO COMPLETE THE CONNECTION SHALL BE CONSIDERED SUBSIDIARY TO THE PROJECT.

LEGEND
 [Symbol] CONCRETE PAVEMENT
 [Symbol] CA-4 SURFACE
 [Symbol] TREE REMOVAL
 [Symbol] HORIZONTAL CONTROL POINT
 CONTRACTOR SHALL PROTECT ALL TREES NOT SHOWN TO BE REMOVED DURING CONSTRUCTION.

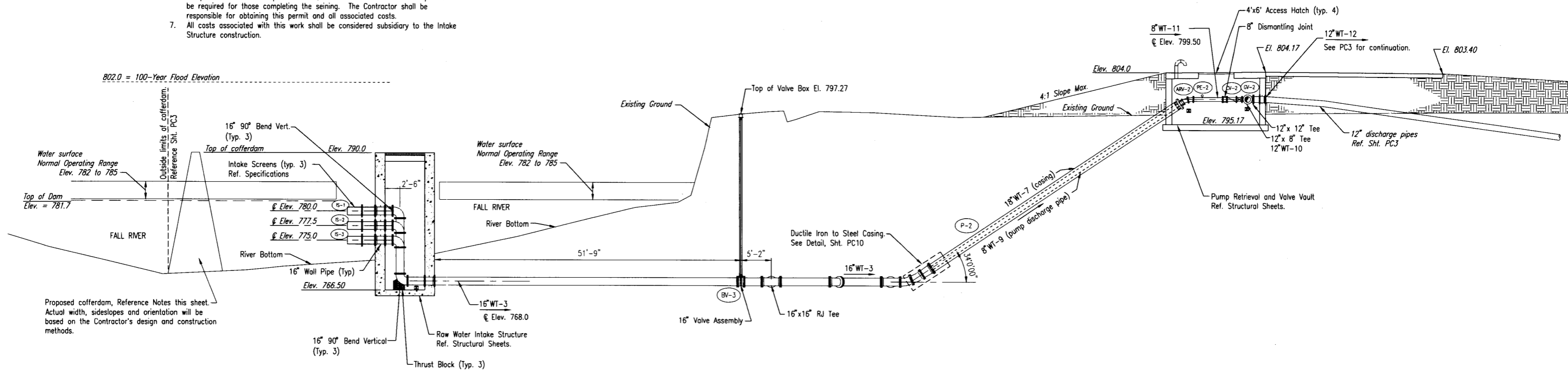
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No.	Revision	By	Date
CITY OF NEOEDSHA			
SITE PIPING PLAN & PROFILE			
NEOEDSHA RIVER INTAKE IMPROVEMENTS			
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Designed by	RWG	Job No.	34-15E65-001
Drawn by	CAE	Date	JUNE 2017
			Sht. PC3 of 13

SCANNED

NOTE TO CONTRACTOR:

1. The Contractor shall design and construct a cofferdam for the construction of the Intake Structure. The design shall be submitted to the Engineer for approval and for processing through the US Corp of Engineers for approval in accordance with the approved USACE permit.
2. The cofferdam may only be constructed and utilized between September 1, 2017 to February 28, 2018. Any cofferdam constructed outside of these dates shall be a non-soil portable cofferdam as manufactured by Aqua Dam, Aqua Barrier, Portadam, or approved equal. Installation shall be per manufacturers recommendations.
3. The cofferdam shall not extend across more than 2/3 the river bed width at any time and shall be limited to the designated area as noted in the drawings.
4. Adequate rip-rap shall be maintained on the leading edge, upstream, and downstream slopes of the cofferdam to prevent sediment from washing downstream. The Contractor may submit another form of erosion control protection for the cofferdam for review by the Engineer.
5. After construction of the Intake Structure is complete, the cofferdam shall be completely removed and the area shall be restored using channel design per the USACE permit requirements.
6. If water is trapped inside the cofferdam, seining shall be performed to remove fish prior to pumping the water. Fish should be released in flowing water downstream of the construction site. The final 5 seine hauls must contain no fish for the requirements of the depletion to be met. If fish are collected in the final 5 seine hauls, the count should restart until 5 seine hauls are completed with no fish collected. A minimum of 15 seine hauls must be completed. A Kansas Dept. of Wildlife, Parks and Tourism collection permit will be required for those completing the seining. The Contractor shall be responsible for obtaining this permit and all associated costs.
7. All costs associated with this work shall be considered subsidiary to the Intake Structure construction.




Proposed cofferdam. Reference Notes this sheet. Actual width, sideslopes and orientation will be based on the Contractor's design and construction methods.

☒ Indicates piping or equipment needs to be adequately supported. Supports such as Wall Brackets, Clevis Hangers and Steel or Concrete supports shall be positioned to adequately support the pipe. The Contractor shall also install any additional pipe supports deemed necessary. The Contractor shall submit to the Engineer for approval the type of pipe support and proposed location(s) for installation.

RIVER INTAKE SECTION
SCALE 1/8" = 1'-0"

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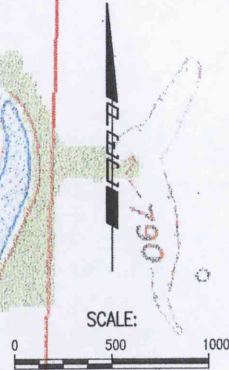
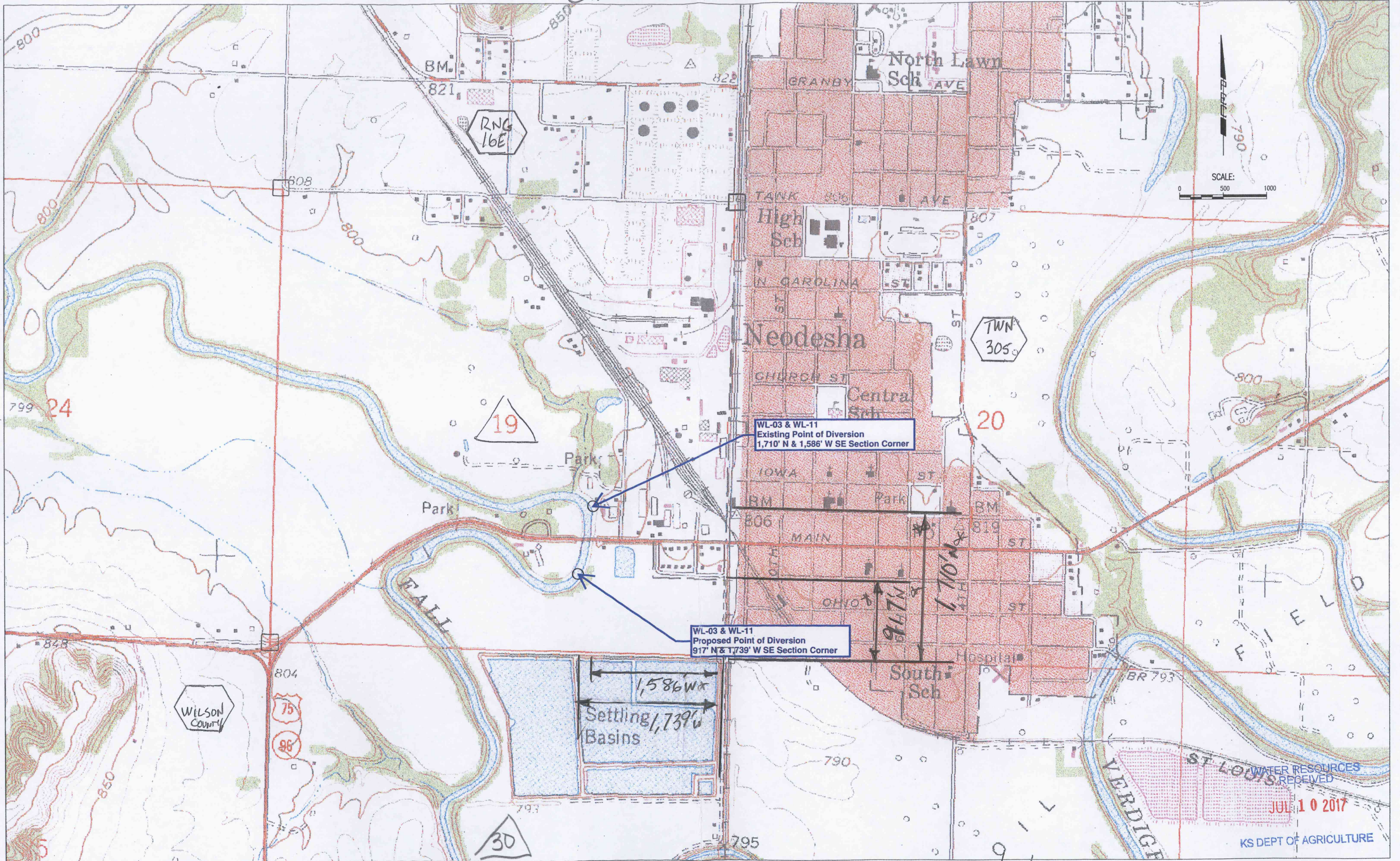
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CITY OF NEODESHA			
RIVER INTAKE SECTION			
NEODESHA RIVER INTAKE IMPROVEMENTS			
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			Sht. PC7 of 13

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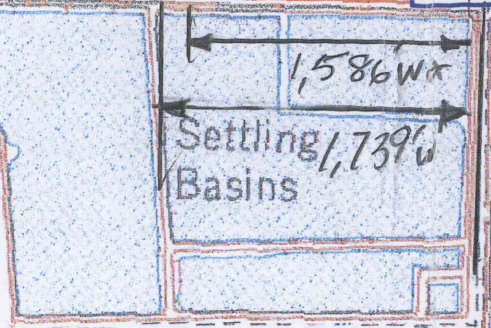
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 U:\Projects\2015\15E65\001\Drawings\PC7 RIVER INTAKE SECTION

CHANGE IN POINT OF DIVERSION FILE NOS WL-003 & WL 011



WL-03 & WL-11
Existing Point of Diversion
1,710' N & 1,586' W SE Section Corner

WL-03 & WL-11
Proposed Point of Diversion
917' N & 1,739' W SE Section Corner



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* LI/and 9/15/17

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