

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

1. File Number: 29883	2. Status Change Date: 7/1/2019	3. Change Num: C2	4. Field Office: 08	5. GMD: Ø
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: 10/19 8/9/2018
8a. Applicant(s) New to system <input type="checkbox"/> CITY OF SOLOMON 116 W MAIN PO BOX 273 SOLOMON KS 67480		Person ID 16867 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/> PC DOUG HELMKE KRW		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/> CITY OF SOLOMON 116 W MAIN PO BOX 273 SOLOMON KS 67480	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2019 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/2019				
<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: 6/24/19 By: LI Date Entered: 7/2/2019 By: UM				

File No. **29883** 11. County: DK Basin: **SOLOMON RIVER** Stream: NA Formation Code: 113 Special Use: NA

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	
DEL	30012	NW SW SE			18	13	1E	1	1193	2307	PLUG					NONE
MOD	61152	SW SW SE			18	13	1E	11	20	2620	WELL 11	155	12.800	155	12.800	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ 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										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
NO CHANGE																																	

Base Acres: Year: Minimum Reasonable Quantity: Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 26, 2019

FROM: Leslie Ireland

RE: Water Right,
File No. 29,883

Hunter McMillen, Mayor, of the City of Solomon, Dickson County was assisted by Douglas Helmke, P.G., Kansas Rural Water Association, to complete an application to change the authorized points of diversion authorized for Municipal use. The application was received on October 19, 2018. The proposal is to consolidate the assigned quantity and rate from the two wells to one well.

A review of the reported water use finds that the water right is in compliance with K.S.A. 82a-732. It appears the application complies with K.A.R. 5-5-2(a) *Complete change application*. The City completed a public notification on April 15, 2019. We didn't received any comments from the publication.

The City has a history of nitrate contamination at the well located in their Northwest well (ID 1) resulting in them diverting above the authorized quantity at their Southwest well (ID 11). The change will move 55 gallons per minute (gpm) and 6.200 million gallons per year a distance of 1,486 feet from the well located in the in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, approximately 1,193 feet North and 2,307 feet West to the existing well located in the in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, approximately 20 feet North and 2,620 feet West of the Southeast corner of said section. This will result in the Southwest well authorizing 155 gpm to divert 12.800 mgy. The well in the NW $\frac{1}{4}$ will be plugged.

There are two (2) municipal wells, both owned by the applicant, and numerous domestic wells, located within one-half ($\frac{1}{2}$) mile of the proposed existing well. The completed public notice was supplemented with letters sent to nine nearby well owners identified by the KGS well log and property ownership records. The May 30, 2019, sent letters did not result in any comments of any kind.

It appears the proposed existing well meets the minimum well spacing requirements of 1,320 feet to the nearby non-domestic wells and 660 feet to domestic wells. It appears the requirements of K.A.R. 5-4-4, *Well spacing* have been met.

The source of supply for the existing well appears to be the Stranger formation, (Code 632) there should be no change in the local source of supply.

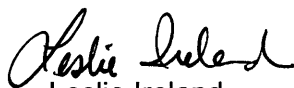
In an e-mail dated June 25, 2019, Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the application.

RE: Water Right, File No. 29,883
June 26, 2019
Memo

Page 2

A water flow meter will be required on the point of diversion. A check valve will be required if any chemical or foreign substance is injected into the water through the diversion works. A water level measurement tube will not be a condition of the approval as the well was originally constructed for operating at less than 100 gallons per minute.

Based on the above discussion, that the change is reasonable, 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 application be approved.



Leslie Ireland
Environmental Scientist
Change Unit

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

July 5, 2019

CITY OF SOLOMON
HONORABLE HUNTER MCMILLEN
116 W MAIN
PO BOX 273
SOLOMON KS 67480

FILE COPY

RE: Water Right, File No. 29,883

Honorable McMillen:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval. A condition of the approval is that an acceptable water flowmeter must be installed on the diversion works authorized. Please complete and return the required enclosed form for the *Notification of the Completion of the Diversion Works and/or Report of Flowmeter Installation* prior to December 31, 2019.

Since this order 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 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,

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

BAT:LI:li:
Enclosures

pc: Topeka Field Office
Douglas S. Helmke, P.G.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN POINT OF DIVERSION,
WATER RIGHT
FILE NO. 29,883**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Hunter McMillen, Mayor, City of Solomon, 116 West Main, PO Box 273, Solomon, Kansas 67480, received in this office on October 19, 2019, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer dated December 14, 1993; July 15, 1997 and August 31, 2012, approving the applications to change the 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 point of diversion shall be:

one (1) well (Number 11) located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 20 feet North and 2,620 feet West of the Southeast corner of said section, at a diversion rate not in excess of 155 gallons per minute (0.34 c.f.s.) and at a quantity not to exceed 12.800 million gallons per calendar year, in Township 13 South, Range 1 East, Dickinson County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2019, 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 Certificate of Appropriation issued pursuant to Approval of Application, File No. 29,883, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated February 21, 1990, as modified and amended by the aforementioned orders.

Ordered this 1st day of July, 2019, in Manhattan, Riley County, Kansas.

Lane P. Letourneau
Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 1st day of July, 2019, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

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.

Any request for a hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: ~~Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.~~

CERTIFICATE OF SERVICE

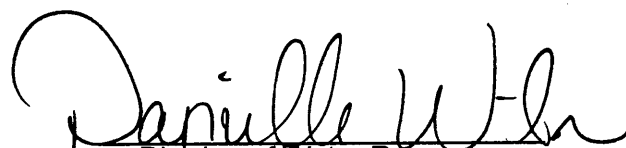
On this 5th day of July, 2019, I hereby certify that the attached Approval of Application for the Change in Point of Diversion for Water Right, File No. 29,883, dated July 1st, 2019 was mailed postage prepaid, first class, US mail to the following:

CITY OF SOLOMON
HONORABLE HUNTER MCMILLEN
116 W MAIN
PO BOX 273
SOLOMON KS 67480

With a Photocopy to:

DOUGLAS S HELMKE PG
KASNAS RURAL WATER ASSN
6847 SE 29TH ST
TECUMSEH KS 66542-9571

Topeka Field Office


Division of Water Resources

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

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



State of Kansas

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

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

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

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

Water Resources
Received
OCT 19 2018
11:26
KS Dept Of Agriculture

File No. 29,883

2. Name of applicant: CITY OF SOLOMON
Address: P.O. BOX 273
City, State and Zip: SOLOMON, KANSAS 67480-0273
Phone Number: (785) 655-3311 E-mail address: _____

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

Name of water use correspondent: SAME AS ABOVE
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):
AUTHORIZED QUANTITY CURRENTLY ON UNUSED WELL No. 2 IS NEEDED ON
CURRENTLY AUTHORIZED WELL No. 11. NO NEW WELL WILL BE DRILLED.

The change(s) (was) (will be) completed by AS SOON AS POSSIBLE.
(Date)

SCANNED

For Office Use Only:	
F.O. <u>1</u> <u>GMD</u> <input checked="" type="checkbox"/> Meets K.A.R. 5-5-1 (YES / NO) Use <u>MUN</u> Source <u>G S</u> County <u>SA</u> By <u>WJH</u> Date <u>10/22/18</u>	40074
Code <u>CGT</u> Fee \$ <u>200</u> TR # _____ Receipt Date <u>10/19/18</u> Check # <u>72</u>	

APPLICATION COMPLETE
6/20/19
Reviewer LE

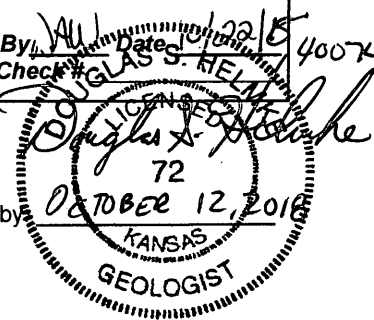
1023208 UM

DWR 1-120 (Revised 06/16/2014)

Please send a copy of all correspondence, including application acknowledgment letter, to:

Douglas S. Helmke, P.G.
Kansas Rural Water Assn.
6847 SE 29th Street
Tecumseh, Kansas 66542-9571

Assisted by



6. The presently authorized point(s) of diversion (is) (are) TWO (2) WELLS.
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) ONE (1) WELL.
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** PDIV 61152 ID: 11 COMMENT: WELL NO. 11

One in the SW Quarter of the SW Quarter of the SE Quarter of Section 18, Township 13 South, Range 1 (E/W), in DICKINSON County, Kansas, 20 feet North 2620 feet West of Southeast corner of section. Authorized Rate 100 GPM Authorized Quantity 6.600 MGY
 (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 _____

9. **Presently authorized point of diversion:** PDIV 30012 ID 1 COMMENT: WELL NO. 2

One in the NW Quarter of the SW Quarter of the SE Quarter of Section 18, Township 13 South, Range 1 (E/W), in DICKINSON County, Kansas, 1193 feet North 2307 feet West of Southeast corner of section. Authorized Rate 55 GPM Authorized Quantity 6.200 MGY
 (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) PDIV 61152 ID 11 COMMENT: WELL NO. 11

One in the SW Quarter of the SW Quarter of the SE Quarter of Section 18, Township 13 South, Range 1 (E/W), in DICKINSON County, Kansas, 20 feet North 2620 feet West of Southeast corner of section. Proposed Rate 155 GPM Proposed Quantity 12.800 MGY
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

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. WELL NO. 2 WILL BE PLUGGED.

4. The presently authorized place of use is:

Owner of ~~land~~ ^{WATER RIGHT} — NAME: CITY OF SOLOMON
 ADDRESS: P.O. BOX 273, SOLOMON, KANSAS 67480-0273

ID
1

PUSE 6814 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	
18-13-1E			MUNICIPAL USE WITHIN THE CITY OF SOLOMON & IMMEDIATE VICINITY & THE I-70 REST AREA IN THE NE¼ OF SECTION 14, TOWNSHIP 13 SOUTH, RANGE 1 WEST, SALINE COUNTY, KANSAS.																

List any other water rights that cover this place of use. DK002; 47,880 & 47,884 KANSAS.

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: NO CHANGE
 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. _____

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
 SCANNED OCT 19 2018
 KS Dept Of Agriculture

12. The presently authorized use of water is for MUNICIPAL USE 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.

THIS CHANGE IN POINT OF DIVERSION WILL
NOT RESULT IN ANY PROHIBITED INCREASE
OF CONSUMPTIVE USE.

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to NA 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.

BOTH WELLS, UNDER THE SAME WATER RIGHT,
DIVERT WATER FROM THE SAME LOCAL SOURCE OF
SUPPLY / ALLUVIAL AQUIFER.

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.

THIS WATER RIGHT IS PROPOSED TO BE REDUCED FROM 2 WELLS
TO 1 WELL. NO NEW WELL IS PROPOSED. NO "NEW"
WAIVER OF SPACING IS REQUIRED.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources

Received

OCT 19 2018

SCANNED

KS Dept Of Agriculture

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.

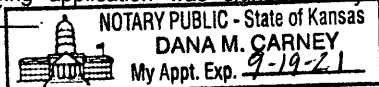
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application 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 Solomon, Kansas, this 17th day of October, 2018.

<u>[Signature]</u> (Owner)	_____ (Spouse)
<u>Hunter McMillen, Mayor</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Dickinson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17th day of October, 2018.



Dana M. Carney
Notary Public

My Commission Expires Sept 19, 2021

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

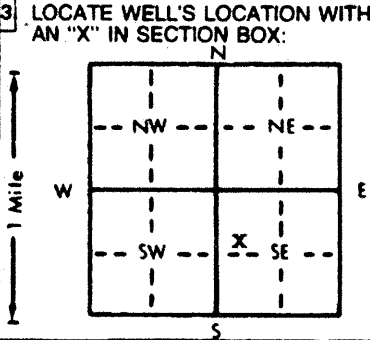
Make check payable to **Kansas Department of Agriculture.**

Water Resources
Received
SCANNED **OCT 19 2018**
KS Dept Of Agriculture

1 LOCATION OF WATER WELL: Fraction SW 1/4 NW 1/4 SE 1/4 Section Number 18 Township Number T 13 S Range Number R 1 E/W
 County: DICKERSON

Distance and direction from nearest town or city street address of well if located within city?
SOUTHEAST EADG OF SOLOMON

2 WATER WELL OWNER: CITY OF SOLOMON
 RR#, St. Address, Box #: 116 W. MAIN Board of Agriculture, Division of Water Resources
 City, State, ZIP Code: SOLOMON, KS. 67480 Application Number:



4 DEPTH OF COMPLETED WELL 48.3 ft. ELEVATION:ft.
 Depth(s) Groundwater Encountered 18 ft. 2.ft. 3.ft.
 WELL'S STATIC WATER LEVEL 18 ft. below land surface measured on mo/day/yr OCT 17-97 ft.
 Pump test data: Well water was AIR PUMPED ft. after 1 hours pumping 150 gpm
 Est. Yield 175 gpm; Well water wasft. afterhours pumpinggpm
 Bore Hole Diameter 12.5 in. to 49 ft., andin. toft.
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well
 Was a chemical/bacteriological sample submitted to Department? Yes.....No.....; If yes, mo/day/yr sample was submitted
 Water Well Disinfected? Yes X No

5 TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued X Clamped
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded
2 PVC 4 ABS 7 Fiberglass Threaded.....
 Blank casing diameter 8 in. to 38.3 ft., Diain. toft., Diain. toft.
 Casing height above land surface 18 in., weight 160 lbs./ft. Wall thickness or gauge No. SDR 26
 TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify)
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)
 SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)
 1 Continuous slot 3 Mill slot .035 6 Wire wrapped 9 Drilled holes
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)
 SCREEN-PERFORATED INTERVALS: From 38.3 ft. to 48.3 ft. Fromft. toft.
 Fromft. toft. Fromft. toft.
 GRAVEL PACK INTERVALS: From 30 ft. to 48.3 ft. Fromft. toft.
 Fromft. toft. Fromft. toft.

6 GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other
 Grout Intervals: From 4 ft. to 25 ft., From 25 ft. to 30 ft., Fromft. toft.
 What is the nearest source of possible contamination:
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below)
 13 Insecticide storage PLUGGED BY CITY
 Direction from well? NORTHWEST How many feet? 10

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	5	FILL DIRT			
5	27	CLAY SOFT SILTY TAN			
27	28	CLAY SOFT DARK GRAY			
28	49	SAND FINE TO COARSE TAN			
49		SHALE GRAY			

Water Resources
 Received
OCT 19 2018
 KS Dept Of Agriculture

7 CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) 10-17-97 and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. 388 This Water Well Record was completed on (mo/day/yr) 10-17-97 under the business name of PESTINGER PUMP SERVICE by (signature) [Signature]

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

SCANNED

Well #2

DIVISION OF WATER RESOURCES-KANSAS DEPARTMENT OF AGRICULTURE
COMPLIANCE INVESTIGATION

Field Office No. 1 G.M.D. No. - County DK

File No. 29883 Overlap P/D or (P/U) File No(s). DK002; 37255 + 39136

Agency DWR Inspector BUNGER

In Compliance/ Date	
<input checked="" type="checkbox"/> Yes	<u>4-27-10</u>
<input type="checkbox"/> No, see comments	_____
<input type="checkbox"/> Re-investigation	_____

Reason: New Application Regular P/D Change P/U Change
 Meter Installed Short Move P/D Change Other BRO

Date of Order _____ Date of N of C Ack _____ Chg No. C _____ Date completed _____ If PD chg, old PD ID _____

Current Landowner CITY OF SOLOMON Phone No. 785-655-3311

Address PO Box 273 SOLOMON, KS. 67480
Additional landowners and addresses identified in remarks section.

Water Use Correspondent SAME AS LANDOWNER Phone No. _____

Authorized Water Use Classification	<input type="checkbox"/> Domestic	<input type="checkbox"/> Industrial	<input type="checkbox"/> Irrigation	<input checked="" type="checkbox"/> Municipal	<input type="checkbox"/> Hydraulic Dredging
	<input type="checkbox"/> Recreation	<input type="checkbox"/> Stockwatering	<input type="checkbox"/> Water Power	<input type="checkbox"/> Artificial Recharge	<input type="checkbox"/> Contamination Remediation
	<input type="checkbox"/> Dewatering	<input type="checkbox"/> Fire Protection	<input type="checkbox"/> Thermal Exchange	<input type="checkbox"/> Sediment Control	<input type="checkbox"/> Other _____

Water currently being used for MUNICIPAL

Source: Groundwater Surface Water Basin/Stream SMOKEY HILL RIVER

Authorized Point of Diversion: NC 1/2 W 1/2 SE Sec. 18, T. 13 S, R. 1E ID No. 01

Approximately 1270 ft. North and 2338 ft. West of SE corner of Sec 18.

Actual Point of Diversion: NC 1/2 W 1/2 SE Sec. 18, T. 13 S, R. 1E

Approximately 1193 ft. North and 2307 ft. West of SE corner of Sec 18.

How were distances determined? GPS DATA Latitude 38.918070 Longitude 97.361670

Distance from old pd _____ ft (N / S) and _____ ft (E / W) Old well: plugged capped equipped other: _____?

Location (site) map attached? Y / N Sketch or Map below

Comments: ↳ See Attached Pictures

* THIS WELL IS FOR EMERGENCY STAND-BY USE ONLY BECAUSE OF NITRATE PROBLEMS.

WATER RESOURCES RECEIVED

MAY 03 2010

KS DEPT OF AGRICULTURE

File No. 29,883

Nearby domestics (possible)

DAVID W KEELE
176 2200 AVE
SOLOMON KS 67480

THOMAS J ROELOFSEN
188 2200 AVE
SOLOMON KS 67480

DENNIS S & MARYLIN L RIDER
2198 BARN RD
SOLOMON KS 67480

HARVEY WOOD JR TRUST
2261 BARN RD
SOLOMON KS 67480

JORDAN J LONG
100 N WILLOW ST
SOLOMON KS 67480

ROGER R CHAPMAN
415 E 5TH ST
SOLOMON KS 67480

STERRETT, BRENDA K
STERRETT, RAYMOND, II
STERRETT, JERRICA MAE

OWNER

316 E 3RD ST
SOLOMON KS 67480

JAMES W DIVILBISS
109 S WILLOW ST
SOLOMON KS 67480

ONE GAS INC
100 W 5TH ST
TULSA OK 74103-4279

Ireland, Leslie [KDA]

From: Ireland, Leslie [KDA]
Sent: Tuesday, June 25, 2019 4:22 PM
To: Tietsort, Katie [KDA]
Subject: RE: Recommendation For Change in Point of Diversion File No. 29883 City of Solomon

Katie,

Thank you for the explanation about the WLMT... so sorry about the battery reference.. thought I had this memo done,, but obviously skipped some paragraphs. I'll recheck it all my apologies.. working this in between two other major messes out west... didn't really work. Glad you've got a good handle on your area.

I will pay extra attention to the approval,,, don't need any other issues with Solomon. 😊
Take care,
Leslie

From: Tietsort, Katie [KDA]
Sent: Tuesday, June 25, 2019 2:58 PM
To: Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>
Subject: RE: Recommendation For Change in Point of Diversion File No. 29883 City of Solomon

Hi Leslie,

Sorry, I got to working on this, then got sidetracked and it dropped off my radar.

As for the WLMT, Well #7 as shown on the certificate of 2/21/90 was originally authorized a maximum rate of diversion of 49 gpm. A change approval on 7/15/1997 authorized the redrill of Well #7 when they experienced casing problems and the new well was designated Well #11. It was still authorized 49 gpm. The change in PD approved in August of 2012 authorized and changed the file from several wells to just wells #2 and #11. The rate and quantity from well 5 was moved over onto Well #11 and well #5 was closed out- this is when the rate was brought up to 100 gpm, but that was clearly after the well was drilled as the well log shows the well was drilled in 10/17/1997. The regulation K.A.R. 5-3-5d requires that wells with an authorized rate of 100 gpm drilled after the date of the regulation (effective May 1, 1980) are required to have the WLMT installed. Although this well was drilled after the effective date of the regulation, at the time the well was drilled it did not authorize a rate of diversion of 100 gpm or greater, therefore the well does not require the WLMT.

As for some of the wording in your memo, you reference a battery a couple times. "Because the geographic center will be moving less than 300 feet, no notices were sent. The proposed point does not meet the minimum well spacing requirements of 1,320 feet to the nearby municipal owned by the applicant, however, since the geographic center will only be moving a few feet no waivers will be required."

There will not be a battery nor has there ever been a battery authorized under this water right, it simply authorized more than one PD at a time when that was allowed and will now be authorizing a single well after the change. There should be no reference to a battery as that is very confusing. You might want to look back at Richelle's paperwork (memo and approval) from 2012 on how we worded this last time since it is nearly identical. According to our meeting (see notes in Docuware) it appears the wells for the City are still all operated cyclically and the same rational about spacing applies then as now so you could take that word for word. Did we get the domestic waivers in?

If these items are all set, the file should move forward for approval.

Thanks so much! 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 [KDA]
Sent: Monday, June 24, 2019 8:44 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: FW: Recommendation For Change in Point of Diversion File No. 29883 City of Solomon

Katie,

Hope you haven't found any lost stampede folks in your parking lot. The footage I saw give "washout" a new meaning 😊.

Regarding the WLMT I found on part on the the 4/2016 Compliance Investigation that well # 11 doesn't have a WLMT, (it was further up in the report). I fixed that last paragraph on the first page of the memo, so a WLMT will not be a condition of the approval, it also was not a condition of the 2012 approval.

As always any comments and concerns are welcome.

Please let me know if you could recommend this change.

Leslie

From: Ireland, Leslie [KDA]
Sent: Thursday, June 20, 2019 8:59 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: Recommendation For Change in Point of Diversion File No. 29883 City of Solomon

Katie,

Please let me know if you could recommend this change.

I'm not sure what to require regarding the WLMT. ???

As always any comments and concerns are welcome.

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

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 30, 2019

DAVID W KEELE
176 2200 AVE
SOLOMON KS 67480

Re: Water Right, File No. 29,883

5
Laura Kelly, Governor
Drive
12-5000
1606 - 006

6/10/19
RESENT TO:
14041 N 103 Ave
SON CIV AZ-85357

neopost
05/30/2019
FIRST-CLASS MAIL
US POSTAGE \$000.50



ZIP 66506
041M12251541

WATER RESOURCES
RECEIVED

JUN 06 2019

KS DEPT OF AGRICULTURE

NIXIE 672 FE 1 0006/04/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

6748030044 UTE
5650250000

BCI 56502500020 *0528-03615-30-42

to: one (1) well located in the southwest
of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, more
particularly described as being near a point 20 feet North and 2,620 feet
West of the Southeast corner of said section, in Township 13 South,
Range 1 East, Dickinson County, Kansas, identified by the City of
Solomon as Well No. 11, with an authorized quantity of 12.800 million
gallons per year at a rate not in excess of 155 gallons per minute,

all in Township 13 South, Range 1 East, Dickinson County, Kansas.

A map of the proposed change has been enclosed to further inform you of the proposed
change.

FILE COPY

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 30, 2019

JAMES W DIVILBISS
109 S WILLOW ST
SOLOMON KS 67480

Re: Water Right, File No. 29,883

Dear Sir or Madam:

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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,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure
pc: Topeka Field Office

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



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Mike Beam, Secretary

Laura Kelly, Governor

May 30, 2019

OWNER
316 E 3RD ST
SOLOMON KS 67480

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Mike Beam, Secretary

Laura Kelly, Governor

May 30, 2019

ROGER R CHAPMAN
415 E 5TH ST
SOLOMON KS 67480

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Laura Kelly, Governor

May 30, 2019

JORDAN J LONG
100 N WILLOW ST
SOLOMON KS 67480

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May 30, 2019

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May 30, 2019

DENNIS S & MARYLIN L RIDER
2198 BARN RD
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all in Township 13 South, Range 1 East, Dickinson County, Kansas.

A map of the proposed change has been enclosed to further inform you of the proposed change.


FILE COPY

SCANNED

Records in this office indicate that you may have a well or wells in this vicinity of the proposed change in point of diversion. You are being notified of the proposal so that you may furnish this office written comments or other information you may desire to submit. Such written comments or other information must be received in this office within 15 days from the date of this letter.

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,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure
pc: Topeka Field Office

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 30, 2019

DAVID W KEELE
176 2200 AVE
SOLOMON KS 67480

Re: Water Right, File No. 29,883

Dear Sir or Madam:

This letter is to inform you that the City of Solomon has filed an application to change the point of diversion under the referenced file authorized for municipal use.

The application proposes the following change:

from: one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 1,193 feet North and 2,307 feet West of the Southeast corner of said section, in Township 13 South, Range 1 East, Dickinson County, Kansas, identified by the City of Solomon as Well No. 2, with an authorized quantity of 6.200 million gallons per year at a rate not in excess of 55 gallons per minute, and

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FILE COPY

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Sincerely,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

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pc: Topeka Field Office

1320 Research Park Drive
Manhattan, KS 66502
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900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 30, 2019

THOMAS J ROELOFSEN
188 2200 AVE
SOLOMON KS 67480

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from: one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 1,193 feet North and 2,307 feet West of the Southeast corner of said section, in Township 13 South, Range 1 East, Dickinson County, Kansas, identified by the City of Solomon as Well No. 2, with an authorized quantity of 6.200 million gallons per year at a rate not in excess of 55 gallons per minute, and

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Sincerely,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure
pc: Topeka Field Office

From: Dana Carney <dana.solomonks@gmail.com>
Sent: Monday, May 6, 2019 2:14 PM
To: Ireland, Leslie [KDA]
Cc: 'Douglas S. Helmke, P.G. - KRWA'
Subject: Water Right, File No. 29,883
Attachments: Division of Water Resources.pdf; Public Notice & Affidavit.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Leslie:

Please find the attached letter, public notice and affidavit of publication regarding our application.

Thanks,

Dana Eye

Dana Eye, CMC
City Clerk
City of Solomon
PO Box 273
Solomon KS 67480
Phone: 785.655.3311
Fax: 785.655.3170

Water Resources
Received
MAY 06 2019
KS Dept Of Agriculture



116 W Main
PO Box 273
Solomon KS 67480

Phone: 785-655-3311
Fax: 785-655-3170

May 6, 2019

Leslie Ireland
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan KS 66502-5000

RE: Water Right
File No. 29,883

The City of Solomon has a pending application to changes the points of diversion under the above reference water right.

Enclosed is the Public Notice that was published in the official newspaper for three consecutive weeks. I've enclosed the Affidavit of Publication to confirm that.

Please let me know if you need anything else.

Sincerely,


Dana Eye, CMC
City Clerk

cc: Doug Helmke, KRWA

Water Resources
Received
MAY 06 2019
KS Dept Of Agriculture

SCANNED

PUBLIC NOTICE

(To be published in newspaper once a week for three (3) consecutive weeks)

The City of Solomon has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion under Water Right, File No. 29,883, to remove Well No. 2 from the water right and to transfer the quantity and rate authorized for Well No. 2 to Well No. 11.

The application proposes the following change in the location of the points of diversion.

from: one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 1,193 feet North and 2,307 feet West of the Southeast corner of said section, in Township 13 South, Range 1 East, Dickinson County, Kansas, identified by the City of Solomon as Well No. 2, with an authorized quantity of 6.200 million gallons per year (m.g.y.) at a rate not in excess of 55 gallons per minute (g.p.m.), and

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Water Resources
Received

MAY 06 2019

Dept Of Agriculture

Any interested party is invited to submit to the office of the Chief Engineer on or before May 3, 2019, written comments as to whether the proposed change in point of diversion under Water Right, File No. 29,883, should be approved or not approved. Persons submitting comments should specifically indicate their interest in the application in a clear and concise manner.

The Application for Change in Point of Diversion under Water Right, File No. 29,883, is on file and available for public inspection in the office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502-5000. The application can also be viewed online at the agency web site at: https://sftp.kda.ks.gov:4443/Notices/Topeka_Field_Office/2018/29883.20181019.Acc.Chg.pdf General inquiries regarding the proposed changes may be made to Leslie Ireland, Environmental Scientist, Kansas Department of Agriculture, Division of Water Resources, at (785) 564-6633.

SCANNED

LEGALS

First Published in The Abilene Reflector Chronicle on

April 15th 2019

PUBLIC NOTICE

(To be published in newspaper once a week for three (3) consecutive weeks)

The City of Solomon has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion under Water Right, File No. 29,883, to remove Well No. 2 from the water right and to transfer the quantity and rate authorized for Well No. 2 to Well No. 11.

The application proposes the following change in the location of the points of diversion

from one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter (NW 1/4 SW 1/4 SE 1/4) of Section 18, more particularly described as being near a point 1,193 feet North and 2,307 feet West of the Southeast corner of said section, in Township 13 South, Range 1 East, Dickinson County, Kansas, identified by the City of Solomon as Well No. 2, with an authorized quantity of 6,200 million gallons per year (m.g.y.) at a rate not in excess of 55 gallons per minute (g.p.m.), and one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW 1/4 SW 1/4 SE 1/4) of Section 18, more particularly described as being near a point 20 feet North and 2,620 feet West of the Southeast corner of said section, in Township 13 South, Range 1 East, Dickinson County, Kansas, identified by the City of Solomon as Well No. 11, with an author-

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS }
DICKINSON COUNTY } ss.

Tim Honan being first duly sworn, deposes and says: That I am the editor of the Reflector-Chronicle, a daily newspaper printed in the State of Kansas, and published in and of general circulation in Dickinson County, Kansas, with a general paid circulation on a monthly basis, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Abilene, in said county, as a second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 3 consecutive weeks, the first publication thereof being made as aforesaid on the day of 4-15, 2019 with subsequent publications being made on the following dates:

4-22, 2019, 4-29, 2019

Printer's Fee \$ 377.13

Subscribed and sworn to before me this 29th day of April



Kim Ann Maguire
Notary Public

My commission expires 7-31-2019

Approved: _____
Judge _____

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

CITY OF SOLOMON
PO BOX 273
SOLOMON, KS 67480

October 24, 2018

RE: File No 29883

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.

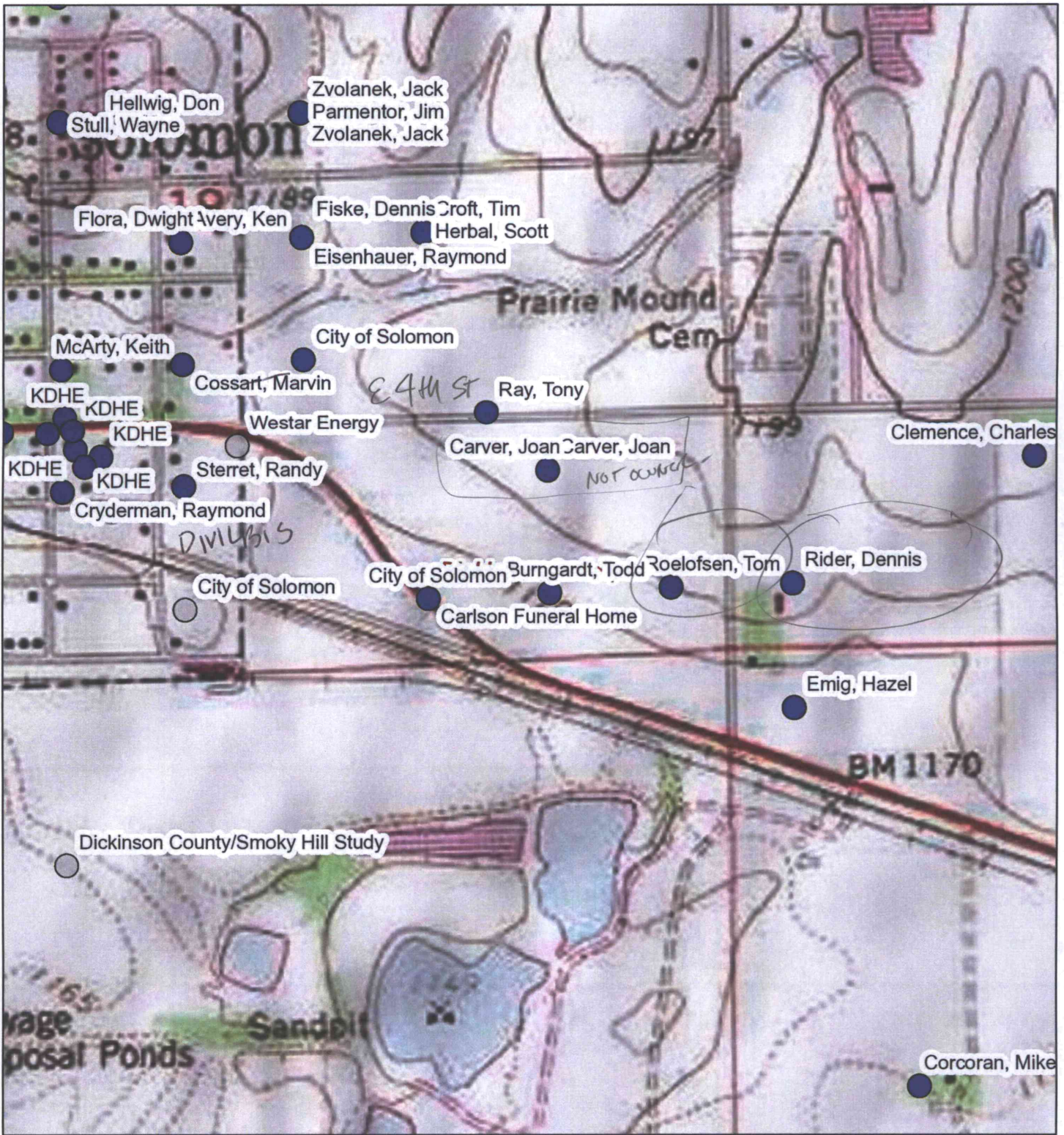
Sincerely,

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

BAT: DLW
pc: TOPEKA Field Office GMD

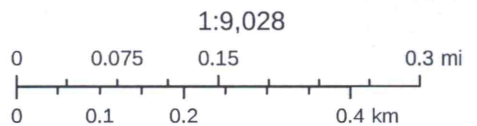
SCANNED

Water Right, File No. 29,883



- Constructed
- Reconstructed
- Plugged

Cryderman - NO RECORDS
BURNGARDT - NO RECORDS
ROELOFSEN



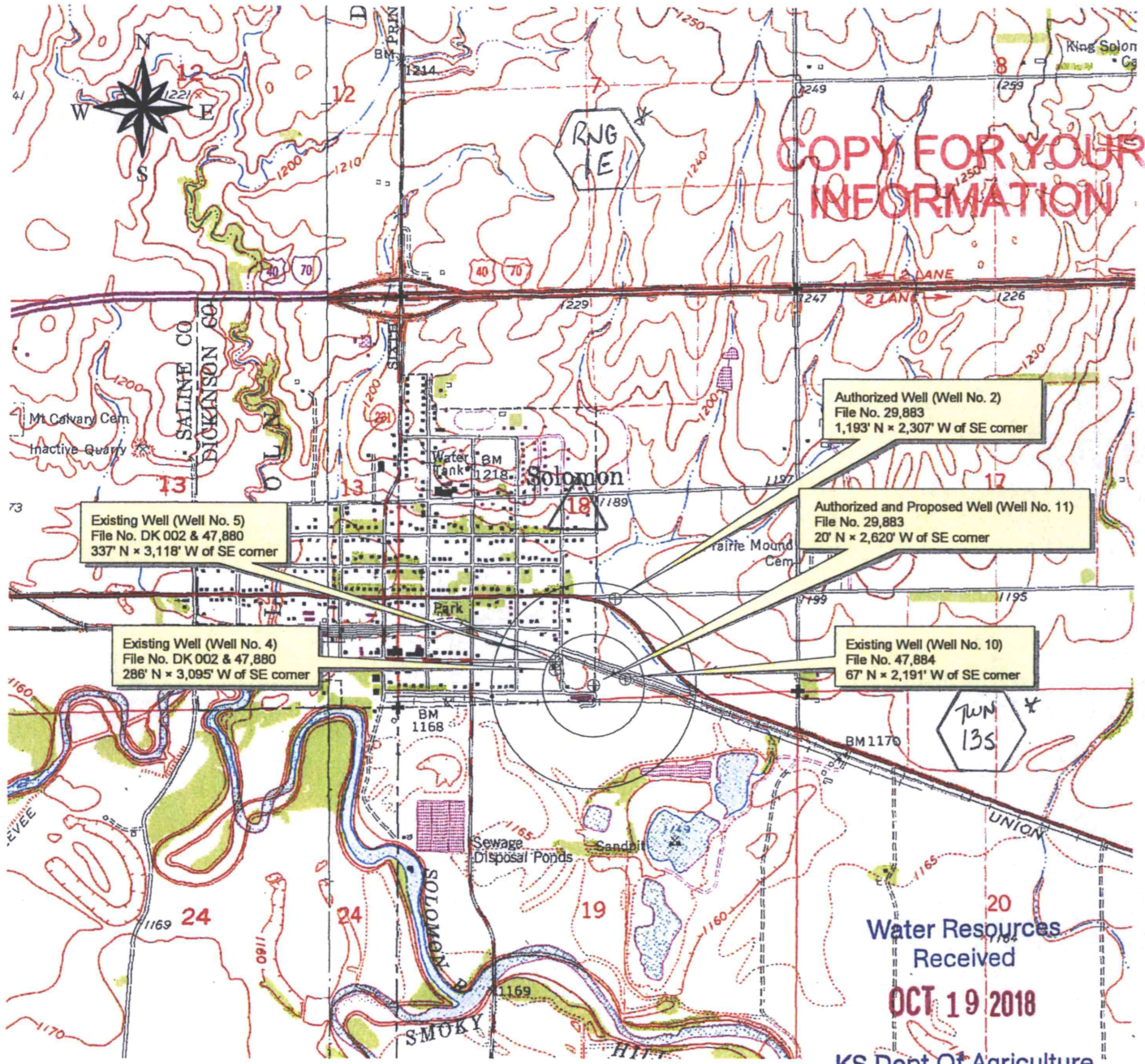
Copyright: © 2013 National Geographic Society, i-cubed

City of Solomon

Application to Change the Points of Diversion

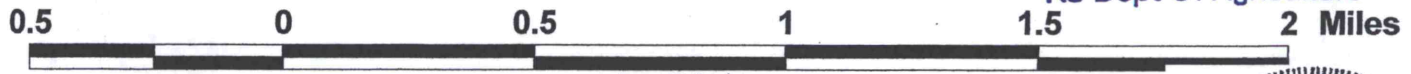
Water Right, File No. 29,883

COPY FOR YOUR INFORMATION



Water Resources
Received
OCT 19 2018

KS Dept Of Agriculture



Legend

- ⊕ Municipal Well
- + Section Corner

FILE COPY

✶ LIOWA

All non-domestic wells within 1/2 mile and every domestic well within 660 feet of the proposed well have been plotted.

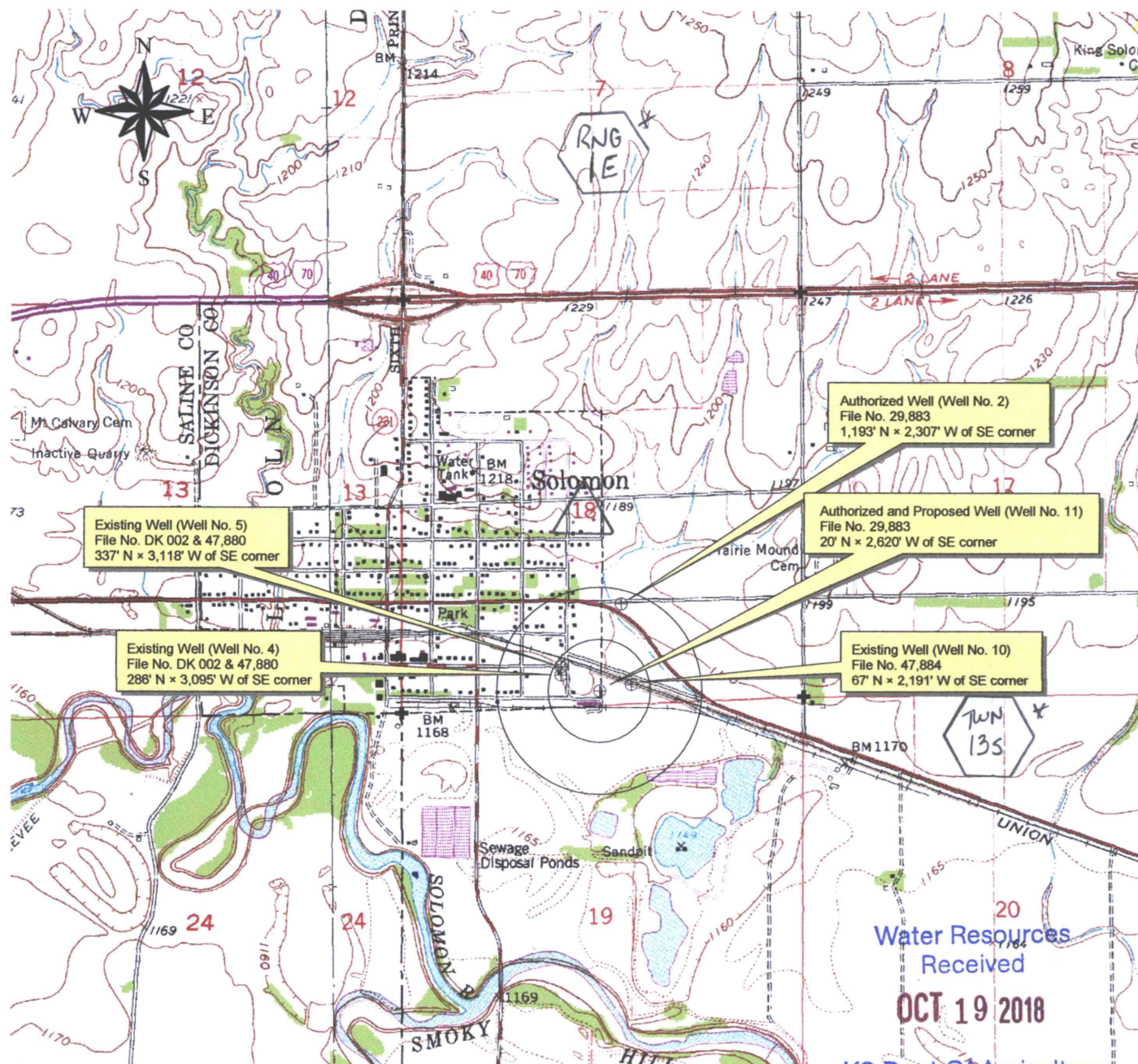
[Signature]

(Signature)



City of Solomon

Application to Change the Points of Diversion Water Right, File No. 29,883



Legend

- ⊕ Municipal Well
- + Section Corner

✕ L1/DWA

All non-domestic wells within 1/2 mile and every domestic well within 660 feet of the proposed well have been plotted.

[Signature]

(Signature)

