

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET & ORDER IN MATTER OF PD

1. File Number: 34866	2. Status Change Date: 12/30/2020	3. Change Num: C2	4. Field Office: 01	5. GMD:
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 13-DEC-2019
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID 15219 Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>
CRAWFORD RWD 03 GAYLE PRETTYMAN, TREASURER BOX 694 ARMA, KS 66712				Person ID _____ Add Seq# _____
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 15219 Add Seq# 1		8d. WUC New to system <input type="checkbox"/>
CRAWFORD RWD 03 BOX 694 ARMA, KS 66712		8b No Change		Person ID 15219 Add Seq# 1
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2021</u> <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter				
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 12/2/20 By: LI Date Entered: 1/4/2021 LMoody By: _____				

File No **34866** 11. County: **CR** Basin **MARMATON RIVER** Stream: Formation Code: Special Use: 830 ARBUCKLE GP

12. Points of Diversion										Rate and Quantity				
CHK										Authorized		Additional		
MOD	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
MOD	38501	NE SE NE	4	29	25E	1	3391	295	GPS UPDATE	NO CHANGE		8697		

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

14. Limitation: **CHK** Limitation: _____ af/yr at **90** gpm (cfs) when combined with file number(s) **8697**

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
MOD	385014	29	25E	1	WITHIN BOUNDARIES OF CRAWFORD RWD 03, 01 & 01 CONSOLIDATED, CRAWFORD CO & IMMEDIATE VICINITIES																8B	NO	8697				

Base Acres: Year: Minimum Reasonable Quantity: Comments: None

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
AND
ORDER BETTER DESCRIBING THE AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 34,866**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Gayle Prettyman, Treasurer, Crawford Rural Water District No. 3, Box 694, Arma, Kansas 66712, received in this office on December 13, 2019, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated November 1, 2010, approving the application to change the place of use, 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 place of use shall be:

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

located substantially as shown on the map accompanying the application to change the place of use and the location of the authorized point of diversion shall be better described as:

one (1) well located in the Northeast Quarter of the Southeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 4, more particularly described as being near a point 3,391 feet North and 295 feet West of the Southeast corner of said section, in Township 29 South, Range 25 East, Crawford County, Kansas.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 34,866, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 08, 1999, as modified and amended by the aforementioned order.

Ordered this 30 day of December, 2020, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

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

State of Kansas)
County of Riley) SS

The foregoing instrument was acknowledged before me this 30 day of December, 2020, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Ashlee Freeman
Notary Public



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

January 5, 2021

CRAWFORD RWD 03
GAYLE PRETTYMAN, TREASURER
BOX 694
ARMA, KS 66712

RE: Water Right, File Nos. 8,697 & 34,866

Dear Mr. Prettyman:

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 and conditions specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files.

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

Please be reminded that reports of water usage must be submitted to this office annually. Records indicating the amount of water used should be furnished to the Chief Engineer by March 1 following the end of the previous calendar year so that the continued use of water becomes a matter of record in this office. The owner, or his or her legally designated agent, is held responsible for submitting annual water use reports. If an annual water use report is not received by the deadline, a fine may be assessed and all water use under such right may be suspended. For your convenience, reports may be filed online at www.kswaterusereport.org.

If you have any questions, please contact this office at (785) 564-6640 or our staff at the Topeka Field Office at (785) 564-5733. If you call, please reference the file numbers listed above so we can help you more efficiently.

Sincerely,

Kristen A. Balm
New Applications & Change Unit Supervisor
Water Appropriation Program

KAB:li

Enclosures
pc: Topeka Field Office

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.

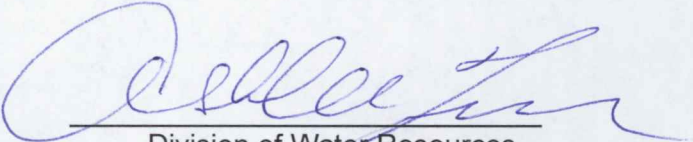
Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

CERTIFICATE OF SERVICE

On this 5 day of January, 2021, I hereby certify that the attached Approval of Application for the Change in Place of Use and Order in the Matter of the Authorized Point of Diversion for Water Right, File No. 34,866, dated, was mailed postage prepaid, first class, US mail to the following:

Crawford RWD 03
Gayle Prettyman, Treasurer
Box 694
Arma, KS 66712

With photocopies to:
Topeka Field Office


Division of Water Resources