

LB?
other?
KS-NE?

-page 2
missing -
BF**Sue France**

From: Ann Bleed [ableed@dnr.state.ne.us]
Sent: Saturday, July 10, 2004 12:46 AM
To: Brad Edgerton; Roger Patterson; Michael Thompson; Susan France
Subject: Re: JOHN KNAPE CENTER PIVOT KS-NE]

I think this might be one to ask the RRCA or Cookson about. It is true that the .9 acres is less than 2 acres but the total is more than that. Should the .9 be treated as a separate piece? I would like to make sure the RRCA agrees before we risk an addition. Ann

----- Original Message -----

From: Brad Edgerton
To: Ann Bleed ; Roger Patterson ; Michael Thompson ; Susan France
Sent: Thursday, July 08, 2004 8:35 AM
Subject: [Fwd: JOHN KNAPE CENTER PIVOT KS-NE]

>From page 5 of Appendix C - **Computed Beneficial Consumptive Use:** For purposes of Compact accounting, the stream flow depletion resulting from the following activities of man:

Irrigation of lands in excess of two acres.

It appears to me that Nebraska should not have to count this 0.9 acre.

Brad

----- Original Message -----

Subject: JOHN KNAPE CENTER PIVOT KS-NE
Date: Fri, 2 Jul 2004 14:56:07 -0600
From: Miller, James - Alma, NE <James.Miller@ne.usda.gov>
To: <SFRANCE@DNR.STATE.NE.US>, <NDWRCAMB@SWNEBR.NET>, <lnrd@megavision.com>
CC: Coe, Kristi - Alma, NE <Kristi.Coe@ne.nacdnet.net>

Good afternoon,

Attached is a jpg on the John Knape center pivot. The state line and acres are APPROXIMATE. If you need further info let me know.

jim

JIM MILLER, DISTRICT CONSERVATIONIST
 NATURAL RESOURCES CONSERVATION SERVICE
 PO BOX 410 ALMA, NE 68920
 Phone (308)928-2626
 FAX (308)928-3159

7/21/2004

DNR 018582

FAX TRANSMITTAL # of pages: 3

To: <i>Susan France</i>	From: <i>Jim Miller</i>
Dept./Agency:	Phone #: <i>308 928 2626</i>
Fax #:	Fax #: <i>3159</i>
NSN 7540 01 917-7308 5099-101 GENERAL SERVICES ADMINISTRATION	

KANSAS

DEPARTMENT OF AGRICULTURE
ADRIAN J. POLANSKY, SECRETARY

KATHLEEN SEBEIUS, GOVERNOR

moming only - 1-785-653-2278 May 7, 2004

JOHN KNAPE - *1-785-567-8809 - use*
186 W 300 RD
PHILLIPSBURG KS 67661

Re: Water Right,
File No. 30,558

Dear Mr. Knape:

Enclosed is the completed form entitled SCC Water Right Certification for Cost-Share Fund Eligibility. I have reviewed the aerial photograph you provided with the following results:

The center pivot system drawn in on the west side of the proposed project indicates that it is to be 1,350 feet in length. Given that length, the pivot would irrigate lands in Nebraska. From the aerial photograph submitted with the original application, the maximum length of the pivot could only be approximately 1,250 feet in length. If the pivot length is reduced to insure that no Nebraska land is being irrigated, the remaining center pivot system would irrigated only land currently authorized under this water right.

Under the current Republican River Compact, each state must account for water applied to the land in that state. Therefore, it would be necessary for you to get approval from the State of Nebraska to irrigate lands in that state. The Division of Water Resources would not approve any application to change the place of use that would add land in Nebraska without their authorization.

As for the other center pivot system, it appears to be proposed on land that is currently authorized under this right.

If you have any questions about this finding, please feel free to contact this office.

Sincerely,

Scott E. Ross
Scott E. Ross, L.G.
Water Commissioner

RECEIVED

SER
Enclosure
pc: Phillips County Conservation District

JUL 23 2004
DEPARTMENT OF
NATURAL RESOURCES
3:15 p.m. *MA*

Division of Water Resources Stockton Field Office Scott E. Ross, Water Commissioner
870 South Walnut, P.O. Box 192, Stockton, KS 67669-0192
Voice (785) 425-6787 Fax (785) 425-6842



Water Right Certification For Cost-Share Fund Eligibility

<u>Phillips</u> County Conservation District	State Code
Landowner Name: <u>John Knappe</u> Legal: <u>N/2 4-1-19W</u>	

This section to be completed by the Conservation District

State Conservation Commission Policy: Prior to project approval, the allowable pump rate, land authorized for irrigation, and a valid water right (in good standing) must be verified to the conservation district. The conservation district may assist the landowner in contacting the regional Kansas Department of Agriculture Division of Water Resources (DWR) or if applicable Ground Water Management District (GMD) 4 office. Note: A landowner's copy of the water right does not necessarily confirm a water right in good standing. The DWR defines a valid water right (in good standing) as one that is an approved permit in the perfection period or after the perfection period has expired, or a certified water right that meets all the conditions of the permit or the right. It must be an approved permit but would not be required to be certified. The water has been put to beneficial use without waste for the type of use authorized and is being diverted from the authorized point of diversion within the authorized rates and quantities. The water right has no cease and desist orders, pending compliance violations, or five or more years of non-use without due and sufficient cause for non-use.

I, (Landowner name, print) _____, verify that I have received verification of my valid water right from the DWR for determination of eligibility to receive state cost-share funds provided to improve irrigation efficiency resulting in less consumptive use of groundwater.

Signature: _____ Date: _____
(Landowner may sign before or after the form is completed by the DWR)

This section to be completed by the DWR
This form may be faxed to required parties for completion and signature.

Legal of well or wells: (3) wells (1) NE 1/4 & (2) NW 1/4 Sec 4, T15, R19W

File Number: 30,558 Gallons Per Minute: (1) 775 GPM (2) 305 GPM (3) 205 GPM

Acres Feet per Year Allotted: #1 (86AC); #2 (35 ac) #3 (23 AC)

Current Place of Use Legal: 123 ACRES IN N/2 OF SEC 4, T15, R19W

Current Place of Use Acres: 123 ACRES; 55 AC NE 1/4; 68 AC NW 1/4 ALL SEC. 4, T15, R19W

The proposed irrigation improvement is compatible with the current water right?
(Yes, No): NO THE WEST PLOW PROPOSES TO BE 1350' LONG. THAT WILL IRRIGATE LAND IN NEBRASKA. ~~NEBRASKA~~

There will be a need to file a change in order for the proposed irrigation improvement to be compatible with the water right (Yes, No): YES Nebraska will also need approve use in Nebraska.

DWR Representative (Signature): Scott E. [Signature] Date: 5-7-04

Remarks: THIS PROPOSED PLAN WOULD USE A KANSAS WATER RIGHT IRRIGATING NEBRASKA LAND THAT CANNOT BE AUTHORIZED UNDER KANSAS LAW.

This form shall be kept on file at the conservation district office and a copy attached to the SCC CS-3 submitted to the SCC. Faxed copies/signatures are acceptable. Form revised June 21, 2002.

