



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**FINDINGS AND ORDER
IN THE MATTER OF THE DIVISION
OF WATER RIGHT, FILE NO. 29,973**

After Due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS

1. That on July 19, 1988, the Chief Engineer, in accordance with K.S.A. 82a-714, issued a Certificate of Appropriation pursuant to File No. 29,973, as modified and amended on July 3, 1991; December 23, 1991; January 14, 1999; July 10, 2000; July 26, 2000; May 22, 2002; November 29, 2007; August 2, 2012; August 14, 2014; and July 1, 2015, for beneficial use which authorized the diversion of groundwater by means of ten (10) wells:

one (1) well (a.k.a. Well #1) located in the Northeast Quarter of Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 5,200 feet North and 1,740 feet West of the Southeast corner of said section, at a diversion rate not in excess of **785 gallons per minute (1.75 c.f.s.)** and a quantity not to exceed **160 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #2) located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 3,905 feet North and 2,585 feet West of the Southeast corner of said section, at a diversion rate not in excess of **480 gallons per minute (1.07 c.f.s.)** and a quantity not to exceed **194 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #3) located in the Northwest Quarter of Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17, more particularly described as being near a point 5,260 feet North and 5,205 feet West of the Southeast corner of said section, at a diversion rate not in excess of **805 gallons per minute (1.79 c.f.s.)** and a quantity not to exceed **149 acre-feet** of water per calendar year for irrigation use and **2 acre-feet** of water per calendar year for recreation use;

one (1) well (a.k.a. Well #4) located in the Northwest Quarter of Southeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17, more particularly described as being near a point 3,900 feet North and 3,860 feet West of the Southeast corner of said section, at a diversion rate not in excess of **915 gallons per minute (2.04 c.f.s.)** and a quantity not to exceed **206 acre-feet** of water per calendar year;

(over)

one (1) well (a.k.a. Well #5) located in the Northwest Quarter of Southwest Quarter of the Northeast Quarter (NW¼ SW¼ NE¼) of Section 17, more particularly described as being near a point 3,313 feet North and 2,531 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,105 gallons per minute (2.46 c.f.s.)** and a quantity not to exceed **210 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #6) located in the Northwest Quarter of Northwest Quarter of the Northeast Quarter (NW¼ NW¼ NE¼) of Section 17, more particularly described as being near a point 4,640 feet North and 2,540 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,120 gallons per minute (2.50 c.f.s.)** and a quantity not to exceed **102 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #7) located in the Northwest Quarter of Northeast Quarter of the Northeast Quarter (NW¼ NE¼ NE¼) of Section 17, more particularly described as being near a point 5,220 feet North and 1,200 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,090 gallons per minute (2.43 c.f.s.)** and a quantity not to exceed **246 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #9) located in the Northwest Quarter of Northeast Quarter of the Southeast Quarter (NW¼ NE¼ SE¼) of Section 17, more particularly described as being near a point 2,580 feet North and 1,200 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,000 gallons per minute (2.23 c.f.s.)** and a quantity not to exceed **245 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #A) located near the center of the Southeast Quarter (SE¼) of Section 7, more particularly described as being near a point 1,320 feet North and 1,340 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,195 gallons per minute (2.66 c.f.s.)** and a quantity not to exceed **168 acre-feet** of water per calendar year; and

one (1) well (a.k.a. Well #8) located in the Northwest Quarter of Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼) of Section 8, more particularly described as being near a point 685 feet North and 2,540 feet West of the Southeast corner of said section, at a diversion rate not in excess of **930 gallons per minute (2.07 c.f.s.)** and a quantity not to exceed **149 acre-feet** of water per calendar year;

all in Township 25 South, Range 2 West, Sedgwick County, Kansas, for **irrigation use** on the following described property:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17	25	2W	40.0	31.5	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	32.0	32.0	40.0	40.0	40.0	40.0	610.5
18	25	2W	40.0	40.0	40.0	40.0					40.0			18.0	40.0	40.0	18.0	19.0	335.0
20	25	2W	32.0	12.0		2.0													46.0
7	25	2W													40.0		40.0	40.0	120.0
8	25	2W													32.5	32.5	32.5	32.5	130.0

a total of 1,241.5 acres in Sedgwick County, Kansas, and **recreation use** at a pond located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, Township 25 South, Range 2 West, Sedgwick County, Kansas.

2. That on October 3, 2018, the office of the Chief Engineer received a signed and notarized *Application to Divide a Water Right* from Larry K. Williams on behalf of Williams Land, Inc., 314 Main St., Halstead, KS 67056, requesting as owner, that Water Right, File No. 29,973, be divided into three (3) portions with the following assignments:

Water Right, File No. 29,973-D1, to be owned by Williams Land, Inc., to have a priority date of June 8, 1977, and to be comprised of:

one (1) well (a.k.a. Well #1) located in the Northeast Quarter of Northwest Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 5,200 feet North and 1,740 feet West of the Southeast corner of said section, at a diversion rate not in excess of **785 gallons per minute (1.75 c.f.s.)** and a quantity not to exceed **160 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #2) located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, more particularly described as being near a point 3,905 feet North and 2,585 feet West of the Southeast corner of said section, at a diversion rate not in excess of **480 gallons per minute (1.07 c.f.s.)** and a quantity not to exceed **194 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #3) located in the Northwest Quarter of Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17, more particularly described as being near a point 5,260 feet North and 5,205 feet West of the Southeast corner of said section, at a diversion rate not in excess of **805 gallons per minute (1.79 c.f.s.)** and a quantity not to exceed **149 acre-feet** of water per calendar year for irrigation use and **2 acre-feet** of water per calendar year for recreation use;

one (1) well (a.k.a. Well #4) located in the Northwest Quarter of Southeast Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17, more particularly described as being near a point 3,900 feet North and 3,860 feet West of the Southeast corner of said section, at a diversion rate not in excess of **915 gallons per minute (2.04 c.f.s.)** and a quantity not to exceed **206 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #5) located in the Northwest Quarter of Southwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 17, more particularly described as being near a point 3,313 feet North and 2,531 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,105 gallons per minute (2.46 c.f.s.)** and a quantity not to exceed **210 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #6) located in the Northwest Quarter of Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 17, more particularly described as being near a point 4,640 feet North and 2,540 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,120 gallons per minute (2.50 c.f.s.)** and a quantity not to exceed **102 acre-feet** of water per calendar year;

(over)

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one (1) well (a.k.a. Well #7) located in the Northwest Quarter of Northeast Quarter of the Northeast Quarter (NW¼ NE¼ NE¼) of Section 17, more particularly described as being near a point 5,220 feet North and 1,200 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,090 gallons per minute (2.43 c.f.s.)** and a quantity not to exceed **246 acre-feet** of water per calendar year; and

one (1) well (a.k.a. Well #9) located in the Northwest Quarter of Northeast Quarter of the Southeast Quarter (NW¼ NE¼ SE¼) of Section 17, more particularly described as being near a point 2,580 feet North and 1,200 feet West of the Southeast corner of said section, at a diversion rate not in excess of **1,000 gallons per minute (2.23 c.f.s.)** and a quantity not to exceed **245 acre-feet** of water per calendar year;

all in Township 25 South, Range 2 West, Sedgwick County, Kansas, for **irrigation use** on the following described property:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17 25 2W	40.0	31.5	40.0	40.0	35.0	40.0	40.0	40.0	40.0	40.0	32.0	32.0	40.0	40.0	40.0	40.0	610.5
18 25 2W	40.0	40.0	40.0	40.0					40.0			18.0	40.0	40.0	18.0	19.0	335.0
20 25 2W	32.0	12.0		2.0													46.0

a total of 991.5 acres in Sedgwick County, Kansas, and **recreation use** at a pond located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE¼ SE¼ SE¼) of Section 18, Township 25 South, Range 2 West, Sedgwick County, Kansas.

Water Right, File No. 29,973-D1, shall have 953.0 base acres as defined in K.A.R. 5-5-11, and 953.0 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9; the recreational use portion shall be considered 100% consumptive to the source of supply as defined by K.A.R. 5-5-8.

Water Right, File No. 29,973-D2, to be owned by Williams Land, Inc., to have a priority date of June 8, 1977, and to be comprised of:

one (1) well (a.k.a. Well #A) located near the center of the Southeast Quarter (SE¼) of Section 7, more particularly described as being near a point 1,320 feet North and 1,340 feet West of the Southeast corner of said section, in Township 25 South, Range 2 West, Sedgwick County, Kansas, at a diversion rate not in excess of **1,195 gallons per minute (2.66 c.f.s.)** and a quantity not to exceed **168 acre-feet** of water per calendar year, for **irrigation use** on the following described property:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7 25 2W													40.0		40.0	40.0	120.0

a total of 120.0 acres in Sedgwick County, Kansas.

Water Right, File No. 29,973-D2, shall have 120.0 base acres as defined in K.A.R. 5-5-11, and 120.0 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

Water Right, File No. 29,973-D3, to be owned by Williams Land, Inc., to have a priority date of June 8, 1977, and to be comprised of:

one (1) well (a.k.a. Well #8) located in the Northwest Quarter of Southwest Quarter of the Southeast Quarter (NW¼ SW¼ SE¼) of Section 8, more particularly described as being near a point 685 feet North and 2,540 feet West of the Southeast corner of said section, in Township 25 South, Range 2 West, Sedgwick County, Kansas, at a diversion rate not in excess of **930 gallons per minute (2.07 c.f.s.)** and a quantity not to exceed **149 acre-feet** of water per calendar year, for **irrigation use** on the following described property:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				
8	25	2W																32.5	32.5	32.5	32.5	130.0

a total of 130.0 acres in Sedgwick County, Kansas.

Water Right, File No. 29,973-D3, shall have 130.0 base acres as defined in K.A.R. 5-5-11, and 130.0 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

3. That the Water Right, File No. 29,973-D1 and Water Right, File No. 29,973-D2 shall share equal priorities in time, with Water Right, File No. 29,973-D3 being junior in priority to both, within the overall priority established under Water Right, File No. 29,973.
4. That the agreement is binding on heirs and successors in interest.

ORDER

NOW, THEREFORE, it is the conclusion of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that Water Right, File No. 29,973, should be divided as such separation will be entered into the records for administrative purposes as set forth below.

Water Right, File No. 29,973-D1, to be owned by Williams Land, Inc., to have a priority date of June 8, 1977, and to be comprised of:

one (1) well (a.k.a. Well #1) located in the Northeast Quarter of Northwest Quarter of the Northeast Quarter (NE¼ NW¼ NE¼) of Section 18, more particularly described as being near a point 5,200 feet North and 1,740 feet West of the Southeast corner of said section, at a diversion rate not in excess of **785 gallons per minute (1.75 c.f.s.)** and a quantity not to exceed **160 acre-feet** of water per calendar year;

one (1) well (a.k.a. Well #2) located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter (NW¼ SW¼ NE¼) of Section 18, more particularly described as being near a point 3,905 feet North and 2,585 feet West of the Southeast corner of said section, at a diversion rate not in excess of **480 gallons per minute (1.07 c.f.s.)** and a quantity not to exceed **194 acre-feet** of water per calendar year;

(over)

a total of 991.5 acres in Sedgwick County, Kansas, and **recreation use** at a pond located in the Southeast Quarter of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 18, Township 25 South, Range 2 West, Sedgwick County, Kansas.

Water Right, File No. 29,973-D1, shall have 953.0 base acres as defined in K.A.R. 5-5-11, and 953.0 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9; the recreational use portion shall be considered 100% consumptive to the source of supply as defined by K.A.R. 5-5-8.

Water Right, File No. 29,973-D2, to be owned by Williams Land, Inc., to have a priority date of June 8, 1977, and to be comprised of:

one (1) well (a.k.a. Well #A) located near the center of the Southeast Quarter (SE $\frac{1}{4}$) of Section 7, more particularly described as being near a point 1,320 feet North and 1,340 feet West of the Southeast corner of said section, in Township 25 South, Range 2 West, Sedgwick County, Kansas, at a diversion rate not in excess of **1,195 gallons per minute (2.66 c.f.s.)** and a quantity not to exceed **168 acre-feet** of water per calendar year, for **irrigation use** on the following described property:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7	25	2W													40.0		40.0	40.0	120.0

a total of 120.0 acres in Sedgwick County, Kansas.

Water Right, File No. 29,973-D2, shall have 120.0 base acres as defined in K.A.R. 5-5-11, and 120.0 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

Water Right, File No. 29,973-D3, to be owned by Williams Land, Inc., to have a priority date of June 8, 1977, and to be comprised of:

one (1) well (a.k.a. Well #8) located in the Northwest Quarter of Southwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 8, more particularly described as being near a point 685 feet North and 2,540 feet West of the Southeast corner of said section, in Township 25 South, Range 2 West, Sedgwick County, Kansas, at a diversion rate not in excess of **930 gallons per minute (2.07 c.f.s.)** and a quantity not to exceed **149 acre-feet** of water per calendar year, for **irrigation use** on the following described property:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8	25	2W													32.5	32.5	32.5	32.5	130.0

a total of 130.0 acres in Sedgwick County, Kansas.

Water Right, File No. 29,973-D3, shall have 130.0 base acres as defined in K.A.R. 5-5-11, and 130.0 maximum acres irrigated during the perfection period as defined by K.A.R. 5-5-9.

(over)

