

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET & OWNERSHIP CHANGE**

Document Signature |pl

1. File Number: <b>18822</b>	2. Status Change Date: <b>11/29/2018</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
6. Status: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>7/9/2018</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>KENNETH &amp; EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS 8107 21 RD FOWLER KS 67844</b>		Person ID <b>13367</b> Add Seq# _____	8c. Landowner(s) New to system <input checked="" type="checkbox"/> <i>Roland +</i> <b>ARDITH M LEWIS 5124 21 ROAD FOWLER KS 67844</b>	
8b. Landowner(s) New to system <input type="checkbox"/>  <b>KENNETH &amp; EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS 8107 21 RD FOWLER KS 67844</b>		Person ID <b>13367</b> Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>8b</b>	
9. Documents and Enclosure(s): <input type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input type="checkbox"/> N & P Date to Comply: _____				
<input 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: <b>11/21/2018</b> By: <b>LI</b> Date Entered: <b>12/3/2018</b> By: <b>WM</b>				



**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**MEMORANDUM**

**TO:**Files

**DATE:** November 21, 2018

**FROM:** Leslie Ireland

**RE:** Water Right, File No. 18,822

On July 9, 2018, Jeff Padgett, filed an application to change the place of use authorized under the referenced file for irrigation use.

The application for change was to remove the land located in the North Half of the Southeast Quarter of Section 23, Township 30, Range 28 West, Meade County, that had been added by in 2000. Both person who made the agreement are now deceased and the property has passed or is passing to the heirs.

The needed signature of Ardith Lewis was requested by the field office and then by headquarters. My conversation with Jeff Padgett would indicate Lewis wants to sell the land to him, but Padgett is not interested in purchasing the land.

The worksheet dismissing the application should update the ownership to add Ardith Lewis

Based on the above discussion, it is recommended that the application to change the place of use filed on July 9, 2018, for the referenced file, be denied and dismissed.



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

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

December 6, 2018 **FILE COPY**

KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS  
JEFF PADGETT TRUSTEE  
8107 21 RD  
FOWLER KS 67844

RE: Water Right, File No. 18,822

Dear Mr. Padgett:

Enclosed is the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, dismissing the Application for Change under the referenced file.

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.kswateruserreport.org](http://www.kswateruserreport.org).

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,

A handwritten signature in black ink, appearing to read "Brent A. Turney".

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

BAT:LI:li  
Enclosures  
pc: Garden City Field Office  
Groundwater Management District No. 3  
Ardith M. Lewis

THE STATE



OF KANSAS

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 DISMISSAL  
OF AN APPLICATION FOR APPROVAL  
TO CHANGE THE AUTHORIZED  
PLACE OF USE  
UNDER WATER RIGHT, FILE NO. 18,822**

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 September 7, 1982, the Chief Engineer, in accordance with K.S.A. 82a-714, issued a Certificate of Appropriation pursuant to Water Right, File No. 18,822, for permit to appropriate water for irrigation use, authorizing the use of groundwater.
2. That on July 9, 2018, an *Application for Approval to Change the Place of Use Under an Existing Water Right* (Application) was received in the Garden City Field Office of the Chief Engineer under File No. 18,822, signed by Larry Padgett, Trustee of the Kenneth & Eunice Padgett Revocable Inter Vivos Trusts, 8107 21 Road, Fowler, Kansas 67844.
3. A review of the application determined Ardith M. Lewis, 5124 21 Road, Fowler, Kansas 67844, is an owner of the 60 acres authorized in the North Half of the Southeast Quarter (N $\frac{1}{2}$  SE $\frac{1}{4}$ ) of Section 23, Township 30, Range 28 West, Meade County, Kansas.
4. In a letter dated July 3, 2018, Ardith M. Lewis was sent a copy of the Application and requested to provide a notarized signature and return it to the Garden City Field Office by July 25, 2018.
5. On October 9, 2018 the Headquarters Office of the Chief Engineer received the Application for additional processing.
6. In a letter dated October 12, 2018, Jeff Padgett, Trustee of the Kenneth & Eunice Padgett Revocable Inter Vivos Trusts was informed that the Application would be denied and dismissed because it did not comply with K.A.R. 5-5-5. The applicant was requested to provide the needed signature or provide additional information to show why the evaluation should be reconsidered by October 27, 2018, or request additional time beyond the 15 days to submit additional information.
7. On October 26, 2018, Jeff Padgett was afforded additional time to November 9, 2018, to provide the needed signature or additional information as requested in his October 25, 2018, phone conversation.
8. Since no additional information has been received to show the proposed change in place of use will comply with K.A.R. 5-5-5, nor was a request for additional time received, the Application should be denied and dismissed for failure to meet the regulation as afforded by K.S.A. 82a-708b.

(over)

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, the Application for Approval to Change the Place of Use Under an Existing Water Right, received in an Office of the Chief Engineer on July 9, 2018, under Water Right, File No. 18,822, shall be denied and dismissed and its priority forfeited.

In all other respects, the Certificate of Appropriation for Beneficial Use of Water, issued pursuant to irrigation use under Water Right, File No. 18,822, dated September 7, 1982, remains as authorized.

Ordered this 29th day of November, 2018, at 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        )  
                                  )  
County of Riley        )        SS

The foregoing instrument was acknowledged before me this 29th day of November 2018, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
Notary Public

RIGHT TO PETITION FOR ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A 82a-1901(c), 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 review 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 the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777. If no 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 administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE


On this 6<sup>th</sup> day of December, 2018, I hereby certify that the foregoing Findings and Order in the Matter of the Dismissal of an Application for Approval to Change the Authorized Place of Use Under an Existing Water Right, for Water Right, File No. 18,822, was mailed postage prepaid, first class, US mail to the following:

KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS  
JEFF PADGETT TRUSTEE  
8107 21 RD  
FOWLER KS 67844

With photocopies sent to:

ARDITH M LEWIS  
5124 21 ROAD  
FOWLER KS 67844

Garden City Field Office  
Groundwater Management District No. 3

  
Division of Water Resources

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



Water Resources  
 STATE OF KANSAS

OCT 09 2018

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.  
 Fee Schedule is on the third page of this application form.

KS Dept Of Agriculture

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

**RECEIVED**

4:00 pm

JUL 09 2018

File No. 18822

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use                       Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is:                       Groundwater                       Surface water

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS

8107 21 RD FOWLER KS 67844

Phone Number: (620) 873 9163

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS

8107 21 RD FOWLER KS 67844

Phone Number: (     ) \_\_\_\_\_

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS

ADDRESS: 8107 21 RD FOWLER KS 67844

\*b) ARDITH M. LEWIS  
 5124 21 ROAD  
 FOWLER KS 67844

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
23	30	28W													30 <sup>b</sup>	30 <sup>b</sup>	30	30	120
26	30	28W	30	30		30													90

TOTAL 210 A<sup>x</sup>

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS

ADDRESS: 8107 21 RD FOWLER KS 67844

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
23	30	28W															40	40	80
23	30	28W	40	35	16	37													128

TOTAL 208 A<sup>x</sup>

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 7-9-18 Check # 10927

\* LEI/ave  
 10/11/18  
**SCANNED**



5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 no change to water well only irrigated acres \_\_\_\_\_  
 reverting to original acres \_\_\_\_\_

8. If a well, is the test hole log attached?  Yes  No

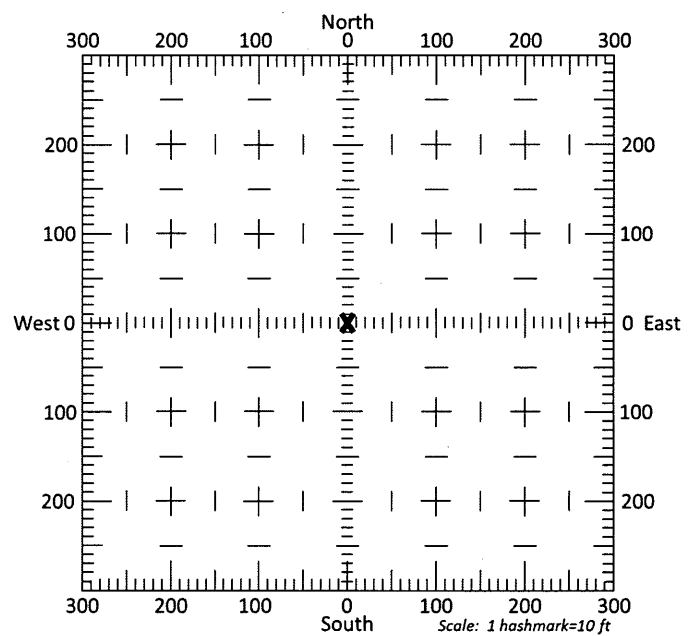
9. The change(s) (was)(will be) completed by?  
 upon approval \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 na \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by tpm \_\_\_\_\_

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Warden City, Kansas, this 3<sup>rd</sup> day of July, 2018.

<p><u>Larry Padgett</u> Trustee (Owner)</p> <p><u>Larry Padgett</u> Trustee (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas }  
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3<sup>rd</sup> day of July, 2018.



My Commission Expires \_\_\_\_\_

Julie Jones  
 Notary Public

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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

**Water Resources  
 Received  
 OCT 09 2018**



STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
GARDEN CITY FIELD OFFICE  
2508 JOHNS STREET  
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901  
FAX: (620) 276-9315  
www.agriculture.ks.gov

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

July 3, 2018

Ardith Lewis  
5124 21 Road  
Fowler KS 67844

RE: changes in acres File No 18822

Dear Mrs. Lewis:

Enclosed please find the change applications these are being sent because of a discussion we had with Jeff Padgett yesterday. The enclosed applications will take your off the above referenced water rights that authorize the Padgett's irrigation on his adjoining ground. The Padgett's feel that your land will be up for sale soon which is why they are asking this request at this time.

Please, if you agree, sign the application and have the signature notarized. Then please return the applications to:

KDA-DWR  
2508 John St  
Garden City KS 67846

If you could return them by July 25, it would be most helpful. Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens  
Assistant Water Commissioner

TPM:tpm  
Enclosures

Water Resources  
Received  
OCT 09 2018  
KS Dept Of Agriculture

SCANNED

# Property Details for PID: 0600362300000003000

UPDATE OWNERSHIP

QuickRef ID :	R348
Owner Name :	LEWIS, ARDITH M
Location:	00000, Meade, KS 67864
Abbreviated Boundary Description:	S23 , T30 , R28 , ACRES 78.0 , N2 SE4 LESS R/W

## Owner Information:

Owner	LEWIS, ARDITH M
Mailing Address	5124 21 ROAD FOWLER, KS 67844

## Property Information:

Type	Agricultural Use
Status	Active
Taxing Unit	006
Neighborhood Code	412

No Secondary Address Details found

## Market Land Details:

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Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	0

---

No Permit Details found

---

No Orion Deed Book Page Details found

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Additional Deed Book Page Details

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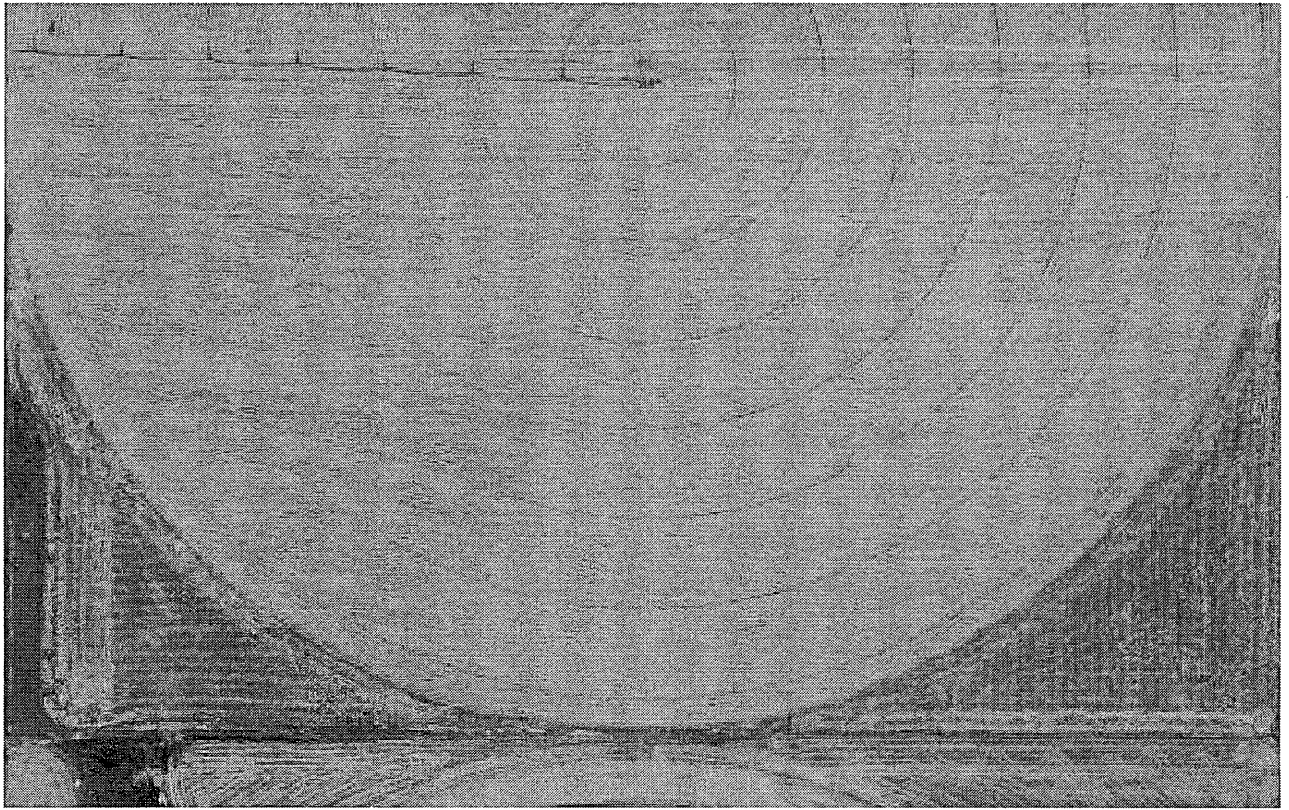
Deed Book/Page 0064/0092

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Value Details

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<b>Current Final Value (Agricultural) Year</b>	2018
Land	\$40,620.00
Building	\$0.00



# Property Details for PID: 0600372600000001000

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QuickRef ID :	R357
Owner Name :	PADGETT, EUNICE REVOCABLE INTER VIVOS TRUST
Location:	00000, Meade, KS 67864
Abbreviated Boundary Description:	S26 , T30 , R28 , ACRES 155.1 , NE4 LESS R/W

---

**Owner Information:**

---

Owner	PADGETT, EUNICE REVOCABLE INTER VIVOS TRUST
Mailing Address	8107 21 ROAD FOWLER, KS 67844

---

**Property Information:**

---

Type	Agricultural Use
Status	Active
Taxing Unit	006
Neighborhood Code	412

---

No Secondary Address Details found

---



# Property Details for PID: 0600362300000004000

---

QuickRef ID : R349

---

Owner Name : PADGETT, EUNICE REVOCABLE  
INTER VIVOS TRUST

---

Location: 00000, Meade, KS 67864

---

Abbreviated Boundary Description: S23 , T30 , R28 , ACRES 77.1 , S2 SE4  
LESS R/W

---

## Owner Information:

---

Owner PADGETT, EUNICE REVOCABLE  
INTER VIVOS TRUST

---

Mailing Address 8107 21 ROAD FOWLER, KS 67844

---

## Property Information:

---

Type Agricultural Use

---

Status Active

---

Taxing Unit 006

---

Neighborhood Code 412

---

**No Secondary Address Details found**

---

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

October 26, 2018

KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS  
8107 21 RD  
FOWLER KS 67844

FILE COPY

RE: Change in Place of Use Application, Water Right, File No. 18,822

Dear Mr. Padgett:

Per our conversation and in accordance with your telephone request of October 25, 2018, the Chief Engineer has extended until November 9, 2018, as the time in which to supply the signature of Ardith Lewis or documentation to show the signature is not needed.

If the needed signature or additional information is not supplied by the deadline, or any authorized extension of time thereof, it will be recommended to the Chief Engineer the application be denied and dismissed for failure to comply with K.A.R. 5-5-5.

If you wish to request additional time, you must do so in writing, before the period expires. Such a request should state what steps are being taken to supply the requested information.

If you have any questions, please do not hesitate to contact me 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,

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li  
pc: Garden City Field Office  
Groundwater Management District No. 3

SCANNED

# 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

October 12, 2018

KENNETH & EUNICE PADGETT REVOCABLE INTER VIVOS TRUSTS  
8107 21 RD  
FOWLER KS 67844

RE: Change in Place of Use Application, Water Right, File No. 18,822

Dear Mr. Padgett:

Reference is made to the application for approval of the Chief Engineer to change the place of use under the referenced file number which was received in this office on February 20, 2018. Upon further review we find the application, cannot be approved as filed.

Please note that K.A.R. 5-5-5 states in part:

"If more than one person is the owner of a water right, and an application is filed for a change in the place of use, point of diversion, use made of the water, or any combination thereof, only the signature(s) of the landowner(s) whose portion of the water right(s) is (are) involved in the change shall be required on the application. If the extent of each owners interest in the water right has not been legally determined, then all landowners holding an undetermined portion of the water right must sign the change application . . ."

Records in this office indicate that Ardith Lewis was contacted by letter dated July 3, 2018, as owner of a portion of the property authorized by the referenced file, specifically that located in the North Half of the Southeast Quarter of Section 23, Township 30 South, Range 28 West, Meade County, and requested to supply the required signature. We do not find that he has supplied the requested signature. Because the application contains only your signature, it cannot be approved as proposed, therefore, it will be recommended to the Chief Engineer that the Application for Approval to Change the Authorized Place of Use under Water Right, File No. 18,822, be denied and dismissed for failure to comply with K.A.R. 5-5-5.

We are advising you of this recommendation in order to allow you to submit additional information to show why the evaluation should be reconsidered. You have a period of 15 days (**until October 27, 2018**) to either (1) submit additional information to our office or (2) request additional time beyond the 15 days to submit additional information. If you wish to request additional time, you must do so in writing, before the 15 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

If you do not request more time within the 15 day period, or if your request is not granted, the above referenced application will be submitted to the Chief Engineer for final decision based on the recommendation stated above. If you do submit additional information within the 15 day period (or any authorized extension), that information will be given due consideration prior to final action on the application.

SCANNED

The Rules and Regulations of the Kansas Water Appropriation Act works may be found on the Kansas Department of Agriculture web site, <http://www.agriculture.ks.gov/dwr>.

If you have any questions, please do not hesitate to contact me 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,



Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office ✓  
Groundwater Management District No. 3

Kansas Department of Agriculture / Division of Water Resources  
Garden City Field Office

TO: HEADQUARTERS

*BREN TURNEY*

RE  Vested Right;  Water Right;  Appropriation of Water;  Application

File No(s). 18822 County \_\_\_\_\_

Enclosed are the following checked items:

A \_\_\_\_\_ FIR  Full  Partial Inspection  Return to Field Office  
 Proposed Certificate to deliver to Certificate Unit

A Compliance Check Inspection on \_\_\_\_\_  
 Meter Install  New App  Chg App  Other \_\_\_\_\_  
 In Compliance  Not in Compliance, why \_\_\_\_\_  
Modify Point of Diversion  No  Yes, document attached  
Indicate all overlapping p/d files \_\_\_\_\_

- An application and judgment sheet with recommendation.
- A memorandum dated \_\_\_\_\_
- A request for an extension of time to perfect or complete.
- A verified report.
- A closure request.
- A field investigation report.
- Notice of Non-Compliance
- An ownership change (name(s) and address(es) below).
- A water use report for \_\_\_\_\_
- A letter dated \_\_\_\_\_

Water Resources  
Received

OCT 09 2018

KS Dept Of Agriculture

- A copy of an **Approval** to Change the  place of use and/or  point of diversion,  
 Filing Fee attached.
- An Advanced **copy** of a change application and the filing fee, to be processed at the field office.
- An original field office change **application** and the filing fee needing headquarters office review and further processing.

Other: Needing dismissal for lack of signatures

*[Signature]*  
Water Commissioner

10-5-18  
Date

# 18822 pu change

