



File No. **50471**      15. Formation Code: **211**      Drainage Basin: **CIMARRON RIVER**      County: **SV**      Special Use:      Stream:

16. Points of Diversion										
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W
<b>MOD</b>			<b>85181</b>	<b>NW SW SW</b>	<b>14</b>	<b>33S</b>	<b>36W</b>	<b>4</b>	<b>1016</b>	<b>5142</b>

17. Rate and Quantity				
Authorized		Additional		
Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
<b>632</b>	<b>527</b>	<b>82</b>	<b>0</b>	<b>22756</b>

18. Storage: Rate \_\_\_\_\_ NF      Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF      Additional Quantity \_\_\_\_\_ ac/ft

19. Limitation: **527** af/yr at **632** gpm (**1.41** cfs) when combined with file number(s) **22756**  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

20. Meter Required?  Yes  No      To be installed by **12/31/2021**      Date Acceptable Meter Installed \_\_\_\_\_

21. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
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						
<b>CHK</b>			<b>7437</b>	<b>14</b>	<b>33S</b>	<b>36W</b>	<b>2</b>									<b>40</b>	<b>40</b>	<b>27</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>307</b>	<b>7a</b>	<b>N</b>	<b>22756</b>		

Comments: **VOL. REDUCTION IN PLACE OF USE UNDER FILE NO. 22756 SUBMITTED AT SAME TIME AS THIS NEW APP TO MATCH ACRES**

3/31/2021  
TLV

4/7/2021  
KAB



**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**  
**M E M O R A N D U M**

**TO:** Files

**DATE:** January 12, 2021

**FROM:** Austin McColloch

**RE:** Application, File No. 50,471

Warren Willis has filed the referenced application to appropriate 527 acre-feet of groundwater for irrigation use, to be diverted at a rate of 632 gallons per minute, from an existing well located in the Southwest Quarter of Section 14, Township 33 South, Range 36 West, Stevens County, Kansas. The new application is requesting an **increase in rate of diversion only**, with no additional quantity. The well is currently authorized under Water Right, File No. 22,756. The applicant has signed the application form stating that he has access to the point of diversion.

The current well with Water Right, File No. 22,756 has appropriated a total of 527 AF at 550 gpm. Based on the applications request for 632 gallons per minute, an increase of 82 gallons per minute does equal a 15 percent increase in the authorized maximum rate of diversion. There has also been no significant physical enlargement of the capacity of the diversion works to divert water. This allows the application to be exempt from meeting safe yield requirements for GMD3.

The place of use also overlaps with Water Right, File No. 22,756 which consists of a total of 307 acres in the South Half of Section 14, Township 33 South, Range 36 West. The applicant owns all of the place of use except a 13-acre farmstead located in the Southwest corner of the South Half of Section 14, owned by Nathan & Christina Williams. A quit claim deed has been submitted by Nathan & Christina Williams, along with a request to reduce the acres off the senior file to match the new application.

The applicant identified one domestic well, located within one-half mile of this existing well, owned by Nathan & Christina Williams. Nearby well owner letters were sent out for this application on November 16, 2020, no comments have been received at this time. As noted above, this new application is requesting only an increase in rate of diversion from an existing well that has been in place for many years. Any nearby well owner would certainly be aware of this well and related irrigation use. No physical changes will be occurring at the well. The nearest irrigation well, not owned by the applicant, is over 3,715 feet away. The nearest domestic well is located more than 660 feet away. Therefore the application does comply with minimum spacing criteria to all other owners.

The quantity of water and rate of diversion will be limited to the quantity and rate which combined with Water Right, File No. 22,756, will provide a total not to exceed 527 acre-feet of water per calendar year to be diverted at a maximum diversion rate not in excess of 632 gallons per minute

In a letter dated December 16, 2020, a copy of the application along with a request to submit a recommendation was sent to GMD No. 3. In a letter dated December 30, 2020, Jason Norquest, Assistant Manager, Groundwater Management District No. 3, recommended approval of the referenced application for rate only.

In an email dated January 12, 2021, Mike Meyer, Water Commissioner, Garden City Field Office, recommended approval of the application.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12. If any chemical or foreign substance is injected into the water pumped under this permit, a check valve will also need to be installed.

Based on the above discussion, this is for additional rate only, well spacing regulations are met to all other landowners, the application is not subject to safe yield criteria, and approval of the application will not impair senior water rights nor prejudicially or unreasonably affect the public interest, it is recommended that the referenced application be approved.

Austin McColloch  
Assistant Water Commissioner

**From:** Meyer, Mike [KDA]  
**Sent:** Tue 1/12/2021 8:48 AM  
**To:** McColloch, Austin [KDA]  
**Subject:** RE: Recommendation New App File No. 50471 & Vol. Reduction File No. 22756

approve thanks

Mike

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**From:** McColloch, Austin [KDA] <Austin.McColloch@ks.gov>  
**Sent:** Tuesday, January 12, 2021 8:46 AM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Subject:** Recommendation New App File No. 50471 & Vol. Reduction File No. 22756

Mike,

Attached are my draft memos for the above referenced files. The new app is a rate of diversion only app and the reduction app is for the farmstead located on the place of use. Let me know if you have any questions.

Thanks,

Austin McColloch  
Ph: (620) 276-2901

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50471 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 50471 00 IRR

Water Right and Points of Diversion Within 1.00 of a point defined as:

1016 Feet North and 5142 Feet West of the Southeast Corner of Section 14 Twp 33S Rng 36W  
Both SURFACE WATER and GROUNDWATER

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File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan					
A__ AF	6801	00	IRR	NK	G				3781	--	--	--	--	2726	1249	22	33	36W	3		533.00	533.00
A__ AF	10940	00	IRR	NK	G				3715	--	NC	N2	NW	4560	4050	14	33	36W	1		560.00	560.00
A__ AF	16031	00	IRR	NK	G				4922	--	SE	SW	NE	2983	1629	23	33	36W	5		532.00	.00
A__ AF	22756	00	IRR	NK	G				0	--	NW	SW	SW	1016	5142	14	33	36W	4		527.00	527.00
A__ AF	50471	00	IRR	AY	G				0	--	NW	SW	SW	1016	5142	14	33	36W	4		527.00	527.00

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Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	527.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1620.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2147.00	.00

An \* after the source of supply indicates a pending application for change under the file number.  
 An \* after the ID indicates a 15 AF exemption was granted under the file number.  
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.  
 The number in the Batt column is the number of wells in the battery.

Water Right and Points of Diversion Within 1.00 of a point defined as:

1016 Feet North and 5142 Feet West of the Southeast Corner of Section 14 Twp 33S Rng 36W  
Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

=====

- File Number Use ST SR
- > RICHARD & SUSAN JAMES
- >
- > 1241 PERSHING AVE
- > LIBERAL KS 67901
- >-----
- > DAN & DEAN BROWN
- >
- > 7495 ROAD 7
- > LIBERAL KS 67901
- >-----
- > LEWIS W WHEELER
- >
- > 748 ROAD 20
- > HUGOTON KS 67951
- >-----
- > WARREN M & AMANDA R WILLIS
- >
- > 613 ROAD N
- > HUGOTON KS 67951
- >-----
- > WARREN M & AMANDA R WILLIS
- >
- > 613 ROAD N

> HUGOTON KS 67951

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STATE OF KANSAS SS  
COUNTY OF STEVENS  
This instrument was filed for record on the 5<sup>th</sup>  
day of October A.D. 2015  
at 9:00 o'clock A.M. and duly recorded in  
Book 302 on page 698 Fee \$ 30.00  
Nathan A. Seiwitz, Deputy  
Register of Deeds

QUIT CLAIM DEED

Book 302 page 698

NATHAN A. WILLIAMS and CHRISTINA W. WILLIAMS,  
husband and wife;

QUIT CLAIM TO

WARREN M. WILLIS and AMANDA R. WILLIS, as joint  
tenants with rights of survivorship and not as tenants in  
common;

all the following described real estate in the County of Stevens and the State of  
Kansas, to-wit:

*ALL OF THE APPROPRIATED WATER RIGHTS IN AND TO  
THE FOLLOWING TWO TRACTS OF REAL ESTATE,  
INCLUDING, BUT NOT LIMITED TO, WATER RIGHT FILE  
NO. 22,756.*

TRACT 1. A parcel of land located in the Southwest Quarter of  
Section 14, Township 33 South, Range 36 West of the 6<sup>th</sup>  
p.m., Stevens County, Kansas; more particularly described as  
follows:

Commencing at the Southwest Corner of said Quarter, thence  
N87°50'00"E along the South line of said Quarter a distance of  
407.19 feet; thence N02°19'00"W a distance of 36.64 feet to  
the North Right-of-Way line of Kansas Highway 51, also being  
the Point-of-Beginning; Thence continuing N02°19'00"W a  
distance of 738.00 feet; Thence N87°41'00"E a distance of  
448.00 feet; Thence S00°20'59"E a distance of 385.00 feet;  
Thence S29°22'02"W a distance 253.00 feet; Thence  
S04°01'06"E a distance of 138.00 feet to said North line;  
Thence S87°41'00"W a distance of 306.00 feet to the Point of  
Beginning. Said parcel contains 6.68 acres; more or less, and  
is subject to easements, reservations, and restrictions of  
record.

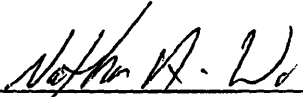
TRACT 2. A parcel of land located in the Southwest Quarter of Section 14, Township 33 South, Range 36 West of the 6<sup>th</sup> p.m., Stevens County, Kansas, more particularly described as follows:

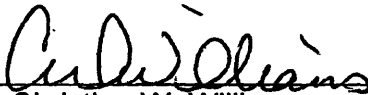
Commencing at the Southwest Corner of the said Quarter, thence N02°04'00"W along the West line of said Quarter a distance of 120.60 feet to the Point of Beginning of parcel to be described; Thence continuing N02°04'00"W along said West line a distance of 652.99 feet; Thence N87°41'00"E a distance of 403.82 feet; Thence S02°19'00"E a distance of 738.00 feet to a point on the North Right-of-Way line of Kansas Highway 51; Thence S87°41'00"W along said North Right-of-Way line a distance of 347.00 feet; Thence N15°22'00"W a distance of 87.10 feet; Thence S87°56'00"W a distance of 40.00 feet to the Point of Beginning. Said parcel contains 6.77 acres, more or less, and is subject to easements, reservations and restrictions of record.

EXCEPTING AND RESERVING ONTO THE GRANTORS,  
ALL OF THEIR DOMESTIC WATER RIGHTS.

Consideration: None.

Dated: October 2, 2015.

  
\_\_\_\_\_  
Nathan A. Williams

  
\_\_\_\_\_  
Christina W. Williams

STATE OF KANSAS, STEVENS COUNTY, ss:

BE IT REMEMBERED, that on this 2 day of October, 2015, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came NATHAN A. WILLIAMS and CHRISTINA W. WILLIAMS, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year last above written.

(SEAL)

Paul F. Kitzke  
Notary Public



Entered in Transfer Record by my office this  
6 day of October  
A.D. 20 15  
Sam Densel by Christina W. Williams  
County Clerk Deputy

**REAL ESTATE VALIDATION QUESTIONNAIRE IS NOT REQUIRED PURSUANT TO K.S.A. 79-1437e(a)(4).**

# 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 and PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 50,471** of the applicant

**WARREN M & AMANDA R WILLIS**  
**613 ROAD N**  
**HUGOTON, KS 67951**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **November 9, 2020**.
2. That the water sought to be appropriated shall be used for irrigation use on land described in the application, as follows:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
14	33S	36W												40	40	27	40	40	40	40	40	40	40	307

3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW¼ SW¼ SW¼) of Section 14, more particularly described as being near a point 1,016 feet North and 5,142 feet West of the Southeast corner of said section, in Township 33 South, Range 36 West, Stevens County, Kansas located substantially as shown on the topographic map accompanying the application.

4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **632 gallons per minute (1.41 c.f.s.)** and to a quantity not to exceed **527 acre-feet** of water for any calendar year.

5. That installation of works for diversion of water shall be completed on or before **December 31, 2022** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.



6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2026** or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit 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.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

18. That the quantity of water and rate of diversion approved under this permit is further limited to the quantity and rate which combined with Water Right, File No. 22,756, will provide a total not to exceed **527 acre-feet** of water per calendar year to be diverted at a maximum diversion rate not in excess of **632 gallons per minute (1.41 c.f.s.)** for irrigation use on the land described herein.

Ordered this 12 day of April, 2021, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

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

State of Kansas            )  
  ) SS  
County of Riley            )

The foregoing instrument was acknowledged before me this 12 day of April, 2021, by Lane P. Letourneau, P.G., 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

April 13, 2021

WARREN M & AMANDA R WILLIS  
613 ROAD N  
HUGOTON, KS 67951

RE: Appropriation of Water, File No. 50,471

Dear Sir or Madam:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An acceptable water flowmeter must be installed on the diversion works authorized by this permit prior to using water. An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at [www.kswaterusereport.org](http://www.kswaterusereport.org).

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

Enclosed is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Application Unit Supervisor  
Division of Water Resources

KAB:am

Enclosure(s)

pc: Garden City Field Office  
Southwest Kansas GMD No. 3

**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**

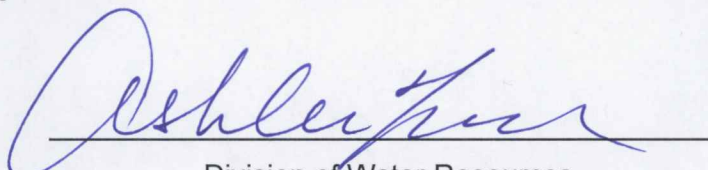
On this 13 day of April, 2021, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 50,471, dated 12 April, 2021, was mailed postage prepaid, first class, US mail to the following:

WARREN M & AMANDA R WILLIS  
613 ROAD N  
HUGOTON, KS 67951

With photocopies to:

Garden City Field Office

Groundwater Management District No. 3

  
Division of Water Resources