# Kansas Department of Agriculture Division of Water Resources

### **CHANGE: PU WORKSHEET**

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
972		C2	04	03
6. Status: Approved De	nied by DWR/GMD	Dismiss by Reques		7. Filing Date of Change:
				7/18/2019
8a. Applicant(s)  New to system □	Person ID 53434 Add Seq#	8c. Landown New to sy	, ,	Person ID 61351 Add Seq#
CLAY B & NANCY J SC 1773 N ROAD B ULYSSES, KS 67880	ОТТ	4500 B	ERINE MCGILLIVE OB BILLINGS PK ENCE, KS 66049-3	WY UNIT 405
8b. Landowner(s)  New to system □	Person ID <b>53434</b> Add Seq#	8d. WUC	vstem □	Person ID <b>53434</b> Add Seq#
CLAY B & NANCY J SC 1773 N ROAD B ULYSSES, KS 67880	ОТТ	8a		
9. Documents and Enclosure(s): 🛛 I	DWR Meter(s) Date to Comp	ly: <b>12/31/22</b>	N & P Date to 0	Comply: <u>3/1/2023</u>
☐ Anti-Reverse Meter ☐ Mete	er Seal 🛛 Check Valve	⊠ N & P Form		iller Copy
☐ Conservation Plan Date Requ	uired: Da	ate Approved:	Date to 0	Comply:
10. Use Made of Water From:		To:_		
		_	Date Prepared: <b>2/17/20</b> Date Entered:	<b>022</b> Ву: <b>li</b> Ву:

File No.	972				11.	County:	GT	Ва	sin: N	FCIM	IARR	ON RIV	/ER		S	tream:	5/ 5)							rmation Code: 1/330	Special Use:	
12. Poi CHK MOD	nts of Div	ersic	n																		Quantit	у		Additional		
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

March 24, 2022

CLAY B & NANCY J SCOTT 1773 N ROAD B ULYSSES, KS 67880

RE:

Filed Office Application for Change Vested Right, File No. GT-025-D1

Water Right, File Nos. 131; 972; 4852; 8857; 10525; 18201; 19609-D1; 22507 & 38166

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM:

pc:

enclosures

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Katherine McGillivray Rev. Trust

### **CERTIFICATE OF SERVICE**

On this 24<sup>th</sup> day of March, 2022, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Vested Right, File No. GT-025-D1 and Water Right, File Nos. 131; 972; 4,852; 8,857; 10,525; 18,201; 19,609-D1; 22,507 & 38,166 dated 24<sup>th</sup> day of March, 2022 was mailed postage prepaid, first class, US mail to the following:

CLAY B & NANCY J SCOTT 1773 N ROAD B ULYSSES, KS 67880

Pc:

KATHERINE MCGILLIVRAY REV TRUST 4500 BOB BILLINGS PKWY UNIT 405 LAWRENCE, KS 66049-3848

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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



### STATE OF KANSAS

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.

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)

						F	File No	. <u>972</u>										2.7	8 2019 0 pm
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COWR use only: Computer ID No. GPS   feet North   feet West)		in County,	Kansas,	feet North	feet Wes	t of Southeast co	rner of section.
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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)  8. If a well, is the test hole log attached? Yes No  9. The change(s) (was)(will be) completed by?  10. If the point of diversion is a well:  (a) What are you going to do with the old well?  (b) When will this be done?  (b) When will this be done?  11. Groundwater Management District recommendation attached?  12. Assisted by AMGCFO  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, and the names and malling addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile addresses of the landowner(s) one-half mile above represents the presently authorized point of diversion of diversion on the diversion above represents the presently authorized point of diversion of diversion on the proposed point of diversion to the existing point of diversion							
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downstream and one-half mile upstream from your property		addresses of the owners. For surface	water sources, show the	ne <b>above</b>	represents the	presently auth	orized point o
		downstream and one-half mile upstre	eam from your proper	ty aiversi	on.)		

lines

### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. <u>972</u>
MAKE ADDITIONAL COPIES AS NECESSARY

				NF	Ξ1/4			NV	V1/4			SV	V1/4			SI	Ε1/4		TOTAL
ec.	Twp.	Range	NE1/4			SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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		f Land -	N/	AME: ESS:	CLAY 1773 N	B & N.	ANCY	J SCC LYSSE	S KS					ace of	use be			:	T074
01	wner o	f Land -	ADDR	AME: ESS: NE	CLAY 1773 N	B & N. N ROA	ANCY D B U	J SCC LYSSE NV	OTT ES KS	6788	)	SV	N¹/4			SI	E½		TOTA ACRE
Ovec.		f Land -	N/	AME: ESS:	CLAY 1773 N	B & N.	ANCY	J SCC LYSSE	S KS			SV			NE1/4	SI			ACRE
Ovec.	wner o	f Land -	ADDR	NW1/4	CLAY 1773 M	B & NA N ROA	ANCY D B U	J SCC LYSSE NV NW1/4	OTT ES KS V1/4 SW1/4	67886 SE1/4	NE1/4	SV NW1/4	N1/4 SW1/4	SE1/4	NE1/4	SI NW1/4	E½ SW¼	SE1/4	ACRE
Ovec.	wner o	f Land -	ADDR	NW1/4	CLAY 1773 M	B & NA N ROA	ANCY D B U	J SCC LYSSE NV NW1/4	OTT ES KS V1/4 SW1/4	67886 SE1/4	NE1/4	SV NW1/4	N1/4 SW1/4	SE1/4	NE1/4	SI NW1/4	E½ SW¼	SE1/4	ACRE
ec.	Twp.	Range 38W	NE1/4 40	NE: NEW 40  AME:	CLAY 1773 N = 1/4 SW/4 40	B & N. N ROA SE¼ 40 ERINE	NE1/4 40	J SCC LYSSE NW 40	SW4 40	67880 SE¼ 40	NE½ 40 UST	SV NW1/4 40	N¼ SW¼ 40	SE1/4 40	NE¼ 40	SI NW1/4 40	E½ SW¼	SE1/4	ACRE
ec. 21	Twp.	Range 38W	NE1/4 40	NW1/4	CLAY 1773 N = 1/4 SW/4 40	B & N. N ROA SE¼ 40 ERINE	NE1/4 40	J SCC LYSSE NW 40	SW4 40	67880 SE¼ 40	NE½ 40 UST	SV NW1/4 40	N¼ SW¼ 40	SE1/4 40	NE¼ 40	SI NW1/4 40	E½ SW¼	SE1/4	
ec. 21	Twp.	Range 38W	NE1/4 40	NE NW 40  AME: ESS:	CLAY 1773 N = 1/4 SW/4 40	B & N. N ROA SE¼ 40 ERINE	NE1/4 40	NW/4  40  ILLIVE	SW4 40	67880 SE¼ 40	NE½ 40 UST	SV NW¼ 40	N¼ SW¼ 40	SE1/4 40	NE¼ 40	SI NW1/4 40	E½ SW¼	SE1/4	ACRE 635
Ov.	Twp. 28S wner o	Range 38W	NE1/4 40	NME: NW1/4 40  AME: ESS:	CLAY 1773 N =1/4 SW1/4 40 KATH 4500 E	B & N. N ROA SE¼ 40 ERINE	NE1/4 40	NW/4  40  ILLIVE	SW% 40  RAY RE	67880 SE¼ 40	NE¼ 40 UST 5 LAW	SV NW1/4 40 /RENC	N¼ SW¼ 40 EE KS	SE¼ 40 66049	NE½ 40	SI NW1/4 40 S NW1/4	E½ SW¼ 40	SE1/4 35	ACRE
Or eec. Or eec. 118	Twp. 28S wner o	Range 38W  F Land	NE½ 40 N/ ADDR	NME: NW1/4  AME: ESS: NI  NW1/4	CLAY 1773 N =¼ \$W¼ 40 KATH 4500 E \$W¼	B & N. N ROA  SE¼  40  ERINE BOB B	NE¼ 40  NE¼ NE¾	NW1/4  AU  ILLIVE SS PK1  NW1/4	SW1/4 SW1/4 40 RAY REWY UN	SE1/4 40 EV TR NIT 40:	NE¼ 40 UST 5 LAW	SV NW1/4 40 /RENC	N/4 SW/4 40 EE KS	SE¼ 40 66049	NE½ 40	SI NW1/4 40	E1/4 40	SE'4 35	TOTA ACRE 313.
Or O	Twp. 28S wner o	Range 38W f Land - Range 38W 38W	NE1/4 40	NME: NW1/4 40  AME: ESS:	CLAY 1773 N =¼ \$W¼ 40 KATH 4500 E	B & N. ROA  SE¼  40  ERINE BOB B	NE¼ 40  E MCG	NW1/4  AU  ILLIVE  SS PK1  NW1/4	SW1/4  SW1/4  40  RAY RE WY UN	SE1/4 40 EV TR NIT 40:	NE½ 40  UST 5 LAW  NE½ 40	SV NW1/4 40 RENC SI NW1/4 36.66	N¼ SW¼ 40 EE KS N¼ SW¼ 36.84	SE¼ 40 66049 SE¼ 40	NE½ 40	SI NW1/4 40 S NW1/4	E½ SW¼ 40	SE1/4 35	TOTA ACRE 313. 314.
On O	Twp. 28S wner of Twp. 28S 28S 28S 28S	Range 38W  f Land Range 38W  38W 38W	NE½ 40 NE½ 40 NE½ 40	NME: NW1/4 40  AME: ESS: NII NW1/4 40  40	CLAY 1773 N =¼ \$W¼ 40 KATH 4500 E \$W¼	B & N. N ROA  SE¼  40  ERINE BOB B	NE¼ 40  NE¼ NE¾	NW1/4  AU  ILLIVE SS PK1  NW1/4	SW1/4 SW1/4 40 RAY REWY UN	SE1/4 40 EV TR NIT 40:	NE¼ 40 UST 5 LAW	SV NW1/4 40 /RENC	N¼ SW¼ 40 EE KS	SE¼ 40 66049	NE½ 40	SI NW1/4 40 S NW1/4	E½ SW¼ 40	SE1/4 35	TOTA ACRE 313. 314.
Or eec. 8 9	Twp. 28S wner of Twp. 28S 28S 28S 28S	Range 38W  F Land Range 38W 38W 38W F Land	NE1/4 40 NE1/4 40 NE1/4 ADDR	NME: NW1/4 40  AME: ESS: NII NW1/4 40  40	CLAY 1773 N = 1/4 SW1/4 40 KATH 4500 E = 1/4 SW1/4 40	B & N. N ROA  SE¼  40  ERINE BOB B  SE¼  40	NE¼ 40  NE¼ NE¾	NW1/4  AU  ILLIVE SS PK1  NW1/4	SW1/4 SW1/4 40 RAY REWY UN	SE1/4 40 EV TR NIT 40:	NE½ 40  UST 5 LAW  NE½ 40	SV NW1/4 40 RENC SI NW1/4 36.66	N¼ SW¼ 40 EE KS N¼ SW¼ 36.84	SE¼ 40 66049 SE¼ 40	NE½ 40	SI NW1/4 40 S NW1/4	E½ SW¼ 40	SE1/4 35	TOTA ACRE 313. 314.
On O	Twp. 28S wner of Twp. 28S 28S 28S 28S	Range 38W  F Land Range 38W 38W 38W F Land	NE1/4 40 NE1/4 40 NE1/4 ADDR	AME: ESS:  NE NW½  40  AME: ESS:  NI NW½  40  AME: ESS:	CLAY 1773 N = 1/4	B & N. N ROA  SE¼  40  ERINE BOB B  SE¼  40	NE¼ 40  NE¼ NE¾	NW1/4  AU  ILLIVE BS PK1  NW1/4  AU  AU  AU  AU  AU  AU  AU  AU  AU  A	SW% 40 RAY REWY UN	SE1/4 40 EV TR NIT 40:	NE½ 40  UST 5 LAW  NE½ 40	SV NW1/4 40 /RENC SV NW1/4 36.66	N¼ SW¼ 40 SE KS N¼ SW¼ 36.84	SE¼ 40 66049 SE¼ 40	NE½ 40	SI NW1/4 40 S NW1/4 40	E½ SW¼ 40	SE1/4 35	TOTA ACRE 313. 314.
On ecc.	Twp. 28S wner of Twp. 28S 28S 28S wner of	Range 38W  F Land Range 38W 38W 38W F Land	NE½ 40 NE½ 40 NE½ 40 NE½ ADDR	NME: NW1/4  AME: ESS: NII NW1/4  AME: ESS: NIII NW1/4	CLAY 1773 N = 1/4 SW1/4 40 KATH 4500 E = 1/4 SW1/4 40	B & N. N ROA  SE¼  40  ERINE BOB B  SE¼  40	NE¼ 40  NE¼ NE¾	NW1/4  AU  ILLIVE BS PK1  NW1/4  AU  AU  AU  AU  AU  AU  AU  AU  AU  A	DTT ES KS  V'4  SW'4  40  RAY RE WY UN  V'4  SW'4  37.16	SE1/4 40 EV TR NIT 40:	NE½ 40  UST 5 LAW  NE½ 40	SV NW1/4 40 /RENC SV NW1/4 36.66	N/4 SW/4 40 EE KS N/4 SW/4 36.84	SE% 40 SE% 40	NE½ 40 -3848 NE¼ 40	SI NW1/4 40 SS NW1/4 40	E½ SW¼ 40 E¼ 40 E½	SE1/4 35 SE1/4 40	TOTA ACRE 313. 314.1
On O	Twp. 28S wner of Twp. 28S 28S 28S wner of	Range 38W  F Land Range 38W 38W 38W T Land	NE½ 40 NE½ 40 NE½ 40 NE½ ADDR	NME: NW1/4  AME: ESS: NII NW1/4  AME: ESS: NIII NW1/4	CLAY 1773 N = 1/4 SW1/4 40 SW1/4 SW1/4 SW1/4 40 SW1/4	B & N. ROA  SE¼  40  ERINE BOB B  SE¼  40	NE¼ 40 NE¼ 40 NE¼ 40	J SCC LYSSE NW NW% 40 ILLIVE GS PK NW%	OTT ES KS  V'4  SW'4  40  RAY RE WY UN  V'4  SW'4  37.16	SE1/4 40 SE1/4 40 SE1/4 40	NE½ 40 UST 5 LAW 40 40 40	SI NW1/4 40 SI	N/4 SW/4 40 EE KS N/4 SW/4 36.84	SE% 40 SE% 40	NE½ 40 0-3848 NE½ 40	SI NW1/4 40 SS NW1/4 40	E½ SW¼ 40 E¼ 40 E½	SE1/4 35 SE1/4 40	ACRE 635
On O	Twp. 28S wner of Twp. 28S 28S 28S wner of	Range 38W  F Land Range 38W 38W 38W T Land	NE½ 40 NE½ 40 NE½ 40 NE½ ADDR	NME: NW1/4  AME: ESS: NII NW1/4  AME: ESS: NIII NW1/4	CLAY 1773 N = 1/4 SW1/4 40 SW1/4 SW1/4 SW1/4 40 SW1/4	B & N. ROA  SE¼  40  ERINE BOB B  SE¼  40	NE¼ 40 NE¼ 40 NE¼ 40	J SCC LYSSE NW NW% 40 ILLIVE GS PK NW%	OTT ES KS  V'4  SW'4  40  RAY RE WY UN  V'4  SW'4  37.16	SE1/4 40 SE1/4 40 SE1/4 40	NE½ 40 UST 5 LAW 40 40 40	SI NW1/4 40 SI	N/4 SW/4 40 EE KS N/4 SW/4 36.84	SE% 40 SE% 40	NE½ 40 -3848 NE¼ 40	SI NW1/4 40 SS NW1/4 40	E½ SW¼ 40 E¼ 40 E½	SE1/4 35 SE1/4 40	TOTA ACRE 313. 314.

DWR 1-121-2 (Revised 5/1/2019)

14. If the proposed groundwater point of diversion is 300 or fewer fe	et from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently ☐ Yes ☐ No (If no, all owners must sign this a	
<ul> <li>(b) Will the ownership interest of any owner of the currently a affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this</li> </ul>	uthorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a	
	on, a groundwater change in point of diversion greater than 300 feet oners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly aut	firmation and under penalty of perjury, that I am of lawful thorized agent of the owner(s) to make this application on application pertains. I further verify that the statements te.
Dated at, Kansas,	this, 20
Clay Scott	Pancy Scott (Spouse)
Clay Scoth (Owner)  Clay Scoth (Please Print)	Mancy acath (Spouse)  Nancy Scatt (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
State of Kansas	CAMRIE SHEETS MY COMM. EXPIRES 4-10-32
I hereby certify that the foregoing application was signed of	
My Commission Expires $4-10-22$ .	Camei Sheet
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	<ul> <li>e, all of the applicable portions of the application form must be completed with he appropriate owners' must be affixed to the application and notarized; and</li> </ul>
	under this section shall be accompanied by the application fee set
	SEP 13 2019

KS Dept Of Agriculture SCANNED

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	This Summary Order is issued under authority of K.S.A. 82a-708b, as a provisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et.</i> With the exception of those conditions expressly contained herein, this S limitations of File No.	seq., and rules and regulations promulgated thereunder,
1.	<ol> <li>A change application was received on</li></ol>	requesting that the place of use and / or point of hanged as described in the application.
2.	<ol><li>On and after the effective date of this summary order, the authorized the topographic map accompanying the application to change the</li></ol>	place(s) of use shall be located substantially as shown on place of use. Applicable   Not Applicable
3.	<ol> <li>The change in point of diversion shall not impair existing rights and spreviously authorized. The point of diversion authorized by this stradius of the authorized point(s) of diversion. ☐ Applicable</li> </ol>	shall be limited to the same source or sources of water as immary order shall be located within a foot Not Applicable
4.	<ol> <li>The point(s) of diversion described herein is administratively corre Positioning System (GPS), as described in the application.</li></ol>	ected to be more accurately described using the Global plicable  Not Applicable
5.	<ol> <li>The point(s) of diversion authorized herein shall not actually be locat authorized point(s) of diversion.  ☐ Applicable ▼Not Applicable</li> </ol>	ed more than feet from the previously cable
6.	<ol> <li>As required by K.A.R. 5-3-5d, if the works for diversion is a well with or other device suitable for making water level measurements shal K.A.R. 5-6-13.</li></ol>	a diversion rate of 100 gallons per minute or more, a tube lbe installed, operated and maintained in accordance with
7.	7. The owner of the authorized place(s) of use shall properly in December 31, 20, or before the first use of water, whiche operated and maintained in accordance with K.A.R. 5-1-4 through K.A.R. 5-3-5e, the owner shall maintain records and report the readiverted annually to the Chief Engineer by March 1 following the example Applicable  Not Applicable	ver occurs first. The water flow meter shall be installed, 5-1-12. As required by K.S.A. 82a-732, as amended, and ding of the water flow meter and the total quantity of water
8.	8. Installation of the works for diversion of water shall be comple authorized extension of time. By March 1, 20 23 the applical works for diversion has been completed, on the form provided by ☑ Applicable ☐ Not Applicable	nt shall notify the Chief Engineer that construction of the
9.	9. The completed well log shall be submitted with the required not	ice. ☐ Applicable         Not Applicable
10.	<ol> <li>All diversion works into which any type of chemical or other foreign s with an in-line, automatic, quick-closing check valve capable of procheck valve(s) shall be installed, operated and maintained in according</li> </ol>	eventing pollution of the source of the water supply. The
11.	11. Additional Conditions are attached. ☐ Yes ☑ No	
12.	12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-water appropriated under the above-referenced file number are limitations, as amended and/or supplemented by this Summary C Appropriation Law and the Rules and Regulations promulgated tresult in civil penalties pursuant to K.S.A. 82a-737, as amended, water or appropriation right or any other enforcement actions auth	responsible for compliance with its terms, conditions and order, and with applicable provisions of the <i>Kansas Water</i> hereunder. Failure to comply with these provisions may and/or the suspension or revocation and dismissal of the
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY  APPLICATION APPROVED AND
lf yo	If you are aggrieved by this order, pursuant to K.S.A. 82a-1901,	SUMMARY ORDER ISSUED
End	you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of	1 + male
Agr filed	Agriculture. A request for hearing by the Chief Engineer must be By: filed within 15 days of service of this Order and a request for	Duly Authorized Designee of the Chief Engineer
adn	administrative review by the Secretary must be filed within 30	Print Name): Austin Mallech
revi		Division of Water Resources - Kansas Department of Agriculture
Leg	Legal Division, 1320 Research Park Drive, Manhattan, KS	of Issuance: March 24, 2022
pre	prediude review under the Kansas Judicial Review Act.	of Kansas ) SS
	For Use by Register of Deeds Coun	ty of Ginney )
	Ackno	owledged before me on 17 larch 24,2022
	by	fustin McColloch
	Sign	ature: Notary Public
	My o	commission expires:    My Appointment Expires
		WANNER.

# WR # 131 & 972 CHANGE IN PLACE OF USE





AUTHORIZED PLACE OF USE PROPOSED PLACE OF USE



POINT OF DIVERSION



Water Resources Received

SEP 13 2019



KS Dept Of Agriculture SCANNED

Created By: AM/GCFO

# KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

### MEMORANDUM

TO: Files DATE: March 14, 2022

**FROM:** Leslie Ireland **RE:** Vested Right, File No. GT 025 – D1

Water Right, File Nos. 131; 972; 4852; 8857; 10,525; 18,201; 19,609 D1; 22,057 & 38,166

Clay and Nancy Scott along with Katherine McGillivray on behalf of her trust, are requesting to change the irrigated place of use. The applications for change in place of use were received on July 18, 2019 and August 27, 2019. The applications were delayed due to signatures on the requested division for File No. GT 025, and the updates of the place of use to remove farmsteads.

The referenced water rights are considered in compliance with both K.S.A. 82a-718, and K.S.A. 82a-732. The applications were initially sent to the headquarters office for processing due to the division of interest under GT 025 and 19609, but upon completion of the divisions the applications were returned to our Garden City Field Office for processing. The ownership of File No. 22,507 has changed. Irene Morris is no longer the owner of the Northwest Quarter of Section 21.

The proposed changes in place of use are to overlap a total of 1,896.16 acres for all of the referenced files located in Sections 18, 19, 20, 21 & 29, in Township 28 South, Range 38 West, Grant County. The acres will be updated to remove the farmsteads owned by; Jacob Cesar & Paula Segovia in Section 21; Robert & Norma Pauda in Section 20 and Ronald & Ramona Haney Trust in Section 20, who have submitted Quit Claim Deeds. The removal of their total 10.7 acres will result in an irrigation ratio of 1.7 acre-feet per acre. The requested reduction complies with K.A.R. 5-23-3 Maximum reasonable annual quantity approvable for irrigation use for an application for change in place of use and a request to reduce a water right.

After the removal of the small farmsteads there will be no modification of the currently authorized acres. The requested change in place of use for the referenced files complies with, Part (b)(1) of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*, as the proposal is to create an identical place of use for the certified rights, without any increase in the authorized acres. The proposal appears to be reasonable as the referenced files have a total combined quantity of 3,447 acre-feet which appears to be sufficient for irrigating the place of use of 1,896.16 acres, providing 1.81 acre-foot per acre. This irrigation ratio exceeds Grant County's 1.39 acre-feet per acre at the 80% chance as per K.A.R. 5-5-12, *Net irrigation requirements*, and complies with K.A.R. 5-5-19, *Maximum reasonable annual quantity of water for irrigation use*. A water conservation plan meeting the KWO guidelines will not be required for the changes.

The approvals will comply with K.A.R. 5-5-3, *Change in consumptive use*, and will not increase consumptive use as there will be no increase in authorized acres.

Water flowmeters would not be required per K.A.R. 5-5-11(e) as the applications were filed to make an identical place of use and the irrigation ratio. Looking at the rights it appears that all have meters installed and recently inspected, but as within GMD 3 meters will be required by the approvals. The approvals will require that if the rights chemigate they will have to install and maintain check valves. Water level measurement tubes are not applicable.

Based on the above discussion, that the changes are reasonable, there will be no significant increase in the consumptive use and impairment of existing water rights is unlikely, it is recommended that the referenced applications for change in place of use be approved.

Leslie Ireland

Rulie Ireland

**Environmental Scientist**