

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: PU WORKSHEET**

Document Signature DWB

1. File Number: <b>23310</b>	2. Status Change Date: <i>10/31/2017</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>02</b>	5. GMD: <b>02</b>
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: <b>3/10/2017</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>CITY OF MCPHERSON BPU TIMOTHY S MAIER PO BOX 768 MCPHERSON KS 67460</b>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>CITY OF MCPHERSON BOARD OF PUBLIC UTILITIES 401 W KANSAS PO BOX 768 MCPHERSON KS 67460</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>8a</b>		8d. WUC New to system <input type="checkbox"/>  <b>8C</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input type="checkbox"/> N & P Date to Comply: _____				
<input checked="" 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>10/4/2017</b> By: <b>LI</b> Date Entered: <i>11/2/2017</i> By: <i>LLM</i>				

File No. **23310**      11. County: **MCPHERSON**      Basin: **LITTLE ARKANSAS RIVER**      Stream: **NA**      Formation Code: **190**      Special Use: **018**

12. Points of Diversion										Rate and Quantity					
MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
ENT											Rate gpm	Quantity mgy	Rate gpm	Quantity mgy	

**No Change**

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

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm ( \_\_\_\_\_ cfs) when combined with file number(s) **none**      **no change**

15. 5YR Allocation:      Allocation Type \_\_\_\_\_      Start Year \_\_\_\_\_      5 YR Amount \_\_\_\_\_      Amount Unit \_\_\_\_\_      Base Acres \_\_\_\_\_      Comment \_\_\_\_\_

16. 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																			
MOD			14673	29	19	3W	1	CITY OF MCPHERSON & IMMEDIATE VICINITY																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
MOD			22615	29	19	3W	2	CITY OF WINDOM & IMMEDIATE VICINITY																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
MOD			58004	29	19	3W	4	INCLUDING CUSTOMERS ALONG PIPELINE SERVING CITY OF WINDOM																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
MOD			11028	29	19	3W	3	WITHIN RWD #2, 3 & 4 MP CO																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
ENT			68596	29	19	3W		SOUTH WELL FIELD S/2 SW/4 & SE/4																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
ENT			68597	29	19	3W		INCLUDING CUSTOMERS ALONG PIPELINE SOUTH WELL FIELD TO CITY																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
ENT			68598	29	19	3W		AREA WITHIN SECTIONS 13-16, 22-26, 32-35																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					
ENT			68599	29	19	3W		AREA WITHIN SECTIONS 4 & 5																					8C	NO	MP05	1311	28151	28735	47955	47956	47957					

Comments:

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

**MEMORANDUM**

**TO:** Files

**DATE:** June 5, 2017

**FROM:** Leslie Ireland

**RE:** Vested Right, File No. MP 005  
Water Right, File Nos. 1,311; 23,310; 28,151; 28,735

Timothy S. Maier, General Manager for the Board of Public Utilities, City of McPherson, owner of the referenced municipal appropriations has filed applications for approval to change the place of use. The applications were received on March 10, 2017 and are being processed with new applications, File Nos. 47,955; 47,956 & 47,957, that were processed by Brent Turney, Change Unit Supervisor.

The referenced rights appear to be in compliance with K.S.A. 82a-732 and the applications meet the requirements of K.A.R. 5-5-2a, *Complete change application*.

The referenced files are certified and authorize a combined annual quantity limited quantity of 1,500 million gallons per year (mgy) (4,603.331 acre-feet) under File Nos. MP 005; 1311; 23,310 & 28,151, with Water Right File No. 28,735 providing an additional 90.13 million gallons per year, with the most junior right is in the Water Right Conservation Plan until 2026. All the referenced files have a complete overlap in the place of use.

The applications for change propose to add the area known as the *South Well Field* located in the South Half of the Southwest Quarter (S $\frac{1}{2}$  SW $\frac{1}{4}$ ) and the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 32, in Township 22 South, Range 3 West, Harvey County, and the immediate vicinity of the pipeline from the South Well Field to the City of McPherson. The applications also proposed to add 15 sections adjacent to the current city limits defined as within Sections 13-16, 22-26, 32-35, in Township 19 South, Range 3 West, McPherson County; within Sections 4 & 5, in Township 20 South, Range 3 West, McPherson County.

The notice as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016 were sent to the identified nearby well owners. No comments of any kind were received.

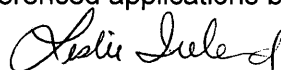
The new applications, File Nos. 47,955; 47,956 & 47,957, will increase the currently authorized quantity by 947.901 mgy (2,909 AF), and limited to 1,627.626 mgy (4,995 AF) when combined with the currently authorized McPherson rights through the year 2035. Additionally, it appears the Chief Engineer may allow a projected water increase that limits the overall quantity for the City of McPherson to 2,350.363 mgy (7,213 AF) in 2040 depending on evaluations at 10 year increment until perfection. The new applications will provide the additional quantity for the increased place of use now and into the future. No additional limitation is needed or warranted on the referenced existing rights. The changes appears to comply with K.A.R. 5-5-3, *Historical consumptive use*, as the new applications will provide additional quantity. The historically quantity pumped and the projected would indicate that a new conservation plan is not needed at this time.

The applications comply with K.A.R. 5-3-5n, *Authorized place of use*.

Jeff Lanterman, Water Commissioner of the Stafford Field Office has recommended approval of the proposed changes in conjunction with the new applications as stated in his email dated June 1, 2017.

A water flow meter meeting the specifications of the Chief Engineer will continued to be required under each of the referenced files.

Based on the above discussion, that the new appropriations, File Nos. 47,955; 47,956 & 47,957 will be approved, that the changes are reasonable, consumptive use will not substantially increase, that impairment to existing appropriations is unlikely, and that no change in the source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland  
Environmental Scientist  
Water Appropriation of Water Program

ORDER

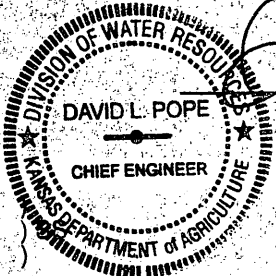
NOW THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, the authorized place of use for Water Right, File No. 23,310 shall be as follows:

the City of McPherson and the immediate vicinity, the City of Windom and the immediate vicinity, and within the boundaries served by McPherson County Rural Water District Nos. 2, 3 and 4, McPherson County, Kansas, including customers along the pipeline which serves the City of Windom.

In all other respects, the Certificate of Appropriation for Beneficial Use of Water, issued pursuant to Water Right, File No. 23,310 dated August 7, 2002, remains as authorized.

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77-601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel for the Kansas Department of Agriculture, 109 SW 9th Street, 4th Floor, Topeka, Kansas 66612, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

Dated at Topeka, Kansas this 29<sup>th</sup> day of June, 2006.

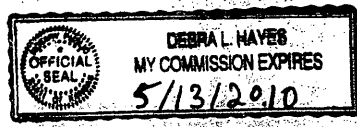


*David L. Pope*  
David L. Pope, P.E.  
Chief Engineer  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas  
County of Shawnee

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of June, 2006, by David L. Pope, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

*Debra L. Hayes*  
Notary Public



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

November 7, 2017

CITY OF MCPHERSON BPU  
TIMOTHY S MAIER GM  
PO BOX 768  
MCPHERSON KS 67460

**FILE COPY**

RE: Vested Right, File No. MP 005  
Water Right, File Nos. 1311; 23,310; 28,151 & 28,735

Dear Mr. Maier:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files. Records in this office indicate that meters are installed on the authorized points of diversion. If a meter has been replaced you must contact the Stafford Field Office at (620) 234-5311.

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. Failure to file an accurate water use report is a violation of law which makes you subject to civil penalties.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 566-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT:LI:li  
Enclosures

pc: Stafford Field Office  
Groundwater Management District No. 2

THE STATE



OF KANSAS

**KANSAS DEPARTMENT OF AGRICULTURE**  
Jackie McClaskey, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
David W. Barfield, Chief Engineer

**FILE COPY**

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN PLACE OF USE  
WATER RIGHT  
FILE NO. 23,310**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Timothy S. Maier, General Manager for the Board of Public Utilities, City of McPherson, 401 W. Kansas Avenue, PO Box 768, McPherson, Kansas 67460, received in this office on March 10, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated June 29, 2006, to more accurately describe the authorized place of use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized place of use shall be:

the City of McPherson and immediate vicinity; the City of Windom and immediate vicinity; the immediate vicinity of the pipeline serving the City of Windom; within the boundaries of the area served by McPherson County Rural Water District Nos. 2, 3 & 4, and the South Well Field located in the South Half of the Southwest Quarter (S $\frac{1}{2}$  SW $\frac{1}{4}$ ) and the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 32, in Township 22 South, Range 3 West, Harvey County, and the immediate vicinity of the pipeline from the South Well Field to the City of McPherson; and within Sections 13-16, 22-26, 32-35, in Township 19 South, Range 3 West, McPherson County; within Sections 4 & 5, in Township 20 South, Range 3 West, McPherson County,

all in the State of Kansas,

located substantially as shown on the plat accompanying the application to change the place of use.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

All diversion works 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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 23,310, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated August 7, 2002, as modified and amended by the aforementioned order.

**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.

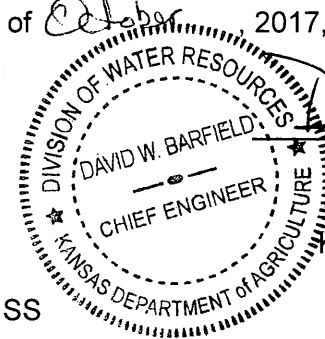
Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

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.

Ordered this 31<sup>st</sup> day of October, 2017, at Topeka, Shawnee County, Kansas.



*David W. Barfield*  
 \_\_\_\_\_  
 David W. Barfield, P.E.  
 Chief Engineer  
 Division of Water Resources  
 Kansas Department of Agriculture

State of Kansas        )  
                                   )  
 County of Riley        )

SS

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of October 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



*Karen Hunter*  
 \_\_\_\_\_  
 Notary Public

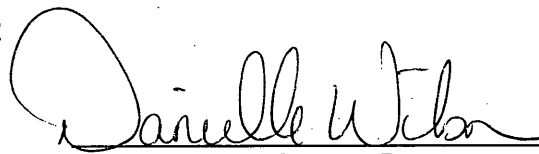
CERTIFICATE OF SERVICE

On this 7<sup>th</sup> day of November, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use for Water Right, File No. 23,310, dated: October 31<sup>st</sup>, 2017 was mailed postage prepaid, first class, US mail to the following:

City of McPherson Board of Public Utilities  
Timothy S. Maier, GM  
PO Box 768  
McPherson, KS 67460

With photocopies to:

Stafford Field Office  
Groundwater Management District No. 2

  
Division of Water Resources



Submit To: CHIEF ENGINEER  
 Division of Water Resources  
 Kansas Department of Agriculture  
 1320 Research Park Drive,  
 Manhattan, Kansas 66502  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

**APPLICATION FOR APPROVAL TO  
 CHANGE THE PLACE OF USE, THE  
 POINT OF DIVERSION OR THE USE  
 MADE OF THE WATER UNDER AN  
 EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
 (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

**WATER RESOURCES  
 RECEIVED**

**MAR 10 2017**

1:33

**KS DEPT OF AGRICULTURE**

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

File No. 23,310

2. Name of applicant: CITY OF MCPHERSON, BOARD OF PUBLIC UTILITIES, TIMOTHY S MAIER, GENERAL MANAGER

Address: 401 W KANSAS, PO BOX 768

City, State and Zip: MCPHERSON KS 67460

Phone Number: (620)245-2532 E-mail address: timm@mcphersonpower.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

MUNICIPAL BOARD

Name of water use correspondent: CITY OF MCPHERSON BOARD OF PUBLIC UTILITIES

Address: 401 W KANSAS, PO BOX 768

City, State and Zip: MCPHERSON KS 67460

Phone Number: (620)245-2532 E-mail address: timm@mcphersonpower.com

**WATER RESOURCES  
 RECEIVED**

**MAR 10 2017**

**KS DEPT OF AGRICULTURE**

3. The change(s) proposed herein are desired for the following reasons (please be specific): New permits are being approved for the water needs of the Board of Public Utilities, McPherson, Kansas.

The change(s) will be completed by with approval of the new permits.

(Date)

For Office Use Only:					
F.O. <u>2</u>	GMD <u>2</u>	Meets K.A.R. 5-5-1 (YES/NO) <u>(YES)</u>	Use <u>MUN</u>	Source <u>(G)S</u>	County <u>MW</u>
Code <u>CPU</u>	Fee \$ <u>500</u>	TR # <u>1,000</u>	Receipt Date <u>3/10/17</u>	By <u>AW</u>	Date <u>3/10/17</u>
				Check # <u>114800</u>	

APPLICATION COMPLETE

Reviewer LS

**SCANNED**

3/13/2017 UM

4. The presently authorized place of use is:

Owner of Land — NAME: CITY OF MCPHERSON BOARD OF PUBLIC UTILITIES

ADDRESS: 401 W KANSAS, PO BOX 768, MCPHERSON KS 67460

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	
29	19	3W	CITY OF MCPHERSON & IMMEDIATE VICINITY																
29	19	3W	CITY OF WINDOM & IMMEDIATE VICINITY																
29	19	3W	INCLUDING CUSTOMERS ALONG PIPELINE SERVING CITY OF WINDOM																

List any other water rights that cover this place of use. MP 005, 1311, 28151 & 28735

Owner of Land — NAME: \_\_\_\_\_ CONTINUED FROM ABOVE

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	
29	19	3W	WITHIN THE BOUNDARIES SERVED BY MCPHERSON CO RWD #2, 3 & 4																

List any other water rights that cover this place of use. MP 005, 1311, 28151 & 28735

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to: WITHIN THE BOUNDARIES SERVED BY MCPHERSON CO RWD #2, 3 & 4

Owner of Land — NAME: CITY OF MCPHERSON BOARD OF PUBLIC UTILITIES

ADDRESS: 401 W KANSAS, PO BOX 768, MCPHERSON KS 67460

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	
29	19	3W	CITY OF MCPHERSON & IMMEDIATE VICINITY																
29	19	3W	CITY OF WINDOM & IMMEDIATE VICINITY																
29	19	3W	IMMEDIATE VACINITY PIPELINE SERVING CITY OF WINDOM																

List any other water rights that cover this place of use. MP 005, 1311, 28151, 28735, 47955, 47956 & 47957

Owner of Land — NAME: CONTINUED FROM ABOVE

ADDRESS: \_\_\_\_\_

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	
29	19	3W	WITHIN THE BOUNDARIES SERVED BY MCPHERSON CO RWD #2, 3 & 4																
29	19	3W	SOUTH WELL FIELD S½SW ¼ & SE ¼ SEC 32 TWN 22 RNG 3W, Harvey County, Kansas																
29	19	3W	IMMEDIATE VACINITY PIPELINE SOUTH WELL FIELD TO MCPHERSON																
29	19	3W	AREA WITHIN SECTIONS 13-16, 22-26, 32-35, TWN 19, RNG 3 W, McPherson County, Kansas																
29	19	3W	AREA WITHIN SECTIONS 4 & 5, TWN 20, RNG 3W, McPherson County, Kansas																

List any other water rights that cover this place of use. MP 005, 1311, 28151, 28735, 47955, 47956 & 47957

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

MAR 10 2017

6. The presently authorized point(s) of diversion are one (1) well one (1) pumps  
(Provide description and number of points)

7. The proposed point(s) of diversion are not changing.  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

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

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

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

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used.

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY **MAY 0 2017**

12. The presently authorized use of water is for MUNICIPAL purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

QUANTITIES APPROVED BY NEW APPLICATIONS WILL ASSURE COMPLIANCE WITH KAR 5-5-3 AND CHANGE APPLICATIONS WILL COMPLY WITH KAR 5-5-8.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NO CHANGE (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NO CHANGE gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

WATER RESOURCES  
RECEIVED

MAR 10 2017

KS DEPT OF AGRICULTURE

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at McPherson, Kansas, this 7 day of March, 2017.

[Signature]  
\_\_\_\_\_  
(Owner) (Spouse)

Timothy S. Maier, General Manager, Board of Public Utilities,  
(Please Print) City of McPherson, KS  
\_\_\_\_\_  
(Please Print)

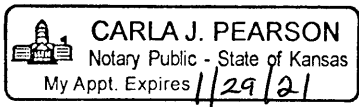
\_\_\_\_\_  
(Owner) (Spouse)

\_\_\_\_\_  
(Please Print) (Please Print)

\_\_\_\_\_  
(Owner) (Spouse)

\_\_\_\_\_  
(Please Print) (Please Print)

State of Kansas )  
County of McPherson ) SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7 day of March, 2017.

[Signature]  
\_\_\_\_\_  
Notary Public

My Commission Expires 1/29/21

**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water . . . . . \$300

Make check payable to **Kansas Department of Agriculture.**

**WATER RESOURCES RECEIVED**

**MAR 10 2017**

**KS DEPT OF AGRICULTURE**

**SCANNED**

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 23310 00

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AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 23310 00 MUN

Water Right and Points of Diversion Within 1.25 miles of point defined as:

*NEARBY NOTIFICATIONS -*

3140 Feet North and 116 Feet West of the Southeast Corner of Section 31 T 19S R 3W

Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist	(ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 1311	00 MUN NK G*			2105	--	NE	NE	NE	NE	5245	141	31	19	3W	1		1732.17	382.25	AF
A_ 3522	00 IRR NK G			3923	--	NC	NW					31	19	3W	2		411.00	411.00	AF
A_ 11873	00 REC NK S			2999	--	NE	NE	NW		4800	2850	32	19	3W	1		.26	.00	AF
A_ 23310	00 MUN NK G*			0	--	SE	SE	NE		3140	116	31	19	3W	3		613.78	.00	AF
A_ 24602	00 IRR NK G			4255	--	NC	SW			1320	3960	31	19	3W	4		165.00	165.00	AF
A_ 28151	00 MUN NK G*			3841	--	SW	SW	SE		150	2527	31	19	3W	5		1370.38	442.51	AF
Same				5963	--	NW	NW	NW		5136	5090	6	20	3W	1		1602.26	517.39	AF
A_ 30099	00 IRR NK G			6520	--	NC	NE			3953	1326	36	19	4W	4		161.00	161.00	AF
VMP 5	00 MUN AA G*			5790	--	NE	NW	SE				29	19	3W	1		1377.93	1377.93	AF
Same				5790	--	NE	NW	SE				29	19	3W	2				
Same				5302	--	SE	NW	SE				29	19	3W	3				
Same				4462	--	SE	SW	SE				29	19	3W	4				
VMP 18	00 IND AA G			4498	--					4316	3326	5	20	3W	13		5873.85	5873.85	AF
Same				6058	--					3360	1873	5	20	3W	14				
Same				6554	--	NE	NE	SW		2330	2730	5	20	3W	15				
VMP 20	00 REC AA S			3276	--	NE	NE	NW		5000	2650	32	19	3W	2		24.00	24.00	AF

*APPLICANTS WELL*

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.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) =	2079.15	.00
Total Vested Amount (AF) =	7275.78	.00
TOTAL AMOUNT (AF) =	9354.93	.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 Rights and Points of Diversion Within 1.25 miles of point defined as:

3140 Feet North and 116 Feet West of the Southeast Corner of Section 31 T 19S R 3W

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

=====

File Number Use ST SR

A\_ 1311 00 MUN NK G  
 > CITY OF MCPHERSON  
 > BOARD OF PUBLIC UTILITIES  
 > 401 W KANSAS, PO BOX 768  
 > MCPHERSON KS 67460

-----  
 A\_ 3522 00 IRR NK G  
 > CITY OF MCPHERSON

## Ireland, Leslie

---

**From:** Lanterman, Jeff  
**Sent:** Thursday, June 1, 2017 1:49 PM  
**To:** Ireland, Leslie; Conant, Cameron  
**Cc:** Turney, Brent  
**Subject:** RE: Recommendation for Change in PU, File Nos. MP 005\_1311xxx\_McPherson\_\_ 2\_2

Leslie;

Approve the change in PU on these.

On the new apps:

I have been involved with these for awhile now. Plenty of safe yield as well as spacing and modeling to show that no impairment shall occur. I am fully on board with the entire requested quantity (additional) being approved as long as their future projections support this number. I think this is supported by 5-22-14(f) -demonstration by the applicant. If they don't grow like projected the certificates will bring them down to what was actually perfected minus waste of water so it will all work out in the end.

Let me know if you have any questions.

Thanks  
Jeff

---

**From:** Ireland, Leslie  
**Sent:** Wednesday, May 17, 2017 8:06 AM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>; Conant, Cameron <Cameron.Conant@ks.gov>  
**Cc:** Turney, Brent <Brent.Turney@ks.gov>  
**Subject:** FW: Recommendation for Change in PU, File Nos. MP 005\_1311xxx\_McPherson\_\_ 2\_2

Jeff & Cameron

Just wanted to pass along that Brent let me know the City is wanting to delay proceeding their new applications due to some city business. So there is no rush on this recommendations and the project may even change.

Leslie Ireland, Environmental Scientist II  
Kansas Department of Agriculture  
Division of Water Resources - Change Unit  
(785) 564-6633  
[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

---

**From:** Ireland, Leslie  
**Sent:** Thursday, April 27, 2017 2:48 PM  
**To:** Lanterman, Jeff <Jeff.Lanterman@ks.gov>; Conant, Cameron <Cameron.Conant@ks.gov>  
**Cc:** Turney, Brent <Brent.Turney@ks.gov>  
**Subject:** Recommendation for Change in PU, File Nos. MP 005\_1311xxx\_McPherson\_\_ 2\_2

Jeff & Cameron,

Please let me know if you could recommend these changes.

The new applications are being worked by Brent and I think they are ready to go....

FRED SEILER, PRESIDENT  
VIN KISSICK, VICE PRESIDENT  
JEFF WINTER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
DAVID BOGNER  
ALAN BURGHART  
JOE PAJOR  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

April 20, 2017

Chief Engineer, Division of Water Resources  
Attn: Leslie Ireland  
1320 Research Park Dr.  
Manhattan, KS 66502

Re: Vested Right, File No. MP 005  
Water Right, File Nos. 1,311; 23,310; 28,151 & 28,735  
McPherson Board of Public Utilities

Dear Ms. Ireland:

The Equus Beds Groundwater Management District No. 2 reviewed the referenced change in place of use applications on April 20, 2017, using the District's Revised Management Program (effective May 1, 1995) and Rules and Regulations K.A.R. 5-22-1 through 5-22-17.

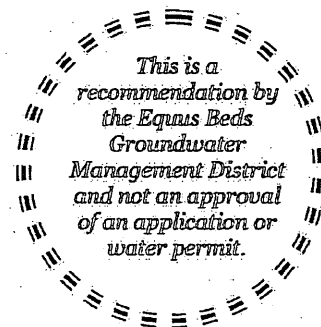
The change applications propose to modify the places of use by adding the area known as the South Well Field, the immediate vicinity of the South Well Field pipeline, and 15 sections adjacent to the current city limits. The proposed change in place of use applications will create an identical overlapping place of use with application nos. 47,955, 47,956, and 47,957.

The referenced change applications comply with the District's Management Program and Rules and Regulations and the applications are recommended for approval by the Equus Beds Groundwater Management District No. 2.

A District decision may be appealed to the District Board of Directors by submitting a written petition to the District office within 30 days from date of this notification, pursuant to K.A.R. 5-22-12. Please contact the District should you have any questions regarding the review or recommendation.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF



pc: Timothy S. Maier, McPherson Board of Public Utilities, Applicant  
Jeff Lanterman, Division of Water Resources, Stafford



FRED SEILER, PRESIDENT  
VIN KISSICK, VICE PRESIDENT  
JEFF WINTER, SECRETARY  
MIKE MCGINN, TREASURER  
TIM BOESE, MANAGER  
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:  
DAVID BOGNER  
ALAN BURGHART  
JOE PAJOR  
BOB SEILER  
DAVID STROBERG

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

April 20, 2017

City of McPherson, Board of Public Utilities  
Attn: Timothy S Maier, General Manager  
401 W Kansas.  
PO Box 768  
McPherson, KS 67460

Re: Vested Right, File No. MP 005  
Water Right, File Nos. 1,311; 23,310; 28,151 & 28,735

Dear Mr. Maier,

The Equus Beds Groundwater Management District No. 2 made a recommendation to the Division of Water Resources that the above referenced Change Applications be approved. Pursuant to K.A.R. 5-22-4a, all points of diversion described in the applications must be equipped with District approved water flowmeters:

The wells must be properly equipped with approved meters within 30 days after the approval of each change application and prior to operation of the point of diversion. If more time is needed to install meters or modify existing meter installations, you may request an extension of time. The request must be made to the Groundwater Management District before the end of the 30-day period.

Enclosed is once copy of a Flow Meter Installation form to be completed and returned to this office after completion of each meter installation or modification. Please copy the form as needed. A copy of the Division of Water Resources' meter installation notification form (Notice of Completion of Diversion Works) may be substituted for the District form. Upon receiving the completed forms, the District will inspect the installations.

Also enclosed is a copy of water meter and installation specifications. Water meters must meet these specifications and the list of certified water meters provided under K.A.R. 5-1-12, for District approval. The list of certified water meters can be obtained by contacting the District or at the following link: <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you have any questions about the District's metering program or the enclosed material, please contact the District for assistance.

Sincerely,  
EQUUS BEDS GROUNDWATER  
MANAGEMENT DISTRICT NO. 2

Tim Boese  
Manager  
TDB/STF

Enclosures  
pc:

Jeff Lanterman, Division of Water Resources, Stafford

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 22, 2017

EQUUS BEDS  
GROUNDWATER MANAGEMENT DISTRICT NO 2  
ATTN TIM BOESE MANAGER  
313 SPRUCE  
HALSTEAD KS 67056

Re Vested Right, File No. MP 005  
Water Right, File Nos. 1,311; 23,310; 28,151 & 28,735

Dear Mr. Boese:

We are enclosing copies of the change applications referred to above which appear to be in proper form for the proposed changes in place of use with the previously submitted new appropriations, File No. 47,955; 47,956 & 47,957.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning the applications referenced above.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office

Timothy S. Maier, GM, City of McPherson, Board of Public Utilities

1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700



900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 5, 2017

EQUUS BEDS  
GROUNDWATER MANAGEMENT DISTRICT NO 2  
ATTN TIM BOESE MANAGER  
313 SPRUCE  
HALSTEAD KS 67056

Re Vested Right, File No. MP 005  
Water Right, File Nos. 1,311; 23,310; 28,151 & 28,735

Dear Mr. Boese:

In response to the April 4, 2017, E-mail, of your Administrative Assistant, Rebecca Wilson, the Chief Engineer has extended the time in which to submit a recommendation concerning the March 10, 2017, applications for the files referenced above.

At her request the Chief Engineer has delayed any further action until April 20, 2017.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland  
Environmental Scientist  
Water Appropriation Program

LI:li

Enclosure

pc: Stafford Field Office

Timothy S. Maier, GM, City of McPherson, Board of Public Utilities

FILE COPY  
SCANNED



1320 Research Park Drive  
Manhattan, Kansas 66502  
(785) 564-6700

900 SW Jackson, Room 456  
Topeka, Kansas 66612  
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

March 10, 2017

TIMOTHY S MAIER, GENERAL MANAGER  
401 W KANSAS, PO BOX 768  
MCPHERSON, KS 67460

RE: File No. 23310

**FILE COPY**

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

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,

Brent A Turney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: dlw  
pc: STAFFORD Field Office    GMD 2