

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

SEP 23 2020

11:50

KS Dept Of Agriculture



State of Kansas

Submit To:  
CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
<http://agriculture.ks.gov/dwr>

**APPLICATION AND APPROVAL FOR TERM PERMIT  
TO USE WATER BANK SAFETY DEPOSIT CREDIT  
WATER RIGHT, FILE NO. 22000  
TERM PERMIT, FILE NO: 20204001**

**STATUTORY FILING FEE MUST ACCOMPANY THIS APPLICATION  
(Make check payable to the Kansas Department of Agriculture)**

- Applicant: (Please print or type)  
Name Richard Josefiak  
Street 1345 280th Ave.  
City and State Rozel, KS  
Zip Code 67574 Telephone No. ( 620 ) 527-4313  
E-mail Address josefiak4@gmail.com
- Water Bank Utilization Contract No. 201608288
- Proposed Period of use:  
Commencing date: January 01, 2020  
\*Ending Date: December 31, 2020
- Proposed Point of Diversion:  
Overlapping (Base) Water Right(s): 22000  
  
Sec. 25, Twp. 22S, Rng. 17W, (E/W),  
Pawnee County, Kansas  
Distance from Southeast Corner of Section:  
1300 feet North from Southeast Corner  
3960 feet West from Southeast Corner
- Proposed Max. Pumping Rate: 695 g.p.m
- \*\*Proposed Maximum Quantity of water per year:  
195.0 + 21.0 = 216.0 AF
- Quantity of water available in safety deposit account:  
35.48 AF
- Proposed Use Made of Water: Irrigation
- Authorized Place of Use:  
Sec. 25, Twp. 22S, Rng. 17W, (E/W),  
Pawnee County, Kansas  
  
The Proposed Place of Use shall include any and only acreage that is currently authorized under the base Water Right(s).
- The Water Bank certifies that the quantity of water available in the safety deposit account as set forth in item No. 7 is accurate and the application should be approved.

- The Water Bank recommends that the application be denied because \_\_\_\_\_  
\_\_\_\_\_

**BASIN: ARKANSAS RIVER**

9/23/2020  
KJN

**FEE SCHEDULE**

The filing fee for an application is based on the maximum amount of water use proposed within a year.

Acre-feet	Fee
0-100	\$200.00
101-320	\$300.00
More than 320	\$300.00

plus \$20 for each additional 100 acre-feet or any part thereof.

\*Length of Term Permit shall not exceed December 31 of year in which issued per K.A.R. 5-17-9(b)(3).

\*\*This quantity of water will be limited with any existing water rights that authorize the same irrigation place of use as follows.

Maximum acre-feet per acre by county per K.A.R. 5-3-24 and 5-17-17:  
Barton, Pratt, Rice, Reno and Stafford (2.1 AF/Acre)  
Edwards, Kiowa and Pawnee (2.25 AF/Acre)

**CONVERSION FACTORS**

1 acre-foot equals 325,851 gallons  
1 million gallons equal 3.07 acre-feet

For Office Use Only:  
F.O. 2 GMD 5 Meets K.A.R. 5-3-1  YES / NO Use IRR Source  S County PN By KJN Date 9/23/2020  
Code WBK Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 9/23/2020 Check # 9888

The applicant states that the information set hereon is true and accurate to the best of his/her knowledge.

The applicant agrees to waive any right to a hearing on the matter of the dismissal of this appropriation right and further agrees that this appropriation right may be dismissed and terminated upon completion of the proposed project, said dismissal date to be the ending date specified in paragraph 3. No extensions shall be granted for the use of safety deposit credits under this term permit.

The owner of the point of diversion, if other than the applicant is (please print):

(name, address and telephone number)

You must provide evidence of legal access to, or control of, the point of diversion from the landowner or the landowner's authorized representative. Provide a copy of a recorded deed, lease, easement or other document with this application. In lieu thereof, you may sign the following sworn statement:

I have legal access to, or control of, the point of diversion described in this application from the landowner or the landowner's authorized representative. I declare under penalty of perjury that the foregoing is true and correct.

X Executed on 9-18, 2020.

X [Signature] Applicant's Signature

Water use correspondent if different from applicant:

Name (print): \_\_\_\_\_

Address: \_\_\_\_\_

X [Signature] Signature of Applicant

or

X 9-18-20 Authorized Representative Date

X Richard L. Jozefiak Applicant's Name Printed

\_\_\_\_\_  
Title

**DO NOT WRITE BELOW THIS LINE**

**CONDITIONS OF APPROVAL:**

The applicant shall install and maintain in proper operating condition a water flowmeter and that flowmeter shall be used to provide accurate and complete records from which water use shall be reported to the Chief Engineer on or before March 1 of the following year for which water use is being reported. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

A seal shall be placed on the water flowmeter by Big Bend Groundwater Management District No. 5 (GMD) in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the GMD, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right. If any such violation occurs, a written order shall be issued by the chief engineer stating the nature of the violation and the civil penalty, suspension of water right or modification to the water right, or any combination of these to be imposed.

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.

That the diversion of water authorized herein shall not cause an increase in depletion to any severely depleted groundwater aquifer or severely depleted stream course.

That any violation of the terms and conditions of this term permit shall make the permittee subject to the penalty provisions of K.A.R. 5-17-13.

The Chief Engineer specifically retains jurisdiction in this matter with authority to make such reasonable reductions in the approved rate of diversion and quantity authorized, and such changes in other terms, conditions, and limitations set forth in this approval and permit to proceed as may be deemed to be in the public interest.

**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

By: \_\_\_\_\_  
Chief Engineer or Duly Authorized Designee of the Chief Engineer

(Print Name): \_\_\_\_\_  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: \_\_\_\_\_

State of Kansas )  
County of \_\_\_\_\_ ) SS

Acknowledged before me on \_\_\_\_\_

by \_\_\_\_\_

Signature: \_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
(Notary Seal)

Make checks payable to:  
Central Kansas Water  
Bank Association  
125 S Main St  
Stafford, KS 67578

### Central Kansas Water Bank Association

(The filing fee of \$100 must accompany this form)

### WITHDRAWAL SLIP SAVINGS ACCOUNT

For Office Use Only

Fee **\$ 100.00**

Form # 202010010

TR # 22000

Date Recd 9/14/2020

Time Recd 11:15am

Initials DC

RECEIVED

SEP 14 2020

Central Kansas Water Bank

**Applicant**

Name: Richard Josefiak

Address: 1345 280th Ave.

City: Rozel State: KS Zip: 67574

Home Phone: \_\_\_\_\_ Cell: (620) 527-4313 Email: josefiak4@gmail.com

Water Right File No: 22000 Overlapping Water Right File No(s): \_\_\_\_\_

Legal Desc: \_\_\_\_\_  $\frac{1}{4}$ , NC  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , Sec 25 Twp 22S Rng 17W, Pawnee County

Certified Acre-Feet: 195.00 AF Savings Account Balance: 35.48 AF

Amount requested for withdrawal from Savings Account: 21.00 AF

Amount remaining in Savings Account: 14.48 AF

**ACKNOWLEDGEMENT OF TERMS AND CONDITIONS** The undersigned acknowledges they have provided the Central Kansas Water Bank Association with honest, accurate information in preparation of this deposit.

Water Right Owner: Dale R Josefiak Date: 9-10-20

Association Representative: [Signature] Date: 9-10-20  
9/14/2020

OFFICE USE ONLY

CKWBA Account No: 201608288 Balance as of: 09/10/2020

Water Right File No: 22000 Total Water Available: 35.48 AF

Application approved: Yes No If "NO" Give reason: \_\_\_\_\_

Date: 9/14/2020 Reviewed by (Association Representative) [Signature]

Water Resources  
Received

SEP 23 2020

KS Dept Of Agriculture

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

September 24, 2020

RICHARD JOSEFIAK  
1345 280TH AVE  
ROZEL KS 67574

RE: Application, File No(s). **20204001**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) for a permit to appropriate water for beneficial use. Your application(s) has been assigned the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at [agriculture.ks.gov/divisions-programs/dwr](http://agriculture.ks.gov/divisions-programs/dwr). If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen A. Baum  
New Applications Unit Supervisor  
Water Appropriation Program