

Kansas Department of Agriculture
Division of Water Resources

CHANGE: PU WORKSHEET & Order to better describe PD

Document Signature LPL

1. File Number: 14,304	2. Status Change Date: <i>3/6/2017</i>	3. Change Num: C1	4. Field Office: 03	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 8/25/2014
8a. Applicant(s) New to system <input type="checkbox"/> KENT AND SUZY CROSSON 1554 US HIGHWAY 81 MINNEAPOLIS KS 67467-8506		8c. Landowner(s) New to system <input type="checkbox"/> KENT AND SUZY CROSSON 1554 US HIGHWAY 81 MINNEAPOLIS KS 67467-8506		
8b. Landowner(s) New to system <input type="checkbox"/> KENT AND SUZY CROSSON 1554 US HIGHWAY 81 MINNEAPOLIS KS 67467-8506 <i>ownership chg</i>		8d. WUC New to system <input type="checkbox"/> TYLER CROSSON 1537 NUGGET RD MINNEAPOLIS KS 67467-8508		
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 type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <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: 2/15/2017 By: LI Date Entered: <i>3/7/2017</i> By: <i>LM</i>				

File No. **14304** 11. County: OT Basin: SOLOMON RIVER Stream: **NA (remove stream #)** Formation Code: 112 Special Use: NA

12. Points of Diversion										Rate and Quantity				
MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		
										Rate gpm	Quantity AF	Rate gpm	Quantity AF	Overlap PD Files
MOD	38659	SE SE NW	30	10	3W	4	2827	2828	GPS UPDATE	375	44	375	44	NONE

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**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

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	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Total	Owner	Chg?	Overlap Files				
						¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼					¼	¼		
MOD 96	30 10 3W 2	7.0	6.0	37.0	21.0													19.0	29.0			119	8B	Y NO	7016 & 49141				

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: February 14, 2017

FROM: Leslie Ireland

RE: Application, File No. 49,141
Water Right, File Nos. 7,016 & 14,304

Kent Crosson has filed a new application on August 25, 2014, proposing to appropriate surface water for irrigation use by direct diversion from a pumpsite located on Pipe Creek in the Solomon River basin. He also filed an application to change the point of diversion and place of use under File No. 7016, and the place of use under File No. 14,304, that were received on August 25, 2014.

The new application, File No. 49,141, is requesting 68 acre-feet of surface water to be diverted at 500 gallons per minute for irrigation use on 119 acres under a packman configuration pivot irrigation system to make a complete overlap in place of use with File Nos. 7,016 & 14,403. The proposed point of diversion will overlap with Water Right, File No. 7,016, which is proposing a point of diversion change. The requested pumpsite for both diversion is the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) located approximately 2,827 feet North and 3,178 feet West of the Southeast corner of Section 30, Township 10 South, Range 3 West, in Ottawa County, Kansas. The proposed place of use for all of the referenced files is the Northeast Quarter (NE $\frac{1}{4}$), and the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$). There appeared to be some confusion as the proposed point of diversion for the new application and the groundwater point of diversion are very close. The surface water diversion after pumping out of the creek will be sent through the pumping setup for the groundwater right, File No. 14,304.

The proposed pumpsite will move File No. 7,016 downstream approximately 914 feet. There are no points of diversion authorized or stream inlets between the authorized and proposed point of diversion. The change will not alter the local source of supply.

The WRIS database indicates that the proposed point of diversion has no water right rights located one-half ($\frac{1}{2}$) mile upstream, but downstream there is File No. 6,988, which is approximately 2,400 feet downstream. This right has not diverted water in several years and is authorized only 20 acre-feet for irrigation use. Utilizing Arc Map, the drainage area is approximately 88,900 acres which would provide sufficient flow with the normal annual precipitation of 27- 29 inches in this area.

The new permit will be subject to K.A.R. 5-3-15, *Availability of water for appropriation - safe yield; surface water*, restricting the diversion from Pipe Creek, when flows are available. The permit will require the diversion not to occur unless there is water available to satisfy all demands by senior rights and written or verbal permission from the Chief Engineer or an authorized representative is required prior to diversion water. The owner has submitted the required MDS statement acknowledging that there could be times when the diversion of water under File No. 49,141 may not be allowed. The permit will require that streamflow not be stopped at the first riffle below the point of diversion while the diversion is taking place. The application also complies with K.A.R 5-3-15 (c)(5) because the existing groundwater right, File No. 14,304 and senior surface right, File No. 7016, will provide an alternative sources of water, and there is no need for direct diversion of surface water from July 1 through September 30 from the pumpsite. The referenced files are not located in an assurance district, or area subject to a federal or intensive control area and the permit will not have additional conditions for these diversions located in these areas.

The applications for change appear to comply with K.A.R. 5-5-1a, the ownership documents in the files indicated Kent and Suzy Crosson are the owners of the place of use. The new application appears to comply with K.A.R. 5-3-1b. The referenced rights have had spotty water reporting indicating rain. The existing rights were fined in 2015 and have paid the fine, it would appear they are not considered to be abandoned per K.S.A. 82a-718 and in compliance with K.S.A. 82a-732.

File No. 7,016

This surface water right is authorized to divert 43 acre-feet at a maximum rate of 500 gallons per minute from Pipe Creek. The WRIS database does not appear to correctly represent the additional quantity or rate as there are no additional limitations. It was certified for the irrigation of 160 acres in Section 30, Township 10 south, Range 3 West, Ottawa. These acres form an incomplete overlap with File No. 14,304. The base acres for this right have been reviewed by staff at the Stockton Field Office and determined to be 100 acres. The requested change in place of use will add 19 acres, but complies with Part 6 of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*, as the historical consumptive use will not increase due to the approval of the new permit under File No. 49,141, and the requested overlap with File No. 14,304. The requested change in point of diversion has been discussed above.

File No. 14,304

This groundwater right is authorized 44 acre-feet at a maximum of 375 gallons per minute from a single well that has been determined to be located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter and determined by a 2005 Compliance Investigation to be 2,827 feet North and 2,828 feet West of the Southeast corner of Section 30, Township 10 South, Range 3 West, Ottawa County. The right has been determined to develop 58 base acres in 1968. The location of the point of diversion will be updated per the 2005 Compliance Investigation to add the feet distances of the well as 2,827 feet North and 2,828 feet West of the Southeast corner of Section 30, Township 10 South, Range 3 West, in Ottawa County, Kansas.

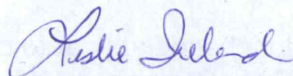
The total combined quantity under all of the referenced files is 155 acre-feet. The requested quantity appears to be reasonable for the proposed 119 acres as it will provide 1.3 acre-feet per acre. This quantity complies with Part(b)(3) of K.A.R. 5-3-20, *Maximum reasonable annual quantity of water for a new appropriation of water for irrigation use*. The surface water diversion under File Nos. 7016 & 49,141 will be 111 acre-feet and allowed 1,000 gallons per minute for the rate of diversion. This appears to be reasonable, based on the diversion of surface water and proposed irrigated acres. The total combined quantity indicates that a conservation plan will not be a condition of the permit or change approvals.

Notification letters were sent to upstream and downstream landowners and for the requested changes as required by the new statute. No written responses of any kind were received.

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. A water level measurement tube will not be a condition of the approval for File No. 14,304.

Kelly Stewart, Water Commissioner, Stockton Field Office, recommended the referenced new permit and applications for change be approved in an e-mail dated February 13, 2017.

Based on the above discussion, that the new permit and change in point of diversion will not impair senior water rights nor prejudicially or unreasonably affect the public interest, and that the changes in place of use will not increase consumptive use, it is recommended that the referenced application for permit and change applications be approved.



Leslie Ireland
Environmental Scientist
Topeka Field Office

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 8, 2017

FILE COPY

KENT CROSSON
1554 US HIGHWAY 81
MINNEAPOLIS KS 67467-8506

RE: Water Right, File Nos. 7,016 & 14,304

Dear Mr. Crosson:

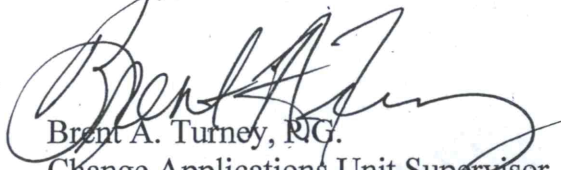
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the referenced files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized. Please return the required notification of completion for File No. 7,016 and installation of the meter for File No. 14,304, as soon as these actions are completed.

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. As requested the Water Use Correspondent for the referenced files has been updated to be Tyler Crosson.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633 or the Stockton Field Office at (785) 425-6787. 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, RIG.
Change Applications Unit Supervisor

BAT:LI:li
Enclosures
pc: Stockton Field Office
Tyler Crosson



KANSAS DEPARTMENT OF AGRICULTURE
 Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
 FOR
 CHANGE IN PLACE OF USE
 AND
 ORDER TO BETTER DESCRIBE THE LOCATION
 OF THE
 AUTHORIZED POINT OF DIVERSION
 WATER RIGHT, FILE NO. 14,304**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Kent and Suzy Crosson, 1554 US Highway 81, Minneapolis, Kansas 67467, received in the office of the Chief Engineer on April 25, 2016, 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, finds that the change is reasonable and will not impair existing rights, 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 location of the place of use shall be:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
30 10S 3W	7.0	6.0	37.0	21.0									19.0	29.0			119

a total of 119 acres in Section 30, in Township 10 South, Range 3 West, Ottawa County, Kansas,

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

That information in the office of the Chief Engineer finds that the authorized point of diversion would more accurately be defined as:

one (1) well located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE¼ SE¼ NW ¼) of Section 30, more particularly described as being near a point 2,827 feet North and 2,828 feet West of the Southeast corner of said section, in Township 10 South, Range 3 West, Ottawa County, Kansas.

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.

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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 14,304, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated July 8, 1977.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

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.

Ordered this 6th day of March 2017, at Topeka, Shawnee County, Kansas.

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 6th day of March, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

CERTIFICATE OF SERVICE

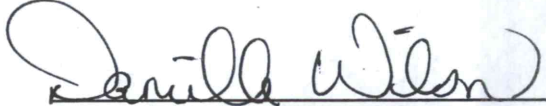
On this 8th day March, 2017, I hereby certify that the attached Approval of Application for Change in Place of Use and Order to Better Describe the Location of the Authorized Point of Diversion under Water Right, File No. 14,304 dated, March 6, 2017 was mailed postage prepaid, first class, US mail to the following:

Kent Crosson
1554 US HWY 81
Minneapolis, KS 67467-8506

With photocopies to:

Tyler Crosson
1537 Nugget RD
Minneapolis, KS 67467

Stockton Field Office



Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
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.

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

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

WATER RESOURCES
RECEIVED

AUG 25 2014
1:53

KS DEPT OF AGRICULTURE

File No. 14,304

2. Name of applicant: KENT CROSSON

Address: 1554 US Hwy 81

City, State and Zip: Minneapolis KS 67467

Phone Number: (785) 392-4078 E-mail address: CROSSON-farms@hotmail.com

What is your relationship to the water right: owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Same as applicant *SEE WUE REPORT RECEIVED
1/20/17

Address: _____

City, State and Zip: _____ TO CUG TO TYLER CROSSON * LI/DWR

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): To install a center pivot irrigation and overlap in place of use with water right 7.016.

The change(s) (was) (will be) completed by upon approval (Date)

For Office Use Only:														
F.O.	<u>3</u>	GMD	<u>4</u>	Meets K.A.R. 5-5-1	(YES/NO) Use	<u>IKR</u>	Source	<u>G</u>	S County	<u>OT</u>	By	<u>AGL</u>	Date	<u>8-25-14</u>
Code	<u>CPU</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>8-25-14</u>	Check #	<u>14359</u>					

APPLICATION COMPLETE
1/20/17
Reviewer LS

SCANNED

8-26-14
RAK

6. The presently authorized point(s) of diversion (is) (are) 1 well
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) 1 well
(Provide description and number of points)

List all presently authorized point(s) of diversion: *NO CHANGE* ~~X~~ GPS UPDATE ~~X~~

8. **Presently authorized point of diversion:**
 One in the SE Quarter of the SE Quarter of the NW Quarter
 of Section 30, Township 10S South, Range 3W W,
 in OSAWA County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. 4 GPS 2827 feet North 2828 feet West) ~~X~~
 This point will not be changed This point will be changed as follows: 2005 COMPLIANCE INVESTIGATION
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 _____

9. **Presently authorized point of diversion:**
 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.
 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 _____ W,
 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 _____

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

WATER RESOURCES

RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

~~X~~ LIDAWR

AUG 25 2014

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: Kent Crosson

ADDRESS: 1537 Nugget Rd, Minneapolis, KS 67467

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	
30	10	3W		8	30										23	36			97

List any other water rights that cover this place of use. Partial with 7,016

Owner of Land — NAME: _____

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	

List any other water rights that cover this place of use. _____

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

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Kent Crosson

ADDRESS: 1537 Nugget Rd, Minneapolis, KS 67467

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	
30	10	3W	7	6	37	21								19	29			119	

List any other water rights that cover this place of use. 7,016 & new application 49,141 *

Owner of Land — NAME: _____

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	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED

AUG 25 2014

SCANNED

*LD/DWR
10/12/14

KS DEPT OF AGRICULTURE

12. The presently authorized use of water is for irrigation 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.
Installing a more efficient center pivot irrigation system.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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). 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 1/2 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 1/2 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) 1/2 mile downstream and 1/2 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.

A change in place of use for #7016 and a new application to create an overlap.

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

AUG 25 2014

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 Minneapolis, Kansas, this 23 day of April, 2014.

[Signature]
(Owner)
KENT CROSSON
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Suzy Crosson
(Spouse)
SUZY CROSSON
(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Ottawa } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of August, 2014.

[Signature]
Notary Public

My Commission Expires 10-23-17

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

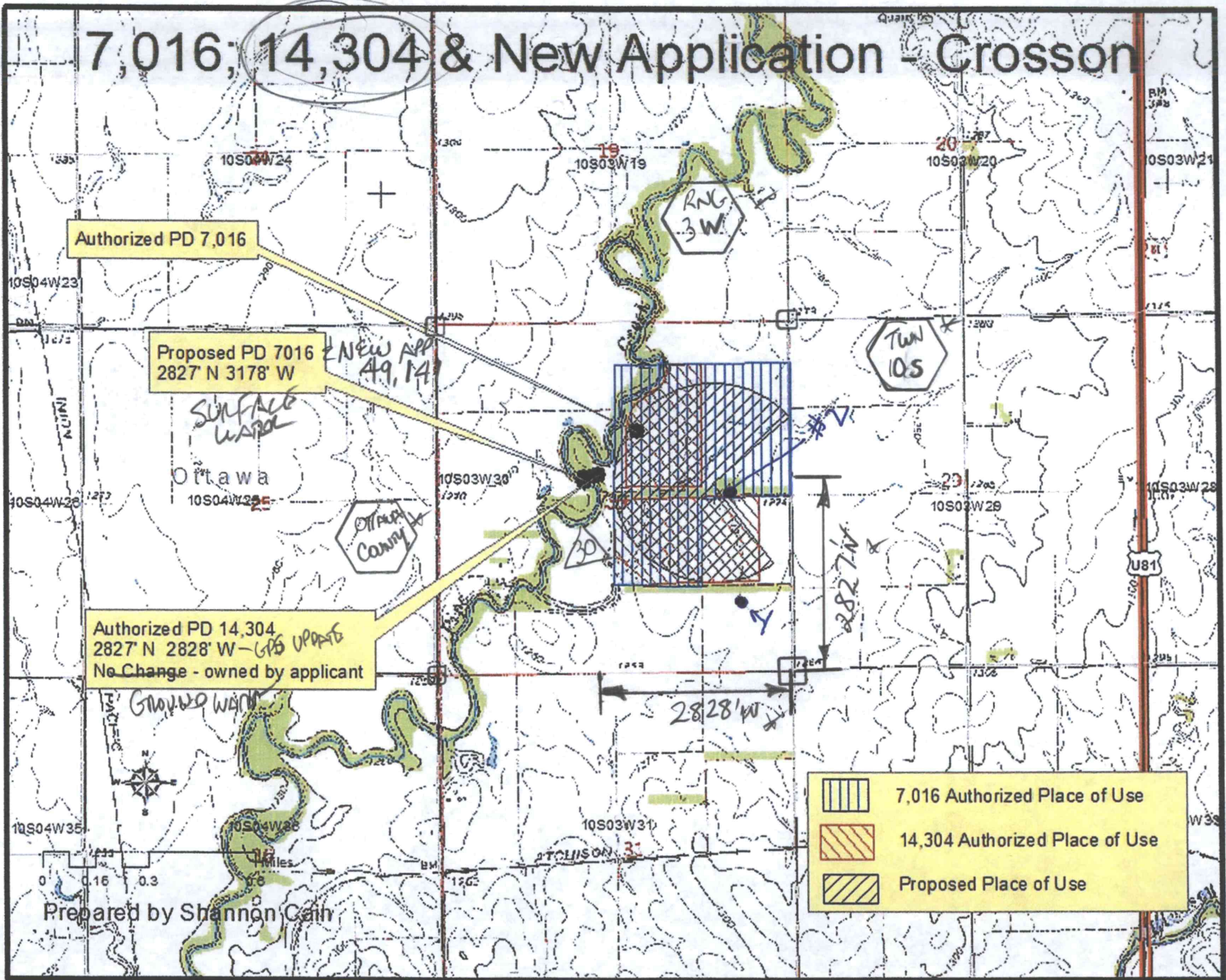
AUG 25 2014

KS DEPT OF AGRICULTURE

SCANNED

*see reverse for names + addresses.

7,016; 14,304 & New Application - Crosson



WATER RESOURCES
RECEIVED

AUG 25 2014 SCANNED

KS DEPT OF AGRICULTURE

* W/P/W

#1 - Water right # 11675
Linda L Saenger et al
1328 N 120th Rd.
Minneapolis, KS 67467

#2 Crosson, Kent
1554 US Hwy 81
Minneapolis, KS 67467

Property owners upstream:

Chris Carlson
1513 N 135th Rd
Minneapolis, KS 67467

Kelley Zuker
1162 Nugget Rd
Minneapolis, KS 67467

Lena Peters Trust
415 Hummingbird Ln
Minneapolis, KS 67467

downstream:

Kent Carlson
100 E Lincoln
Hesston, KS

Linda Saenger
1328 N 120th Rd
Minneapolis, KS 67467

Ireland, Leslie

From: Stewart, Kelly
Sent: Monday, February 13, 2017 1:37 PM
To: Ireland, Leslie; Billinger, Mark
Cc: Hageman, Rebecca
Subject: RE: Recommendation for Permit 49141 and Change Approvals 7016 & 14304_Crosson

Leslie,

I have no objection to the approval of these three applications.

Kelly

From: Ireland, Leslie
Sent: Wednesday, February 1, 2017 12:00 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>; Billinger, Mark <Mark.Billinger@ks.gov>
Subject: Recommendation for Permit 49141 and Change Approvals 7016 & 14304_Crosson

Please let me know if you could recommend the permit and requested changes for the Crosson project.

As always comments and concerns are welcome.

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

Chief Engineer

2078

ATTENTION LANDOWNER(S): COMPLETE ONLY IF

Division of Water Resources

A NON-OWNER IS TO REPORT WATER USAGE

WATER RESOURCES RECEIVED

Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
<http://agriculture.ks.gov/dwr>

JAN 20 2017

KS DEPT OF AGRICULTURE

ATTN: Water Use Coordinator

RE: Water Use Correspondent for
File No(s) 49144, 7016, 14304

Dear Sir:

I am aware that Kansas law (K.S.A. 82a-732) requires the owner of a water right or permit to appropriate water for beneficial use, except for domestic use, to file an annual water use report with the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, on or before March 1 following the end of the previous calendar year.

I understand that the law provides that failure to file the report or submission of an incomplete or inaccurate report could subject me, as owner (or part owner) of the above file number(s) to a civil penalty not to exceed \$1000 and that any person falsifying the report could be charged with a class C misdemeanor.

For confirmation of the correspondent change provide a valid e-mail address.

E-mail: Crossonfamilyfarms@gmail.com

With full knowledge of these facts, I request that Tyler Crosson,
1537 Nugget Rd, Minneapolis, KS, 67467, (785)392-4093
(Address) (City) (State) (Zip) (Telephone)

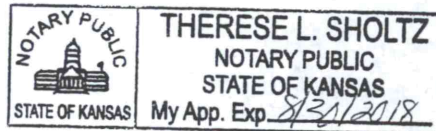
be designated as water use correspondent for the above file number(s) until I rescind this authority in writing.

I further understand that as water use correspondent my designee will be the only person who will receive an annual water use report from the Division of Water Resources concerning my water use reporting requirement.

[Signature]
(Signature)
1554 US 81
(Address)
Minneapolis KS 67467
(City, State, Zip)

KENT CROSSON
(Print Name)
785-392-4078
(Telephone)

State of Kansas }
County of Cloud } SS



The foregoing instrument was acknowledged before me this 17 day of
January, 2017, by Kent Crosson
(Water Right Owner)

[Signature]
Notary Public

My appointment expires:

FILE COPY
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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

October 13, 2016

KELLEY ZUKER REV TRUST
1162 NUGGET RD
MINNEAPOLIS KS 6746767205

RE: Water Right, File Nos. 7,016 & 14,304
Permit, File No. 49,141

Dear Sir or Madam:

This letter is to **provide notice** as required by Kansas Senate House Bill No. 337, which became effective on July 1, 2016.

The owner of the referenced appropriations of water has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture. The applications propose to change in the existing place of use to a pivot system under File Nos. 7,016 & 14,304, along with a new appropriation under File No. 49,141, all authorized for irrigation use. The new application, File No. 49,141, proposes the diversion of 68 acre-feet of surface water per calendar year at the rate 500 gallons per minute to be diverted from Pipe Creek at a pumpsite that will also be authorized by File No. 7,016. The proposed pumpsite is described as being located:

one (1) pumpsite located in the Southeast Quarter of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 30, more particularly described as being near a point 2,827 feet North and 3,178 feet West of the Southeast corner of said section, in Township 10 South, Range 3 West, Ottawa County, Kansas.

Information supplied by the applicant indicates that you as a nearby landowner may have a well or wells in this vicinity or you own land along the creek, therefore you are being notified. Should you want to comment or provide other information which you desire to submit, please do so within 15 days for the date of this letter.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

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

October 13, 2016

LARRY R & LINDA L SAENGER
1328 N 120TH RD.
MINNEAPOLIS KS 6746767205

RE: Water Right, File Nos. 7,016 & 14,304
Permit, File No. 49,141

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

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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

October 13, 2016

CHRIS E CARLSON
WILL D CARLSON
1513 N 135TH RD
MINNEAPOLIS KS 67467

RE: Water Right, File Nos. 7,016 & 14,304
Permit, File No. 49,141

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

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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

October 13, 2016

LENA PETERS TRUST
415 HUMMINGBIRD LANE
MINNEAPOLIS KS 67467

RE: Water Right, File Nos. 7,016 & 14,304
Permit, File No. 49,141

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

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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

October 13, 2016

ROBERT R CARSON
TODD A SAENGER
ANGELA P PERRY
423 N LINCOLN
BELIOT KS 67420

RE: Water Right, File Nos. 7,016 & 14,304
Permit, File No. 49,141

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Stockton Field Office

FILE COPY
SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502

Jackie McClaskey, Secretary

Phone: (785) 564-6700

Fax: (785) 564-6777

Email: ksag@kda.ks.gov

www.agriculture.ks.gov

Sam Brownback, Governor

August 26, 2014

KENT CROSSON
1554 US HWY 81
MINNEAPOLIS KS 67467

RE: File No. 14,304

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
- 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: al
pc: Stockton Field Office

SCANNED