

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D P/U WORKSHEET

Document Signature _____

1. File Number: 6420	2. Status Change Date: 10/11/2017	3. Change Num: C1	4. Field Office: 03	5. GMD:
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 03-JUL-2017
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8a. Applicant(s) New to system Person ID 58061
 Add Seq# 1

DON DUANE THOMPSON
18720 PINE RD
ARGOS IN 46501-9745

8c. Landowner(s) New to system Person ID 63531
 Add Seq# 1

OPAL M THOMPSON
TOM S AND CYNTHIA S THOMPSON
1068 XAVIER RD
CONCORDIA KS 66901 *Name Chg*

8b. Landowner(s) New to system Person ID 58061
 Add Seq# 1

DON DUANE THOMPSON
18720 PINE RD
ARGOS IN 46501-9745

8d. WUC New to system Person ID 58061
 Add Seq# 1

NO CHANGE

DON DUANE THOMPSON
18720 PINE RD
ARGOS IN 46501-9745

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/18 N & P Date to Comply: 12/31/18

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **10/10/17** By: **RAK**
 Date Entered: **10/16/2017** By: **UM**

File No. **6420** 11. County: **RP** Basin: **REPUBLICAN RIVER** Stream: Formation Code: **113** Special Use:

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 AF	Rate gpm	Quantity AF	
DEL	67783		NW¼NE¼SW¼	22	4	4W	9	2620	3375						NO
ENT	82452		SW¼ SW¼ SE¼	22	4	4W	10	565	2620		1070 gpm	114 AF	1070 gpm	114 AF	NO

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14 Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____
 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 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	12764			22	4	4W	3									40.00				40.00								80.00	8B	NO	8447
ENT	29420			22	4	4W	4														26.00	22.00						48.00	8C	YES	8447

Comments:

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

TO: Files

DATE: October 10, 2017

FROM: Richelle A. Krueger

RE: Water Right
File Nos. 6,420 and 8,447

Don Duane Thompson et al, filed applications for approval to change the authorized points of diversion and places of use for the referenced file numbers, both authorized groundwater for irrigation use in the Republican River Basin in the Lower Republican area.

The water rights do not appear abandoned as per K.S.A. 82a-718.

The referenced file numbers are each authorized one well and have no overlaps in their authorized points of diversion or places of use, all located in Section 22, Township 4 South, Range 4 West, Republic County. The applicants propose to create an exact overlap in the authorized place of use and to "flip-flop" the authorized rates and quantities between the well authorized by File No. 6,420 (2620'N, 3,375'W of SE corner of Sect 22/114AF@1,070 g.p.m.) and the well authorized by File No. 8,447 (565'N, 2,620'W of SE corner of Sect 22/75AF@600 g.p.m.), a distance move of approximately 2,189 feet. No new wells will be drilled.

The proposed change in point of diversion for File No. 8,447 does not appear to comply with K.A.R. 5-5-13 *Relocation of alluvial wells* since the proposed move involves a move of just over 10 percent closer to the Republican River. The applicant has requested a waiver of K.A.R. 5-5-13 since a net quantity of 39 acre-feet of water will be moved away from the stream channel. Paragraph No. 3 of the application indicates the proposal will allow the stronger of the two wells to have a higher allocation. It appears the proposal meets well spacing requirements.

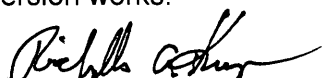
According to the application maps and WRIS, there are three irrigation wells and seven domestic(WWC-5) wells within one-half mile of the proposed existing wells. Nearby well owners were notified of the proposed changes by letters dated September 14, 2017. On September 26, 2017 Mikkel Stensaas called to inquire about the proposed changes and ask how a higher diversion rate could be placed on a well that certified a lower diversion rate but did not want to object to the change applications. No written objections have been received as of today's date.

No well logs were submitted with the applications. However, it appears that the same local source of supply will not change, previously determined to be Main Stem Alluvium (113).

The water right owners also propose to create a complete overlap in the authorized place of use between the referenced file numbers for a total of 128 acres to be authorized. Paragraph No. 3 of the applications indicates the owners will convert from flood irrigation to a center pivot. No new acres will be irrigated according to the map. The net irrigation requirement for the 50% chance of rainfall in Republic County with 85% efficiency is 0.98 acre-feet/acre. The total quantity authorized, 189 acre-feet, will irrigate the proposed 128 acres with 1.48 acre/feet per acre, which appears reasonable in Republic County.

In an e-mail dated October 9, 2017, 2017, Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated that he would support the waiver of K.A.R. 5-5-13 and approval of the referenced change applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.


Richelle A. Krueger
Environmental Scientist



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
POINT OF DIVERSION
WATER RIGHT
FILE NO. 6,420**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Don D. Thompson, 18720 Pine Road, Argos, Indiana 46501-9745, and Opal M. Thompson, and Tom S. and Cynthia S. Thompson, 1068 Xavier Road, Concordia, Kansas 66901, received in this office on July 3, 2017, for approval of a change in the location of the place of use and point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer January 25, 1980, August 8, 1980 and August 2, 2002, approving applications to change the authorized point of diversion, 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 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				
22	4S	4W											40.00				40.00		26.00	22.00		128.00

a total of 128.00 acres in Republic County, Kansas, and the authorized location of the point of diversion shall be:

one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW¼ SW¼ SE¼) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in Township 4 South, Range 4 West, Republic County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use and point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

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. 6,420, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated January 14, 1964, as modified and amended by the aforementioned orders.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

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

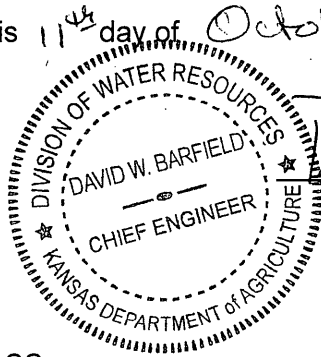
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 11th day of October, 2017, in 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)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 11th 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 17th day of October, I hereby certify that the foregoing Approval of Application for Change in Place of Use and Point of Diversion, File No. 6,420, dated October 11th, 2017 was mailed postage prepaid, first class, US mail to the following:

DON DUANE THOMPSON
18720 PINE RD
ARGOS IN 46501-9745

With true and correct copies to:

OPAL M THOMPSON
TOM S AND CYNTHIA S THOMPSON
1068 XAVIER RD
CONCORDIA KS 66901

With photocopies to:

Stockton Field Office

Danielle Wilson

Division of Water Resources

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 17, 2017

DON DUANE THOMPSON
18720 PINE RD
ARGOS IN 46501-9745

FILE COPY

RE: Water Right, File Nos. 6,420 and 8,447

Dear Mr. Thompson:

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 these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Since the orders for the referenced file numbers modify the original documents referred to above they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stockton Field Office
Opal M. Thompson, Tom S. and Cynthia S. Thompson

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502
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
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JUL 03 2017

1:17

KS DEPT OF AGRICULTURE

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

File No. 6420

2. Name of applicant: Don Duane Thompson

Address: 18720 Pine Rd

City, State and Zip: Argos, IN 46501-9745

Phone Number: (574)892-6433 E-mail address: ddtfarm@gmail.com

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

Name of water use correspondent: Same

Address: _____

City, State and Zip: _____

Phone Number: _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): The proposed changes are to overlap place of use with WR File No. 8447 and flip-flop the water rights of the two files. The proposed changes will allow the owners to convert from flood irrigation to center pivot and allow for the stronger well to have a higher allocation.

The change(s) will be completed by December 31st, 2018

(Date)

For Office Use Only:

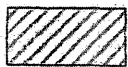
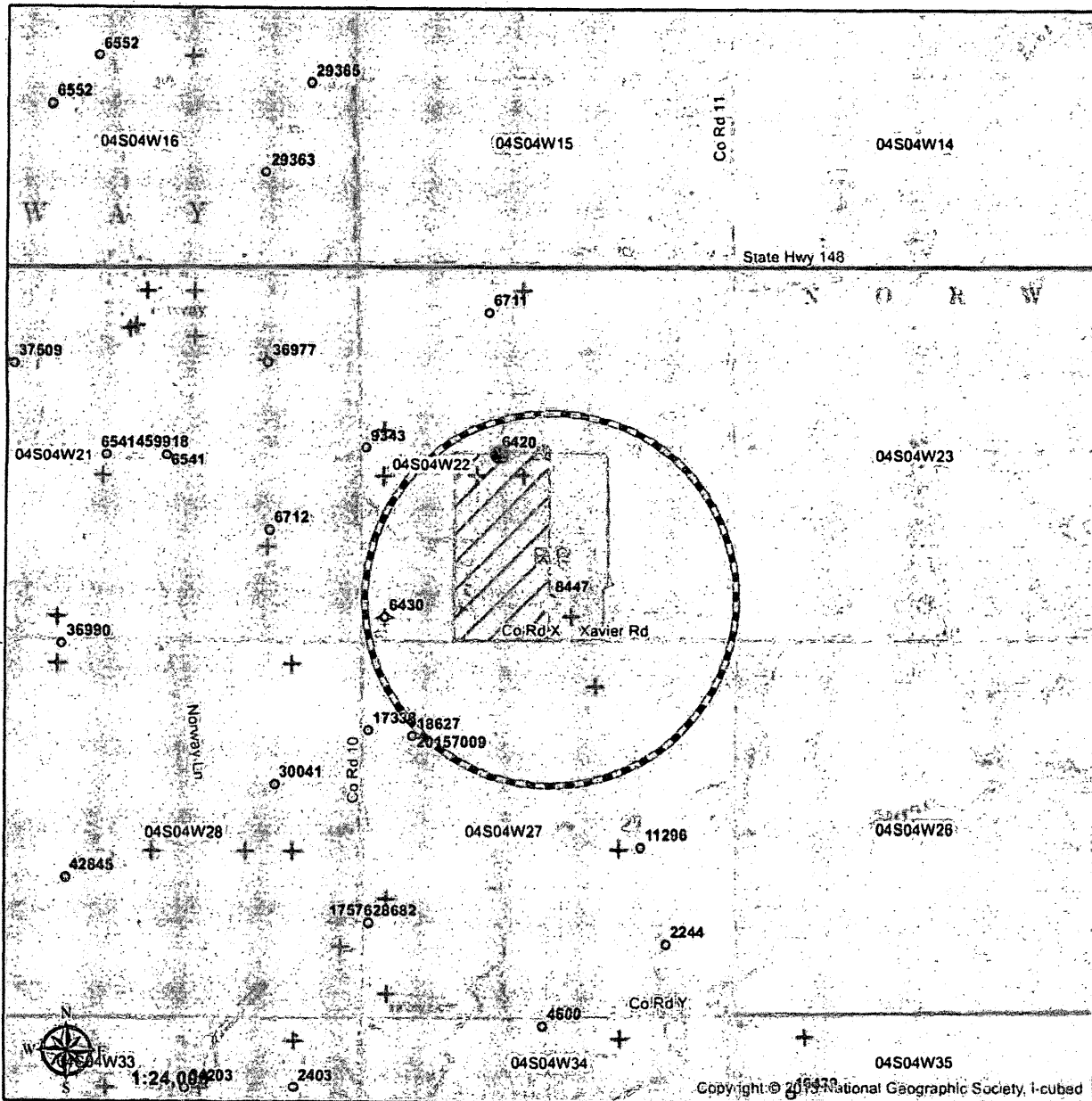
F.O. 3 GMD Meets K.A.R. 5-5-1 (YES/NO) Use IRR Source G/S County RP By AM Date 7-3-17
Code C-2 Fee \$ 400 TR # _____ Receipt Date 7-3-17 Check # 3755

APPROVED DATE
10 4 17
Paul

SCANNED

7/5/17 DW

Application for Change in
Place of Use and Point of Diversion
Water Right File No. 6420



Authorized Place of Use



Proposed Place of Use



1/2 mile buffer

▲ Surface Water Point of Diversion

● Groundwater Point of Diversion

● Current Point of Diversion

○ Proposed Point of Diversion

+ WWC5 records

Don W. Longman

All wells owners within 1/2 mile of the proposed point of diversion are identified on the map and addresses included on the attached list.

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4. The presently authorized place of use is:

Owner of Land — NAME: Don Duane Thompson

ADDRESS: 18720 Pine Rd, Argos, IN 46501-9745

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	
22	04S	04W															26	22	48
* 22	4S	14W									40								80

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

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: Opal Thompson Family Trust - Opal M. Thompson Trustee *M. + Tom S + Cynthia Thompson*

ADDRESS: 1068 Xavier Rd, Concordia, KS 66901

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	
22	04S	04W															26	22	48

List any other water rights that cover this place of use. 8447

Owner of Land — NAME: Don Duane Thompson

ADDRESS: 18720 Pine Rd, Argos, IN 46501-9745

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	
22	04S	04W									40								80

List any other water rights that cover this place of use. 8447

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per certificate dated 1/14/64 & WRIS

* Rsk/own 9/6/17

** modified per Republic Co Parcel Search
** Rsk/own 10/10/17

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

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

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SW Quarter of Section 22, Township 04 South, Range 04 W, in Republic County, Kansas, 2620 feet North 3375 feet West of Southeast corner of section. Authorized Rate 1070 gpm Authorized Quantity 114 AF
 (DWR use only: Computer ID No. 09 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) * SE
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 22, Township 04 South, Range 04 W, in Republic County, Kansas, 565 feet North 2620 feet West of Southeast corner of section. Proposed Rate * 1070 gpm Proposed Quantity 75 AF * 114 AF
 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. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

* per WRIIS + Par 3
* RAC/DM 9/13/17

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

It is proposed that the use be changed to Irrigation purposes.

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

The change is place of use is to facilitate a change from flood irrigation to center pivot which will allow for the more
effeicent use of water.

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to NA 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.

Requesting waiver of 5-5-13

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
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JUL 03 2017

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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 Geary, Indiana, ~~Kansas~~, this 23 day of June, 2017.

<u>Don D. Thompson</u> (Owner)	(Spouse)
<u>Don D. THOMPSON</u> (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of ~~Kansas~~ Indiana }
County of Marshall } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23 day of June, 2017.

My Commission Expires 01/07/2024.
Joanna Houin
Notary Public

FEE SCHEDULE

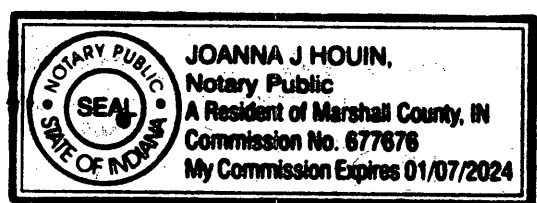
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
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JUL 03 2017



Well owners within ½ Mile of the proposed point of diversion for Water Right File No. 6420

Water Right File No. 6430

H & H GRAIN COMPANY

570 130 RD

SCANDIA KS 66966

Water Right Eche 18627
Mickey Stensoon
1090 Young Rd
Concordia Kansas 66901

WATER RESOURCES
RECEIVED

JUL 03 2017

WATER RESOURCES
RECEIVED

JUN 14 2017

KS DEPT OF AGRICULTURE KS DEPT OF AGRICULTURE

SCANNED

Well owners within ½ Mile of the proposed point of diversion for Water Right File No. 6420

Water Right File No. 6430

H & H GRAIN COMPANY

570 130 RD

SCANDIA KS 66966

WATER RESOURCES
RECEIVED

JUL 03 2017

KS DEPT OF AGRICULTURE

SCANNED

Krueger, Richelle

From: Stewart, Kelly
Sent: Monday, October 9, 2017 1:12 PM
To: Krueger, Richelle
Cc: Billinger, Mark; Hageman, Rebecca
Subject: RE: Request for Recommendation Change in PD PU File Nos. 6420and8447 Don Thompson/Opal Thompson etal

Richelle,

I would support the waiver and approval of these applications.

Kelly

From: Krueger, Richelle
Sent: Monday, October 9, 2017 11:45 AM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>
Subject: Request for Recommendation Change in PD PU File Nos. 6420and8447 Don Thompson/Opal Thompson etal

Hi Kelly,
Attached is a draft memo for the referenced changes, do you recommend approval?

Thanks,
Richelle

Krueger, Richelle

From: Krueger, Richelle
Sent: Tuesday, September 26, 2017 12:30 PM
To: Stewart, Kelly
Cc: Billinger, Mark; Hageman, Rebecca
Subject: You may get a phone call from Mikkell Stensaas -nearby well owner letter File No. 6420 and 8447

Hi Kelly,

Just an FYI, Mikkell Stensaas may call you about possible options for his File Nos. 2244 and 11296 even though he was sent a nearby letter for File Nos. 6420 and 8447 because of his File No. 18627. He wanted to know why they could flip flop wells and put higher rate on a well that was certified a lower rate. He doesn't really want to object to this change but he said several years back (like about 15 years ago), he had wanted to move some quantity and rate from his well under File No. 2244 to his well under File No. 11296. He says he wasn't proposing an additional well but he would have to reduce a bunch of quantity and rate to do it, so not sure what was proposed. I told him to call you and discuss because maybe the rules have changed....I didn't know if a MYFA could help him or not?

I don't know if he will call you or not but that is what we talked about.

Richelle

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
COPY

CHARLES F & VIVIAN M CARLGREN
1035 US HIGHWAY 148
SCANDIA KS 66966-8090

September 14, 2017

RE: Water Right
File Nos. 6,420 and 8,447

Dear Sir or Madam:

This is to advise you that Don Thompson and Opal M. Thompson, have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion and places of use under the above referenced file numbers. The water right owners propose to exchange the authorized quantities and diversion rates between their currently authorized wells. Enclosed is map for your reference.

The application for File No. 6,420 proposes the following change in point of diversion:

from: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,

to: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

The application for File No. 8,447 proposes the following change in point of diversion:

from: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,

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You are being notified of these proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

OVER →

RE: File Nos. 6,420 and 8,447

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



Richelle A. Krueger
Environmental Scientist
Change Application Unit

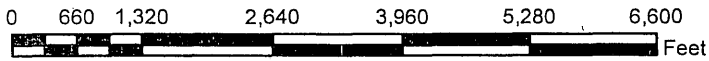
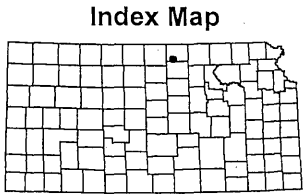
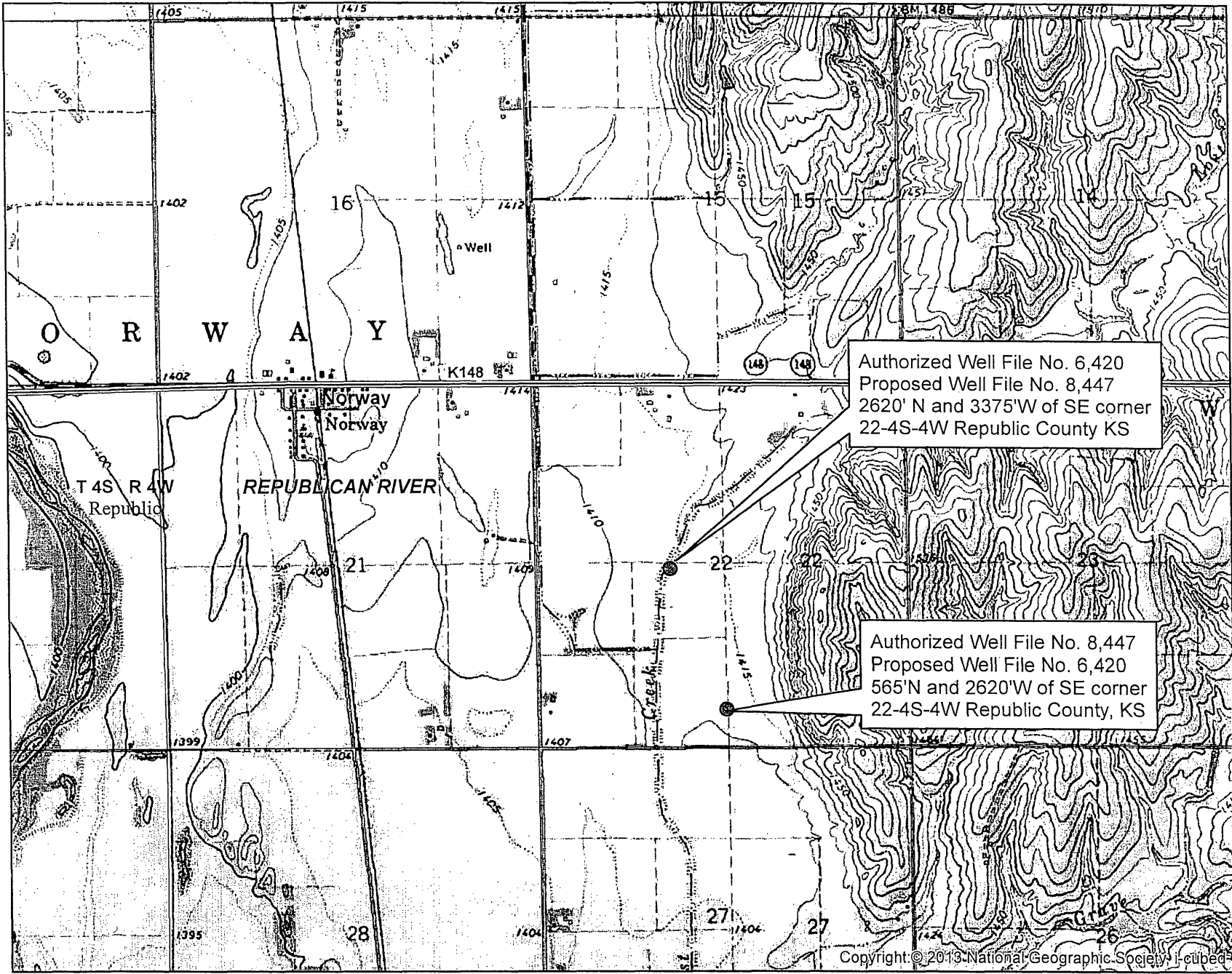
RAK

Enclosure

pc: Stockton Field Office
Don Thompson
Opal M. Thompson

Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

SCANNED



1:24,000

This map was created by WIMAS on 9/12/2017 10:39:34 AM

1320 Research Park Drive
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(785) 564-6700



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

Jackie McClaskey, Secretary

Governor Sam Brownback

JAY CARLGREN
1075 HIGHWAY K148
SCANDIA KS 66966-8090

September 14, 2017

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Richelle A. Krueger
Environmental Scientist
Change Application Unit

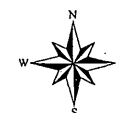
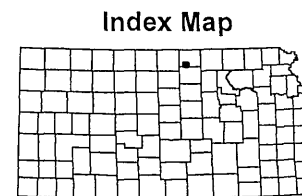
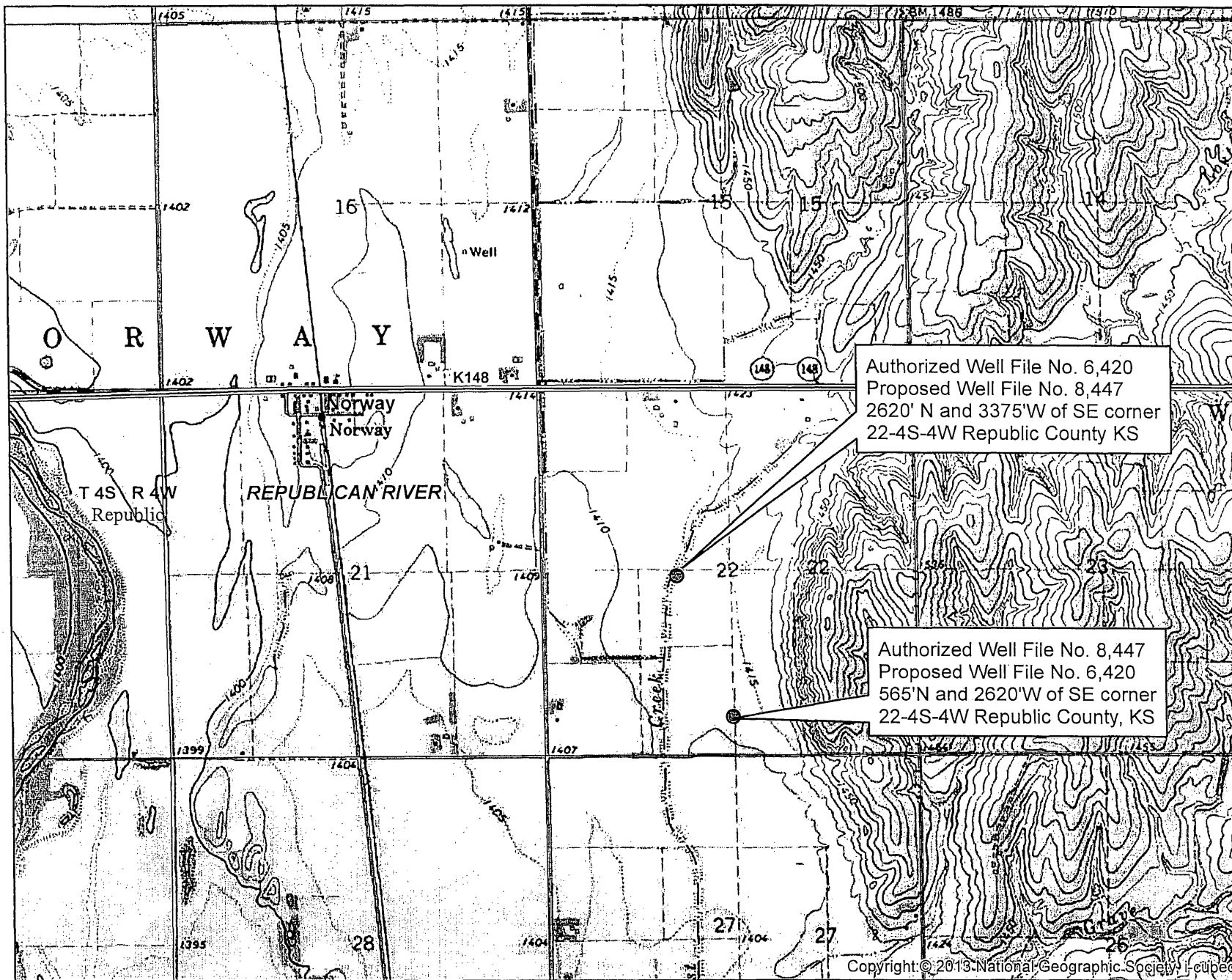
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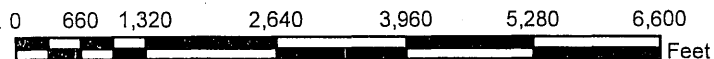
pc: Stockton Field Office
Don Thompson
Opal M. Thompson

Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

SCANNED



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Jackie McClaskey, Secretary

Governor Sam Brownback

NORMA M CARLGREN TRUST
KATHLEEN PIERSON
713 E WILSON ST
SALINA KS 67401-5354

September 14, 2017

RE: Water Right
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The application for File No. 8,447 proposes the following change in point of diversion:

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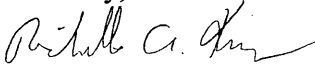
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OVER →

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Richelle A. Krueger
Environmental Scientist
Change Application Unit

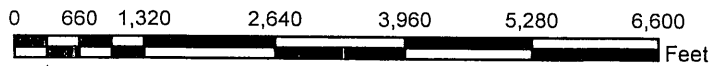
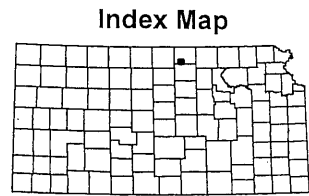
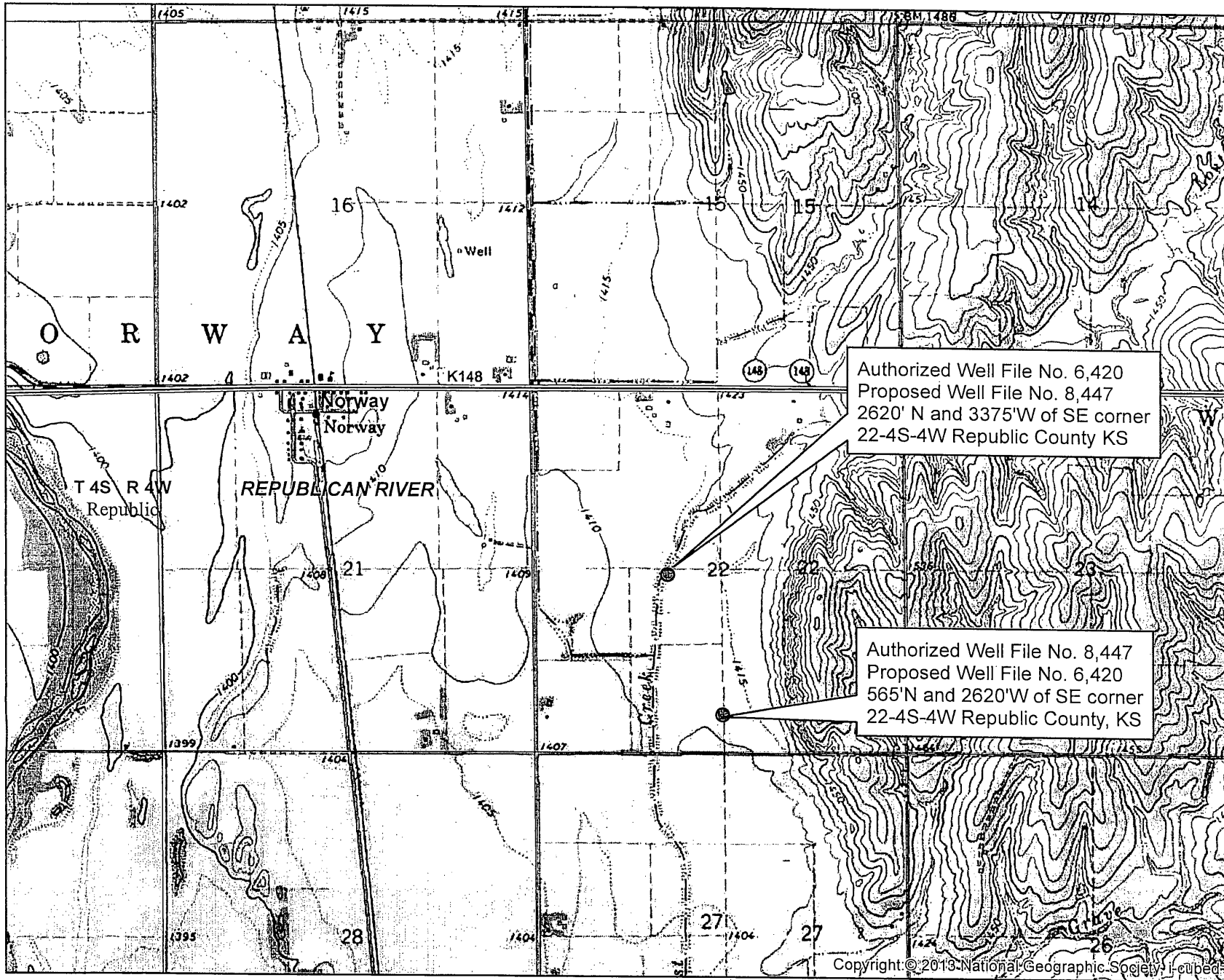
RAK

Enclosure

pc: Stockton Field Office
Don Thompson
Opal M. Thompson

Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

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H & H GRAIN COMPANY
ATTN PAUL HELTNE
507 130 RD
SCANDIA KS 66966-8050

September 14, 2017

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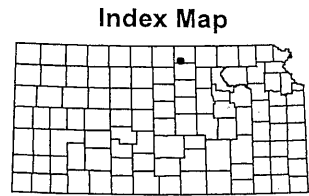
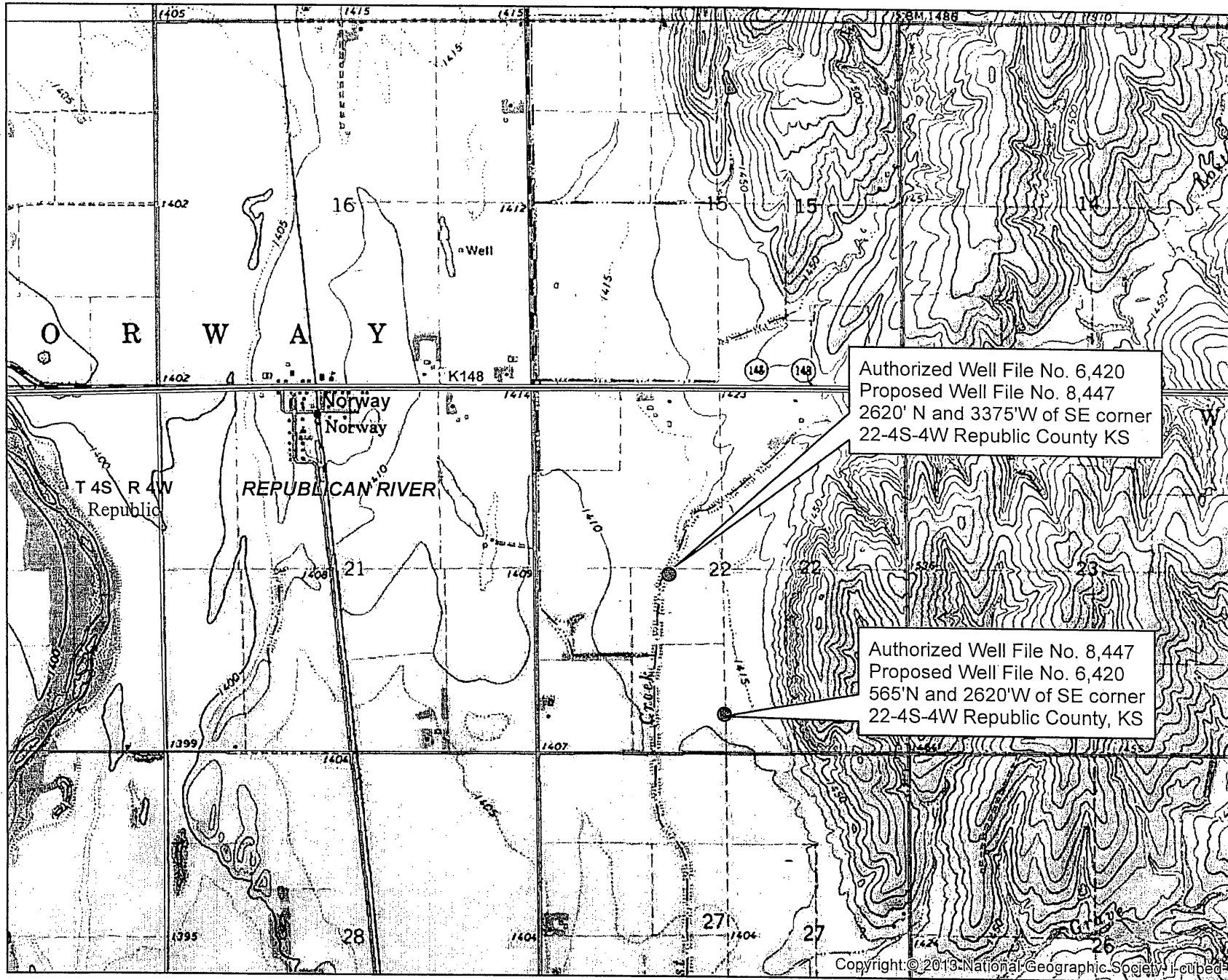
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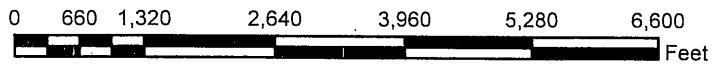
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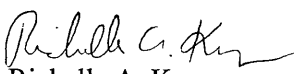
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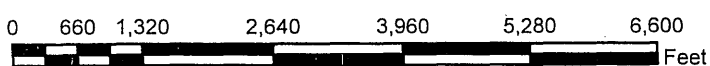
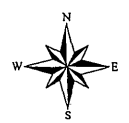
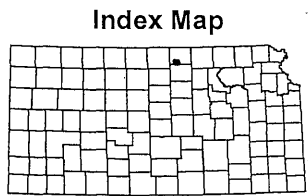
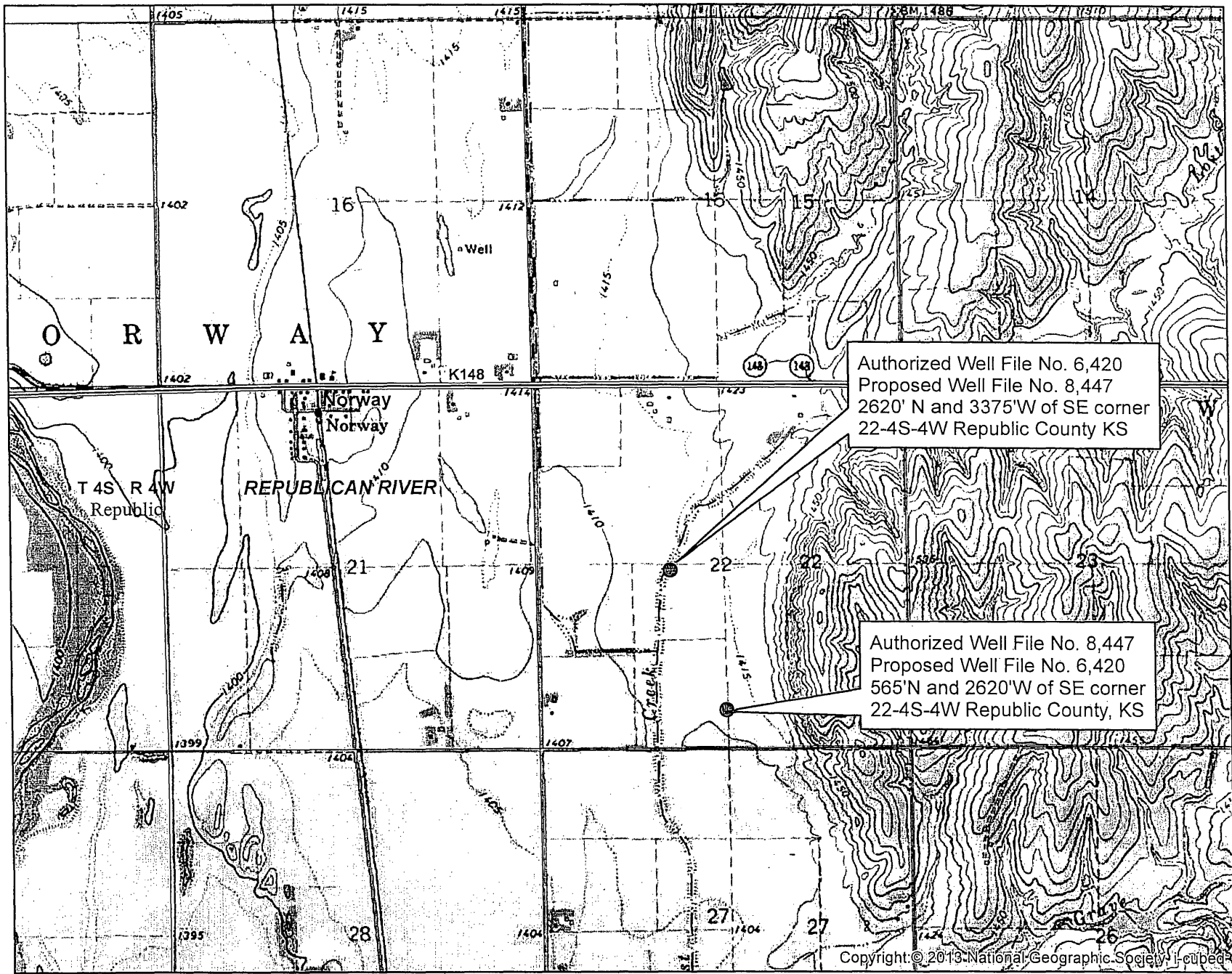
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Jackie McClaskey, Secretary

Governor Sam Brownback

CHAPMAN FAMILY INVESTMENTS
CHRISTOPHER CHAPMAN
58 PARK STREET
RICHLAND WA 99354-2032

September 14, 2017

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- to: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

You are being notified of these proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

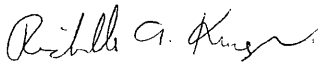
OVER →

SCANNED

RE: File Nos. 6,420 and 8,447

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



Richelle A. Krueger
Environmental Scientist
Change Application Unit

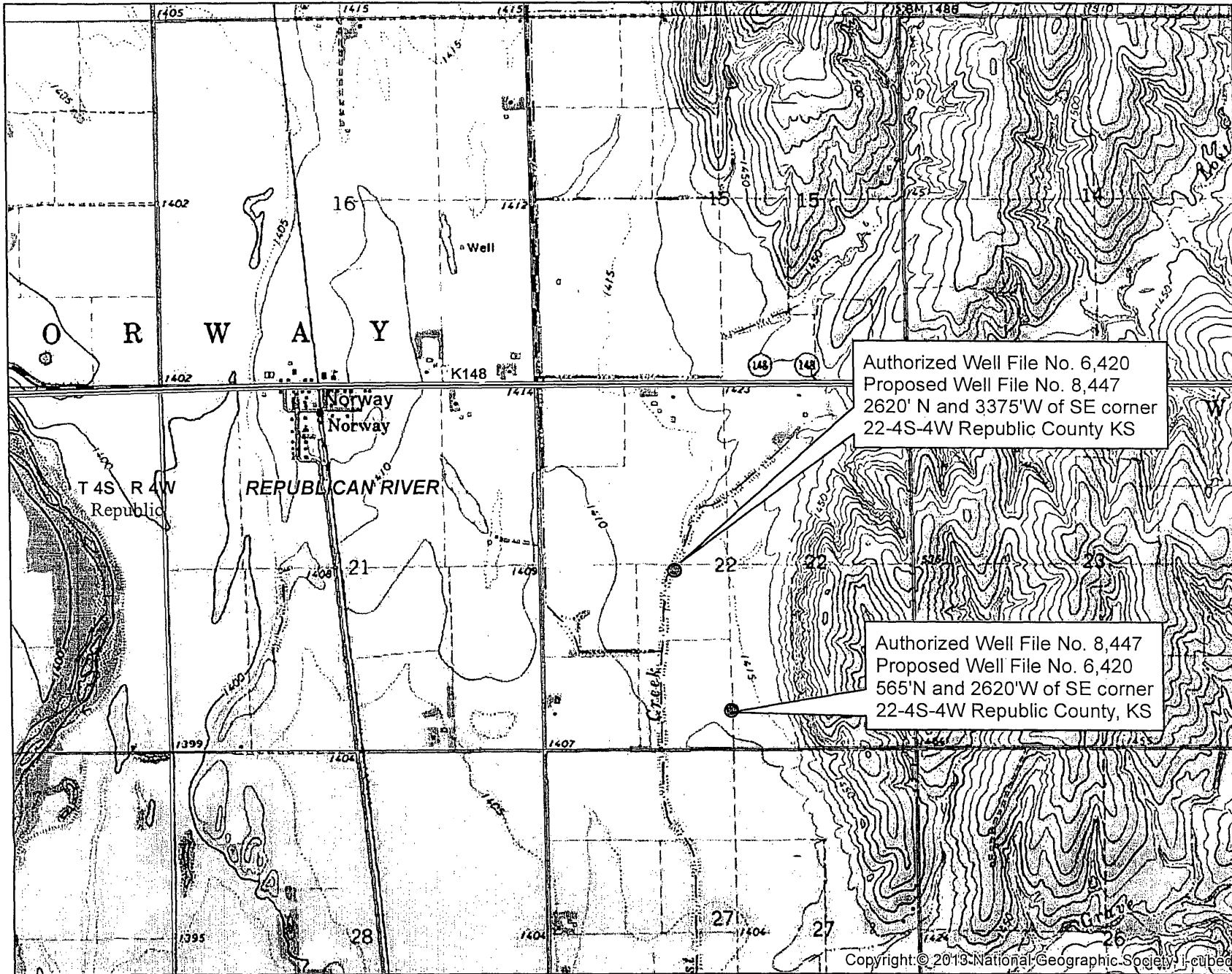
RAK

Enclosure

pc: Stockton Field Office
Don Thompson
Opal M. Thompson

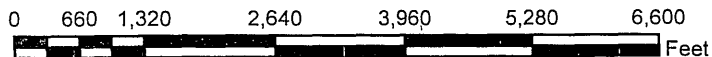
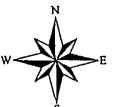
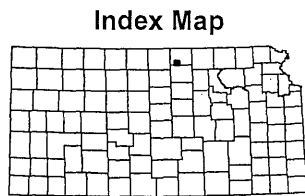
Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

SCANNED



Authorized Well File No. 6,420
Proposed Well File No. 8,447
2620' N and 3375' W of SE corner
22-4S-4W Republic County KS

Authorized Well File No. 8,447
Proposed Well File No. 6,420
565' N and 2620' W of SE corner
22-4S-4W Republic County, KS



1:24,000

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

RALPH L AND VICKI G NOTHERN
315 100 RD
CONCORDIA KS 66901-6503

September 14, 2017

RE: Water Right
File Nos. 6,420 and 8,447

Dear Sir or Madam:

This is to advise you that Don Thompson and Opal M. Thompson, have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion and places of use under the above referenced file numbers. The water right owners propose to exchange the authorized quantities and diversion rates between their currently authorized wells. Enclosed is map for your reference.

The application for File No. 6,420 proposes the following change in point of diversion:

- from: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,
- to: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

The application for File No. 8,447 proposes the following change in point of diversion:

- from: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,
- to: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

You are being notified of these proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

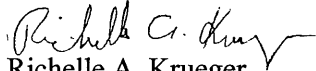
OVER →

SCANNED

RE: File Nos. 6,420 and 8,447

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



Richelle A. Krueger
Environmental Scientist
Change Application Unit

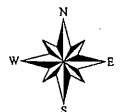
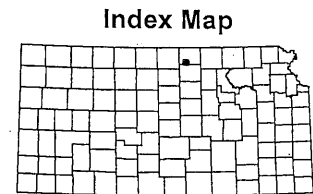
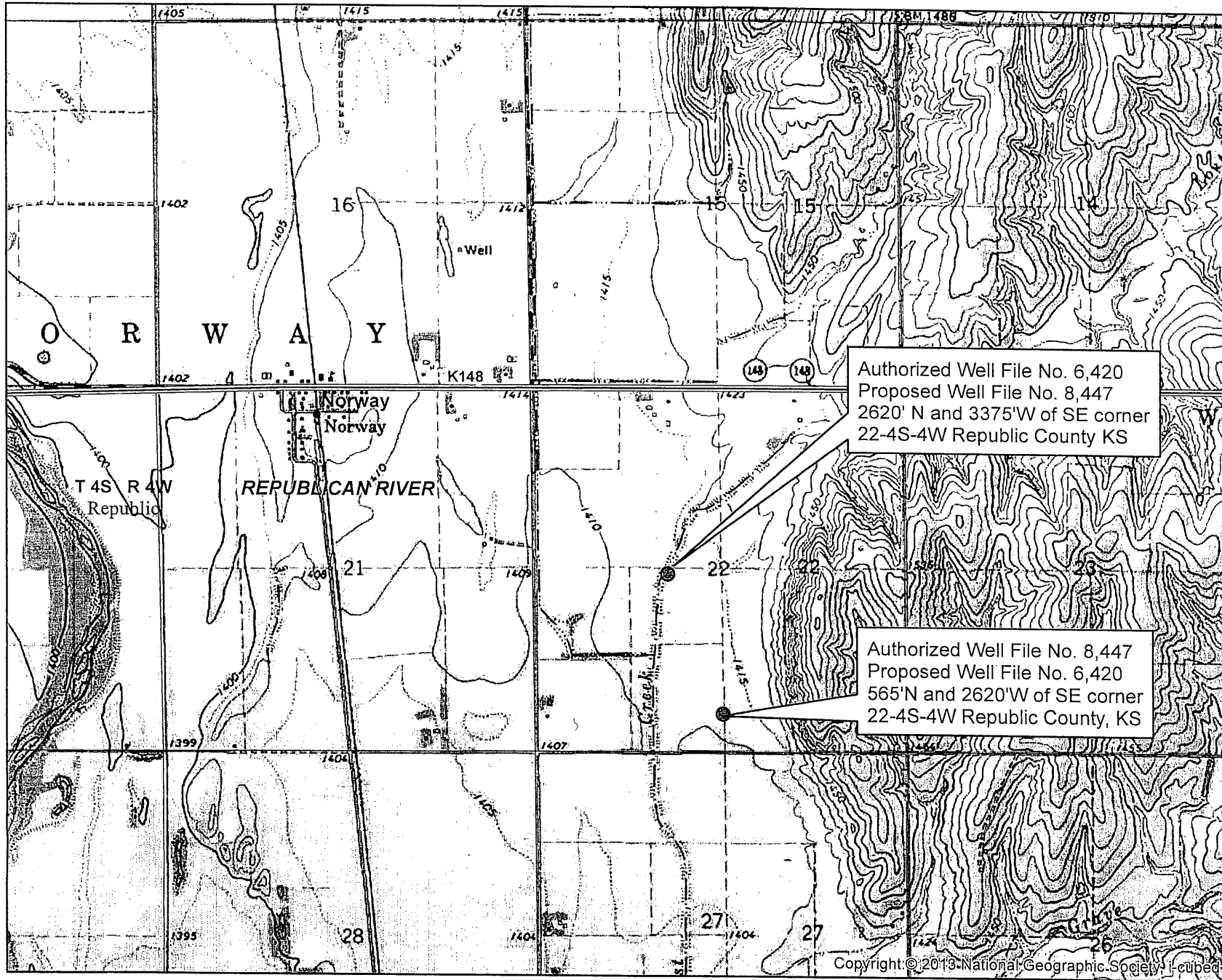
RAK

Enclosure

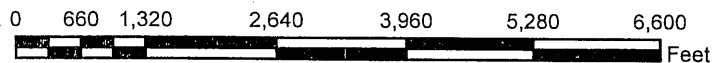
pc: Stockton Field Office
Don Thompson
Opal M. Thompson

Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

SCANNED



1:24,000



This map was created by WIMAS on 9/12/2017 10:39:34 AM

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

MIKKEL STENSAAS
1090 YOUNG RD
CONCORDIA KS 66901

September 14, 2017

RE: Water Right
File Nos. 6,420 and 8,447

Dear Sir or Madam:

This is to advise you that Don Thompson and Opal M. Thompson, have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion and places of use under the above referenced file numbers. The water right owners propose to exchange the authorized quantities and diversion rates between their currently authorized wells. Enclosed is map for your reference.

The application for File No. 6,420 proposes the following change in point of diversion:

- from: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,
- to: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

The application for File No. 8,447 proposes the following change in point of diversion:

- from: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,
- to: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

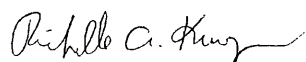
You are being notified of these proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

OVER →

RE: File Nos. 6,420 and 8,447

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,



Richelle A. Krueger
Environmental Scientist
Change Application Unit

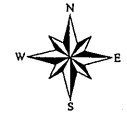
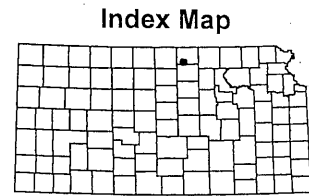
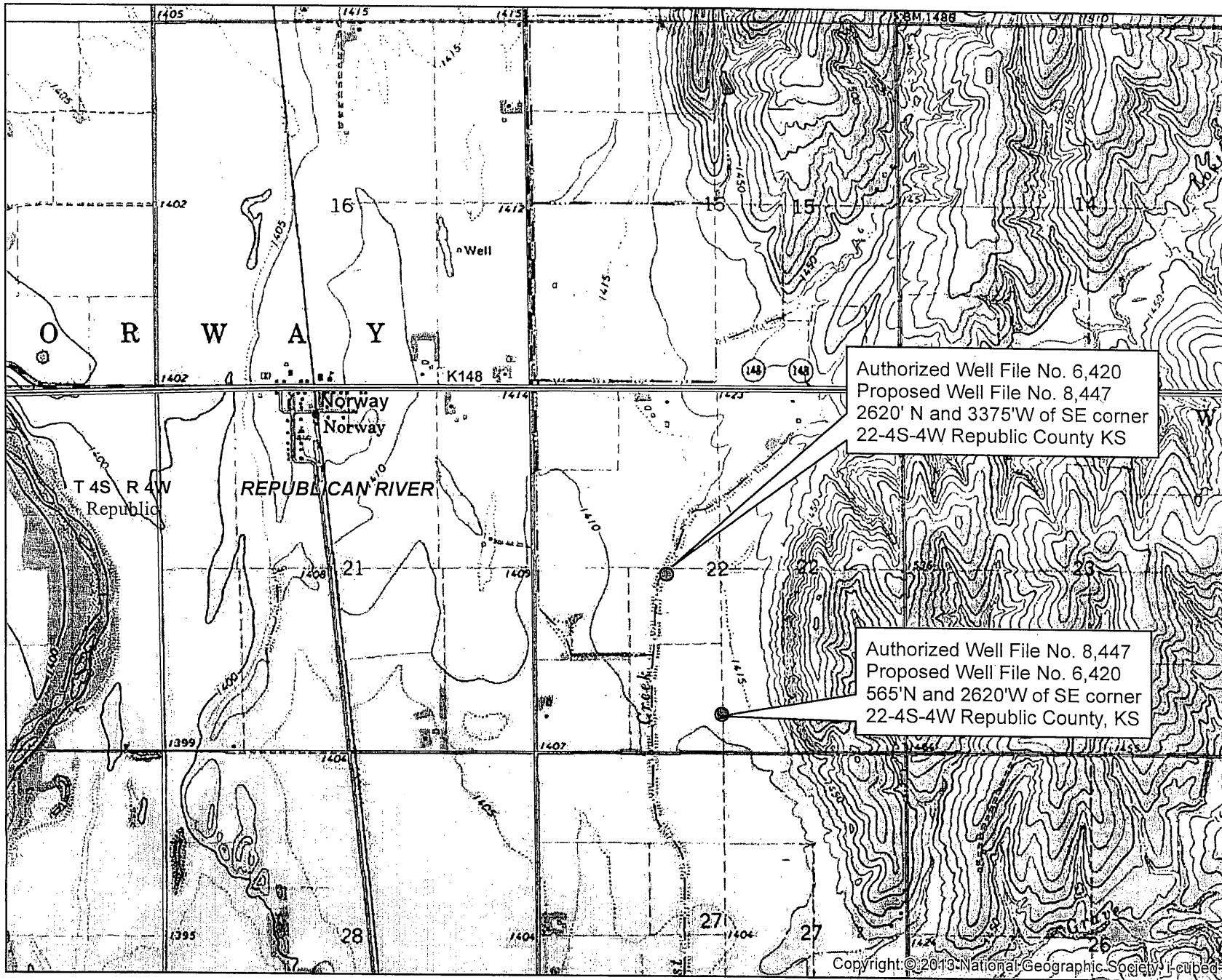
RAK

Enclosure

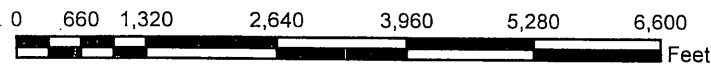
pc: Stockton Field Office
Don Thompson
Opal M. Thompson

Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

SCANNED



1:24,000



This map was created by WIMAS on 9/12/2017 10:39:34 AM

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

ELAINE H PLOWMAN TRUST NO 1
1820 L ST #APT 8
BELLEVILLE KS 66935-2763

September 14, 2017

RE: Water Right
File Nos. 6,420 and 8,447

Dear Sir or Madam:

This is to advise you that Don Thompson and Opal M. Thompson, have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the points of diversion and places of use under the above referenced file numbers. The water right owners propose to exchange the authorized quantities and diversion rates between their currently authorized wells. Enclosed is map for your reference.

The application for File No. 6,420 proposes the following change in point of diversion:

- from: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,
- to: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 114 acre-feet of water per calendar year at a diversion rate not in excess of 1,070 gallons per minute (2.38 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

The application for File No. 8,447 proposes the following change in point of diversion:

- from: one (1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 22, more particularly described as being near a point 565 feet North and 2,620 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas,
- to: one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, more particularly described as being near a point 2,620 feet North and 3,375 feet West of the Southeast corner of said section, in a quantity not to exceed 75 acre-feet of water per calendar year at a diversion rate not in excess of 600 gallons per minute (1.34 c.f.s.), in Township 4 South, Range 4 West, Republic County, Kansas.

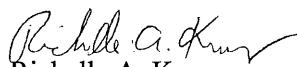
You are being notified of these proposed changes in the points of diversion so that you may furnish this office such comments or other information you may desire to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

OVER →

RE: File Nos. 6,420 and 8,447

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Change Application Unit

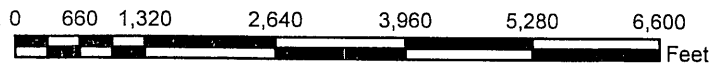
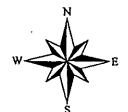
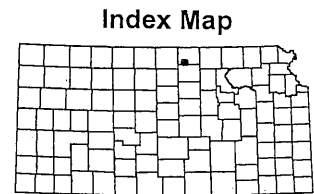
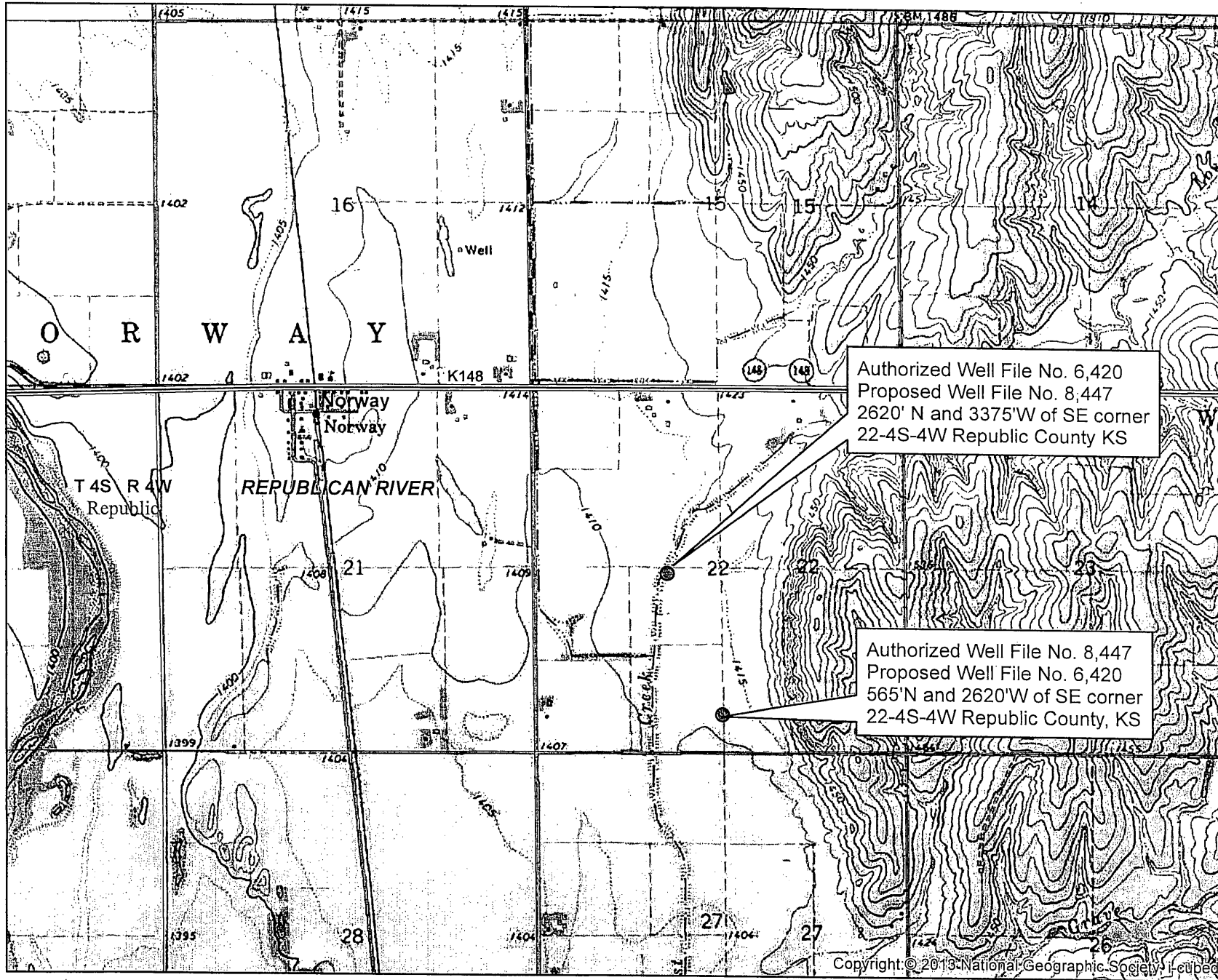
RAK

Enclosure

pc: Stockton Field Office
Don Thompson
Opal M. Thompson

Proposed Changes in Point of Diversion File Nos. 6,420 and 8,447

SCANNED



1:24,000

This map was created by WIMAS on 9/12/2017 10:39:34 AM



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

September 7, 2017

COPY

OPAL M THOMPSON
1068 XAVIER RD
CONCORDIA KS 66901

RE: Water Right, File No. 8,447

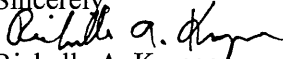
Dear Ms. Thompson,

Reference is made to the application for approval of the Chief Engineer to change the point of diversion and place of use under the referenced file number which was received in the office of the Chief Engineer on July 21, 2017. Upon review of the application, we find that additional information is needed.

K.A.R. 5-5-5 *Signatures required on change applications* requires in part that all landowners and spouses holding an undetermined portion of the water right must sign the change application. Based on information in this office it appears we need the original notarized signatures of Tom S. and Cynthia S. Thompson. Enclosed is a copy of the application along with an additional blank signature form. If this ownership information is not correct, please submit a copy of the recorded deed to clearly indicate all owners so that our records may be updated.

Please return the original notarized signatures of Tom S. and Cynthia S. Thompson to this office by **October 7, 2017** so that we may continue with processing the referenced application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, 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

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures
pc: Stockton Field Office
Don D. Thompson

SCANNED

Krueger, Richelle

From: Krueger, Richelle
Sent: Thursday, September 7, 2017 7:19 AM
To: Walters, Steven; Stewart, Kelly
Cc: Billinger, Mark; Turney, Brent
Subject: RE: Applications to Change the PD/PU File Nos. 6420 and 8447 Don Thompson/Opal Thompson

Okay, thanks! I will get signature pages in the mail!

From: Walters, Steven
Sent: Wednesday, September 6, 2017 4:57 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>; Krueger, Richelle <Richelle.Krueger@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: RE: Applications to Change the PD/PU File Nos. 6420 and 8447 Don Thompson/Opal Thompson

Richelle,

I just talked to Don Thompson, owner of the other file being changed and the family member spearheading the project, and he informed me that the ownership just changed approximately 2 weeks ago to include Tom and Cynthia. I do not have contact information for Tom and Cynthia, but should you have questions or need information from Don Thompson his cell number is 202-257-1590. Let me know if you have any other questions

Cheers

Steven Walters, Water Conservation
Kansas Department of Agriculture
Division of Water Resources
Stockton Field Office
(785)425-6787
steven.walters@ks.gov
<http://www.agriculture.ks.gov/>

From: Stewart, Kelly
Sent: Wednesday, September 06, 2017 4:22 PM
To: Krueger, Richelle
Cc: Billinger, Mark; Walters, Steven; Turney, Brent
Subject: RE: Applications to Change the PD/PU File Nos. 6420 and 8447 Don Thompson/Opal Thompson

Richelle,

I have no objection to the waiver. I think we have sufficient precedence for this action.

Mark or Steven, can you check the files to see what we have on ownership?

Kelly

From: Krueger, Richelle
Sent: Wednesday, September 6, 2017 3:25 PM
To: Stewart, Kelly <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark <Mark.Billinger@ks.gov>; Walters, Steven <Steven.Walters@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: Applications to Change the PD/PU File Nos. 6420 and 8447 Don Thompson/Opal Thompson

Good Afternoon!

I have begun reviewing the referenced change apps which propose to flip flop the authorized rates and quantities between the authorized wells and create a complete overlap in pu between the files. The application for File No. 8447 is requesting a waiver of K.A.R.5-5-13 however a smaller quantity and rate will be authorized closer to the Republican River.

Do you have any objections to the K.A.R.5-5-13 waiver in this case?

Also, WRIS shows Opal Thompson Family Trust as owner of the current pu of File No. 8447 but Republic Co. Parcel Search shows Opal M Thompson and Tom S. and Cynthia S. Thompson as owners. Only Opal signed the application. Do you have any info in the file such as a deed or other info that shows her as the only owner? If not, I will need to get additional signatures.

Thanks for any info you have on this file.

Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@ks.gov (please note e-mail address change)
www.ksda.gov/dwr



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

DON DUANE THOMPSON
18720 PINE RD
ARGOS, IN 46501

FILE COPY

July 3, 2017

RE: File No 6420

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/PD
- 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 Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STOCKTON Field Office GMD