

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET & OWNERSHIP CHANGE**

Document Signature lpl

1. File Number: <b>6532</b>	2. Status Change Date: <b>5/26/2017</b>	3. Change Num: <b>C3</b>	4. Field Office: <b>3</b>	5. GMD:	
6. Status: <input checked="" type="checkbox"/> Approved Return <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to				7. Filing Date of Change: <b>3/20/2017</b>	
8a. Applicant(s) New to system <input type="checkbox"/>  <b>ROBISON FARMS INC 1390 70 RD PO BOX 183 SCANDIA KS 66966-0183  ADDRESS UPDATE TO ADD PO BOX</b>		Person ID <b>60344</b> Add Seq# _____	8c. Landowner(s) New to system <input checked="" type="checkbox"/>  <b>ROBISON FARMS #2 LLC DOYLE ROBISON &amp;/OR DELTON ROBISON 1390 70 RD ↵ PO BOX 183 ↵ SCANDIA KS 66966-183  PER KSGOV PARCEL DATA &amp; CHG APP</b>		
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/>  <b>ROBISON FARMS INC 1390 70 RD ↵ PO BOX 183 ↵ SCANDIA KS 66966-0183  ADDRESS UPDATE TO ADD PO BOX</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/17</b> <input type="checkbox"/> N & P Date to Comply: _____					
<input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter					
<input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____					
10. Use Made of Water    From: _____    To: _____					
Date Prepared: <b>5/17/17</b> By: <b>LI</b> Date Entered: <b>6/6/2017</b> By: <b>UM</b>					

File No. **6532**      11. County: **RP**      Basin: **REPUBLICAN RIVER**      Stream: **REPUBLICAN RIVER**      Formation Code: **NA**      Special Use: **NA**

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

**NO CHANGE**

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

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) **NONE NO CHANGE**  
 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
T MOD DEL ENT	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
						¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼								
						<b>MOD 28890</b>	<b>25</b>	<b>2</b>	<b>5W</b>	<b>2</b>											<b>LT 5 6.5</b>				<b>29.5</b>	<b>28.0</b>	<b>64</b>	<b>8C</b>	<b>YES</b>
<b>MOD 52670</b>	<b>36</b>	<b>2</b>	<b>5W</b>	<b>3</b>	<b>LT 1 7.0</b>	<b>LT 2 21.0</b>			<b>LT 2 3.0</b>												<b>31</b>	<b>8C</b>	<b>YES</b>	<b>39260</b>					

Comments:

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

**M E M O R A N D U M**

**TO:** Files

**DATE:** May 25, 2017

**FROM:** Leslie Ireland

**RE:** Water Right,  
File Nos. 2,806; 6,532 & 39,260  
Appropriation of Water, File No. 46,868

Doyle Robison along with Delton Robison on behalf of Robison Farms #2, LLC, are requesting to change the irrigated place of use. The applications for change in place of use under File Nos. 6,532 & 39,260 were received on March 20, 2017. Requests to reduce and more accurately define the place of use were filed at the same time for File Nos. 2,806 & 46,868.

The referenced water rights are considered in compliance with both K.S.A. 82a-718 and K.S.A. 82a-732. The required notice for the requested changes were sent to the identified nearby well owners. No comments were received.

The county appraiser's records indicate the ownership of referenced files has changed from that listed in the WRIS database. Robison Farms #2 LLC is now the owner of any of the acres authorized by these rights. The applications are to resolve a mix of partial overlaps, and the irrigation of unauthorized acres. The rights all authorize the diversion of surface water, with File Nos. 39,260 & 46,868 subject to MDS restrictions. The rights are in the Republican River area, but these changes do not appear to be subject to the Republican River Compact. The location will require lot descriptors in the description of the place of use.

The change applications for Files 6,532 and 39,260 propose irrigated acres under an east-west half pivot located in the Southeast Quarter of Section 25 and the Northeast Quarter of Section 35. Staff at the Stockton Field Office determined the two overlapping rights developed 97.5 base acres. The applications propose to change the irrigated acres from 92 to 95 authorized acres in Sections 25 and 36 of Township 2, Range 5 West, in Republic County, Kansas. It appears the change in place of use under File Nos. 6,532 & 39,260 comply with part b of K.A.R. 5-5-11 and the historical consumptive use will not increase as required by K.A.R. 5-5-3. The total combined 137 acre-feet will provide 1.44 acre-feet per acre which is considered reasonable for this area that historically allowed 1.5 acre-foot per acre. The quantity available complies with K.A.R. 5-3-23. The changes under File Nos. 6,532 & 39,260, will remove a partial overlap that currently exists with File No. 46,868.

The Findings and Orders for File Nos. 2,806 & 46,868, will clean up the edges of a Northwest-Southeast half pivot and more accurately define the lots from the historical quarter-quarter descriptions. The 75 acres that will remain are mostly in the Northeast Quarter (NE $\frac{1}{4}$ ), with only 7 acres in the Southeast Quarter (SE $\frac{1}{4}$ ), all in Section 36, Township 2, Range 5 West, Republic County. The reduction to 75 acres would result in the limited 96 acre-feet providing 1.28 acre-feet per acre. To comply with K.A.R. 5-3-23, the quantity under File No. 46,868 will need to be reduced to 90 acre-feet and the additional limitation modified to 90 acre-feet when combined with File No. 2,806. On May 25, 2017, I spoke with Doyle Robison about the needed reduction in quantity. He agreed to the reduction and the requested was modified. The reductions and changes will also help with the draft certificate for File No. 46,868.

Field checks indicate the pumpsites are located as authorized. The change approvals will require the instillation of water flowmeters. The WIRS database indicates acceptable meters are installed on the pumpsites authorized by the referenced files. The approvals will require that if chemigation will be utilized, a check valve is required to be installed and maintained. Riffle, MDS and water level measurement tube requirements and approval wording are not applicable to the approvals or reductions.

Kelly Stewart, Water Commissioner of the Stockton Field Office, was contacted for a recommendation on the proposed changes and reductions in place of use. He recommended approval of the package per his email dated May 18, 2017. He was contacted on May 22, 2017, to inform him of the reduction and the modification of the additional limitation to File No. 46,868.

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



Leslie Ireland  
Environmental Scientist

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

June 7, 2017

ROBISON FARMS # 2 LLC  
DOYLE ROBISON & DELTON ROBISON  
1390 70 RD  
PO BOX 183  
SCANDIA KS 66966-0183

**FILE COPY**

RE: Water Right, File Nos. 2,806; 6,532 & 39,260  
Appropriation of Water, File No. 46,868

Dear Sirs:

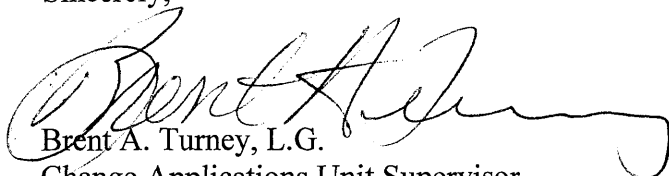
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under File Nos. 6,532 & 39,260, along with the Findings and Order for File Nos. 2,806 & 46,868.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. All the referenced files must have an acceptable water flowmeter must be installed for each of the diversion works authorized under the files. Records in this office indicate that meters are currently installed, however if that has changed please contact our staff at the Stockton Filed Office, at (785) 425-6787.

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

Sincerely,



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

BAT:LI:li  
Enclosures  
pc: Stockton Field Office



**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  
 WATER RIGHT, FILE NO. 6,532**

**FILE COPY**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Doyle Robison and Delton Robison on behalf of Robison Farms #2 LLC, 1390 70 Road, PO Box 183, Scandia, Kansas 66966-0183, received in the office of the Chief Engineer on March 20, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated August 6, 1999, approving the application to change the point of diversion and place of use, and by the Correction Order of the Chief Engineer dated August 30, 1999, correcting the point of diversion, and by the Order of the Chief Engineer dated November 19, 2002, approving the application to change the place of use, and by the Order of the Chief Engineer dated December 1, 2003, approving the application to change the point of diversion, 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
	Lot 1	Lot 2	SW¼	SE¼	Lot 2	NW¼	SW¼	SE¼	NE¼	NW¼	Lot 5	SE¼	NE¼	NW¼	SW¼	SE¼	
25 2 S 5 W											6.50				29.50	28.00	64.00
36 2 S 5 W	7.00	21.00			3.00												31.00

a total of 64.0 acres in Section 25, and 31.0 acres in Section 36,  
 both in Township 2 South, both in Range 5 West, Republic County, Kansas,

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

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. 6,532, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated July 27, 1966, as modified and amended by the aforementioned orders.

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 20<sup>th</sup> day of May, 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 20<sup>th</sup> day of May, 2017, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson  
Notary Public

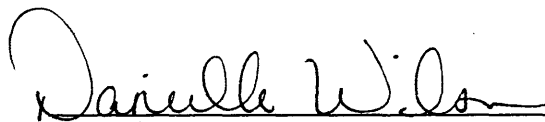
**CERTIFICATE OF SERVICE**

On this 7<sup>th</sup> day June, 2017, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 6,532 dated, May 26, 2017 was mailed postage prepaid, first class, US mail to the following:

Robison Farms #2 LLC  
Doyle Robison & Delton Robison  
1390 70 Rd  
PO Box 0183  
Scandia, KS 66966-0183

With photocopies sent to:

Stockton Field Office

  
Division of Water Resources



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

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



State of Kansas

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

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

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

- Place of Use  
 Point of Diversion  
 Use Made of Water

(Check one or more)

WATER RESOURCES  
RECEIVED  
MAR 20 2017  
1:52  
KS DEPT OF AGRICULTURE

File No. 6,532

2. Name of applicant: Robison Farms

Address: PO Box 183

City, State and Zip: Scandia, KS 66966-0183

Phone Number: (785)335-2649 E-mail address: robisonfarms@yahoo.com

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

Name of water use correspondent: same as above

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): remove partial overlap with File 46,868 & authorize 3 unauthorized acres under pivot.

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

<b>For Office Use Only:</b>					
F.O. Code	<u>3</u>	GMD	<input type="radio"/>	Meets K.A.R. 5-5-1	<input checked="" type="radio"/> YES / <input type="radio"/> NO
Use	<u>FER</u>	Source	<u>G</u>	County	<u>RP</u>
Fee	<u>\$ 200</u>	TR #		Receipt Date	<u>3/20/17</u>
By	<u>AW</u>	Date	<u>3/20/17</u>	Check #	<u>10427</u>

APPLICATION COMPLETE  
3/17/17  
Reviewer LI

Assisted by: jkb - Stock FO

SCANNED

3/23/2017 LLM

4. The presently authorized place of use is:

Owner of Land — NAME: Charles & Judith Robison Trust

ADDRESS: PO Box 183, Scandia, KS 66966-0183

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	
25	02	05w										27	27			13		67	
36	02	05w	25															25	
																		92	

List any other water rights that cover this place of use. 39,260; 46,868 (partial overlap Sec 36)

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: Robison Farms #2 LLC

ADDRESS: 1390 70 Rd, Scandia, KS 66966-8020

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			Lot 1	Lot 2	SW¼	SE¼	Lot 2	NW¼	SW¼	SE¼	NE¼	NW¼	Lot 5	SE¼	NE¼	NW¼	SW¼	SE¼	
25	02	05w										6.5				29.5	28	64	
36	02	05w	7	21			3											31	
																		95	

List any other water rights that cover this place of use. 39,260

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**

6. The presently authorized point(s) of diversion (is) (are) One (1) pumpsite Lot 2  
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) No change  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**  
 One in the Lot 2 Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_  
 of Section 36, Township 2 South, Range 5 W,  
 in Republic County, Kansas, 5105 feet North 3025 feet West of Southeast corner of section.  
 Authorized Rate 900 Authorized Quantity 56  
 (DWR use only: Computer ID No. 05 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 the \_\_\_\_\_  
 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 the \_\_\_\_\_  
 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 the \_\_\_\_\_  
 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 the \_\_\_\_\_  
 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 the \_\_\_\_\_  
 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 \_\_\_\_\_

WATER RESOURCES RECEIVED  
MAR 20 2017  
KS DEPT OF AGRICULTURE

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

SCANNED

12. The presently authorized use of water is for irrigation purposes.  
It is proposed that the use be changed to N/A purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
Change is necessary to remove a partial overlap with File 46,868 and authorize 3 acres under pivot not currently authorized. Files 6,532 and 39,260 have approximately 130.5 base acres per a memo in the file.  
\_\_\_\_\_  
\_\_\_\_\_  
(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](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
- a. If a change in the location of the point(s) of diversion is proposed, show:
    - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
    - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
    - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
  - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.  
Applications for Change in Place of Use for Files 6,532 & 39,260 should be processed along with Requests to Reduce under Files 2,806 & 46,868. Changes and reductions are necessary to remove partial overlaps and allow a draft certifiante to be issued under File 46,868.  
\_\_\_\_\_  
\_\_\_\_\_
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**

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.

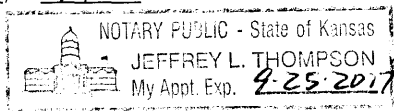
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application 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 Scandia, Kansas, this 13 day of March, 20 17.

<u>Doyle Robison</u> (Owner)	_____	(Spouse)
<u>Doyle Robison</u> (Please Print)	_____	(Please Print)
<u>Delton Robison</u> (Owner)	_____	(Spouse)
<u>Delton Robison</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas )  
County of Republic ) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13<sup>th</sup> day of March, 20 17.



[Signature]  
Notary Public

My Commission Expires \_\_\_\_\_

**FEE SCHEDULE**

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

- (1) Application to change a point of diversion 300 feet or less . . . . . \$100
- (2) Application to change a point of diversion more than 300 feet . . . . . \$200
- (3) Application to change the place of use . . . . . \$200
- (4) Application to change the use made of the water . . . . . \$300

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

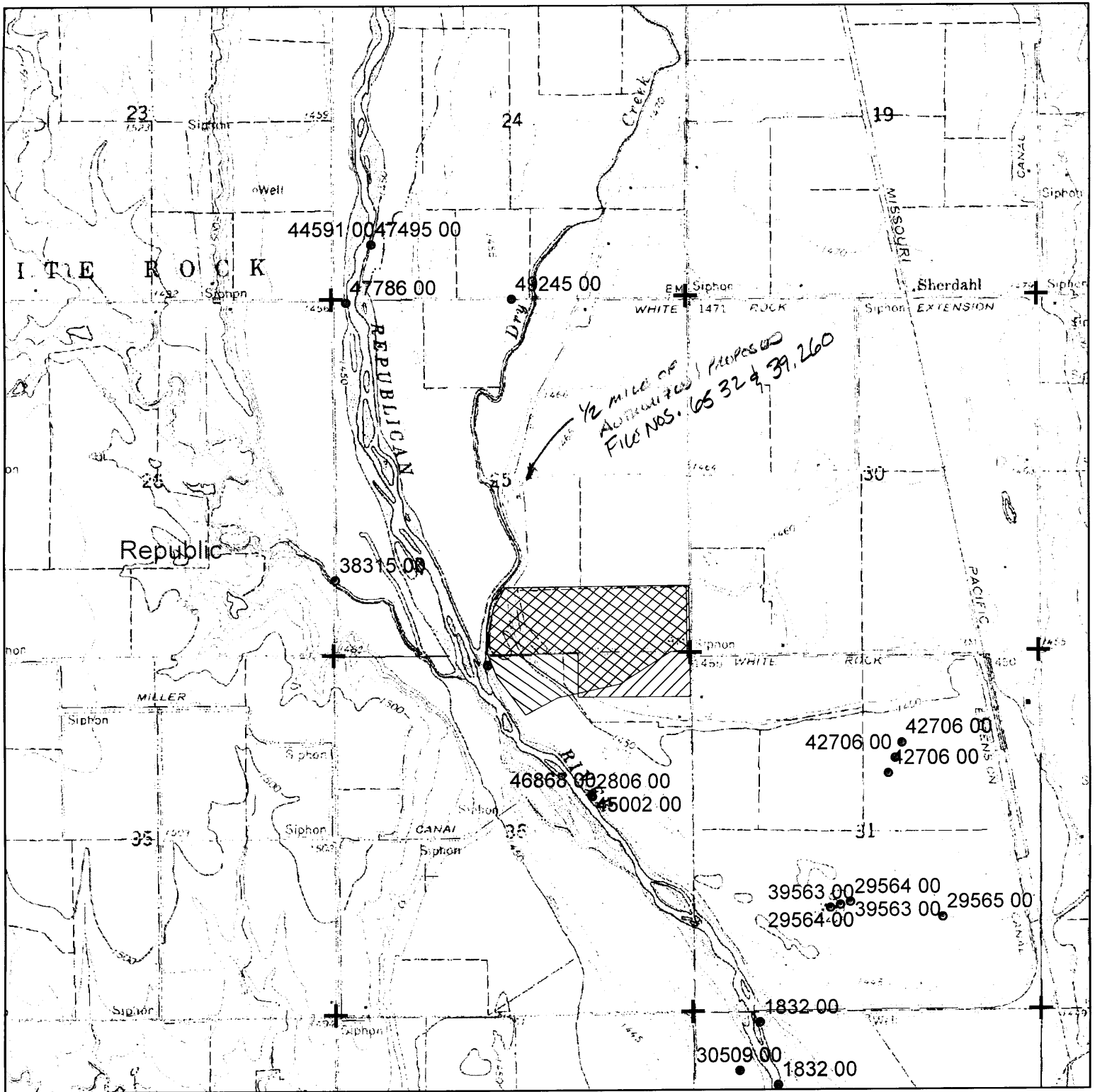
**WATER RESOURCES  
RECEIVED**

**MAR 20 2017**

**KS DEPT OF AGRICULTURE**

**SCANNED**

# Application for Change in Place of Use Water Right, File No. 6,532 & 39,260



- +** Section Corners
  - Currently Authorized Place of Use
  - Proposed Place of Use
- WATER RESOURCES RECEIVED**

All landowners within 1/2 mile upstream and downstream of the property lines have been identified on this map:



1:24,000

**MAR 20 2017**

**SCANNED**

Ireland, Leslie

---

**From:** Stewart, Kelly  
**Sent:** Thursday, May 18, 2017 10:25 AM  
**To:** Ireland, Leslie  
**Cc:** Billinger, Mark; Hageman, Rebecca  
**Subject:** Re: Recommendation of Change, File Nos 6532\_39260 Chg PU 5-5-11(b) & Reduce PU\_2806\_46868\_3\_0

Leslie,

I'll recommend approval if you'll change Steward to Stewart in the memo. 😊

Sent from my iPhone

On May 17, 2017, at 12:15 PM, Ireland, Leslie <[Leslie.Ireland@ks.gov](mailto:Leslie.Ireland@ks.gov)> wrote:

Kelly,

Attached is the summary memo for the Robison Farms changes and reductions.

Please let me know if you could recommend the package.

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](mailto:Leslie.Ireland@ks.gov)  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

<6532x\_PU Chg\_Reduce PU\_5-5-11\_\_3\_0.doc>



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

May 12, 2017

EVERETT L JOHNSON REV TRUST  
PO BOX 77  
SCANDIA KS 66966-0077

RE: Water Right, File Nos. 6,532 & 39,260

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. This notice is to inform you that the owner of the referenced appropriations of water has filed application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Water Right, File Nos. 6,532 & 39,260, proposes a change in the place of use shifting acres from the Southwest Quarter to the Southeast Quarter of Section 25, and a redistribution of the authorized acres in the Northeast Quarter of Section 36, all in Township 2 South, Range 5 West, Republic County.

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



AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 39260 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 39260 00 IRR

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

5104 Feet North and 3025 Feet West of the Southeast Corner of Section 36 T 2S R 5W

Both SURFACE WATER and GROUNDWATER

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth	Quan	Add_Quan	Unit
A 2806 00	IRR NK S			2478	--	--	--	--	3170	1475	36	2	5W	6			45.00	45.00	AF
A 6532 00	IRR NK S*			0	--	--	--	--	5104	3025	36	2	5W	5			56.00	56.00	AF
A 29564 00	IRR NK G			6314	--	--	--	--	1553	2955	31	2	4W	11	G	2	134.00	134.00	AF
Same				6217	--	--	--	--	1511	3102	31	2	4W	2	B	2			
Same				6414	--	--	--	--	1595	2807	31	2	4W	4	B	2			
A 38315 00	IRR NK S			2586	--	--	--	--	1100	5260	25	2	5W	5			48.00	48.00	AF
A 39260 00	IRR NK S*			0	--	--	--	--	5104	3025	36	2	5W	5			81.00	81.00	AF
A 39563 00	IRR NK G			6314	--	--	--	--	1553	2955	31	2	4W	11	G	2	64.00	26.00	AF
Same				6217	--	--	--	--	1511	3102	31	2	4W	2	B	2			
Same				6414	--	--	--	--	1595	2807	31	2	4W	4	B	2			
A 42706 00	IRR NK G			6209	--	NW	SW	NE	3700	2130	31	2	4W	8	G	2	115.00	115.00	AF
Same				6166	--	NW	SW	NE	3477	2231	31	2	4W	9	B	2			
Same				6263	--	NW	SW	NE	3922	2028	31	2	4W	10	B	2			
A 44591 00	IRR LR S			6452	--	NW	SW	SW	762	4690	24	2	5W	5			73.00	73.00	AF
A 45002 00	IRR MM S			2457	--	--	--	--	3190	1485	36	2	5W	7			200.00	200.00	AF
A 46868 00	IRR MM S			2457	--	--	--	--	3190	1485	36	2	5W	8			96.00	51.00	AF
A 47495 00	IRR KK S			6452	--	NW	SW	SW	762	4690	24	2	5W	5			65.00	65.00	AF
A 47786 00	IRR KE S			5769	--	NW	NW	NW	5210	5078	25	2	5W	10			192.00	144.00	AF
A 49245 00	IRR AY G			5441	--	NW	NW	NE	5250	2620	25	2	5W	11			3.00	3.00	AF

APPLICANTS

NOTICE SENT

10/12/15  
RETURNED  
BUT OWNER  
IS APPLICANT

c) NW 1/4 31-  
d) SE 1/4 30-24W  
APPLICANTS b

APPLICANTS

APPLICANT  
IS  
OWNER

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	3.00	.00
Total Permitted Amount (AF) =	209.00	.00
Total Inspected Amount (AF) =	73.00	.00
Total Pro_Cert Amount (AF) =	251.00	.00
Total Certified Amount (AF) =	505.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	1041.00	.00

An \* after the source of supply indicates a pending application for change under the file number.

An \* after the ID indicates a 15 AF exemption was granted under the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

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

5104 Feet North and 3025 Feet West of the Southeast Corner of Section 36 T 2S R 5W

Both SURFACE WATER and GROUNDWATER

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A 2806 00	IRR NK S		
>	CHARLES S & JUDITH ROBISON TRUST		
>			
>	PO BOX 183		
>	SCANDIA KS 66966		

Print Page

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**The Parcel Number for this Property is 079-067-25-0-00-00-004.00-0**  
**Quick Ref ID: 1603**

**Owner Information**

<b>Owner Name</b>	ROBISON FARMS #2 LLC
-------------------	----------------------

**Property Situs Address**

<b>Address</b>	00000 70 RD, WHITE, KS 66939
----------------	------------------------------

**Land Based Classification System**

<b>Function</b>	Farming / ranch land (no improvements)
<b>Activity</b>	Farming, plowing, tilling, harvesting, or related activities
<b>Ownership</b>	Private-fee simple
<b>Site</b>	Dev Site - crops, grazing etc - no structures

**General Property Information**

<b>Prop Class</b>	Agricultural Use - A
<b>Living Units</b>	
<b>Zoning</b>	
<b>Neighborhood</b>	600.R
<b>Tax Unit Group</b>	070

**2017 Appraised Value**

Class	Total
Agricultural Use - A	38,850
<b>Total</b>	<b>38,850</b>

**Tract Description**

S25, T02, R05W, ACRES 79.9, S 990' SE 1/4, S 990' LT 5 EX ROW (RIVER LOTS A) IRRIG 3.2 AC(C)
--

**Deed Information**

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
403	515-517	390	487-489	385	483-485	0286	0156

**Agricultural Land**

Ag Type	Ag Acres	Soil Unit	Irr Type	Well Depth	Acre Feet	Acre Ft/Ac	Adj Code	Govt Prog	Base Rate	Adj Rate	Ag Value

Dry Land - DR	4.3	3580				0			309	309	1,330
Dry Land - DR	3.9	3778				0			438	438	1,710
Irrigated Land - IR	57.4	3777	D	Ditch		0			587	587	33,690
Irrigated Land - IR	1.5	3778	D	Ditch		0			627	627	940
Native Grass - NG	10.2	3580				0			99	99	1,010
Native Grass - NG	1	3611				0			147	147	150
Native Grass - NG	1.6	9999				0			10	10	20

**Ag Land Summary**

<b>Dry Land Acres</b>	8.2
<b>Irrigated Acres</b>	58.9
<b>Native Grass Acres</b>	12.8
<b>Tame Grass Acres</b>	0
<b>Total Ag Acres</b>	79.9
<b>Total Ag Use Value</b>	38,850
<b>Total Ag Market Value</b>	447,440

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THOMSON REUTERS

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**The Parcel Number for this Property is 079-067-36-0-00-00-001.01-0**  
**Quick Ref ID: 1616**

**Owner Information**

<b>Owner Name</b>	ROBISON FARMS #2 LLC
-------------------	----------------------

**Property Situs Address**

<b>Address</b>	00000 70 RD, WHITE, KS 66939
----------------	------------------------------

**Land Based Classification System**

<b>Function</b>	Farming / ranch land (with Ag improvements)
<b>Activity</b>	Farming, plowing, tilling, harvesting, or related activities
<b>Ownership</b>	Private-fee simple
<b>Site</b>	Dev Site - crops, grazing etc - with structures

**General Property Information**

<b>Prop Class</b>	Agricultural Use - A
<b>Living Units</b>	
<b>Zoning</b>	
<b>Neighborhood</b>	600.R
<b>Tax Unit Group</b>	074

**2017 Appraised Value**

Class	Total
Agricultural Use - A	107,120
<b>Total</b>	<b>107,120</b>

**Tract Description**

S36, T02, R05W, ACRES 161.5, RIVER LTS 1, 2 & 6 LESS 300'X 3 00'TR & LESS 300'X 436'TR & RO W
---

**Building Permit Information**

Permit Number	Amount	Issue Date	Description
2806			Water Right - Irrigation
46868			Water Right - Irrigation
45002			Water Right - Irrigation
39260			Water Right - Irrigation
6532			Water Right - Irrigation

**Deed Information**

Book1	Page1	Book2	Page2	Book3	Page3	Book4	Page4
403	515-517	390	487-489	385	483-485	0284	0397

*31 acres*

**Other Improvements**

No	Occupancy	MSCLs	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls
59	Farm Utility Building	P	2.00	1	1994			768	112	14	24 X 32	1	3	3				
60	Tool Shed	C	1.00	1	1946			800	120	8	40 X 20	1	1	2				
61	Farm Utility Building	P	2.67	1	1988			7,128	372	14	132 X 54	1	3	3				
62	Site Improvements	S	2.00	1	1957			10	50	8	11 X 14	1	1	2				
63	Farm Utility Arch-rib, Quon.	S	1.00	1	1960			1,920	184	16	60 X 32	1	3	3				
64	Site Improvements	S	2.00	1	1970			10	82	8	17 X 24	1	3	3				
66	Site Improvements	S	2.00	1	1987			10	96	8	18 X 30	1	3	3				
67	Site Improvements	S	2.00	1	1987			10	104	8	22 X 30	1	3	3				

**Other Improvement Components**

No	Code	Units	Pct	Size	Other	Rank	Year
59	No HVAC					2.00	
59	Single -Metal on Wood Frame		100			2.00	
60	Concrete Block		100				
61	No HVAC					2.00	
61	Single -Metal on Wood Frame		100			2.00	
62	Steel Bin, Concrete Slab Floor, 1-14 ft.diameter	4		11	14		
62	Steel Bin, without Drying, 1-14 ft.dia.,11 ft. hgt	4		10			
64	Steel Bin, Concrete Slab Floor	1		17	24		
64	Steel Bin, with Drying, 15' - 29' Dia.	1		17	24		
66	Steel Bin, Concrete Slab Floor	1		18	30		
66	Steel Bin, without Drying, 30' - 59' Dia.	1		18	30		
67	Steel Bin, Concrete Slab Floor	1		22	30		
67	Steel Bin, without Drying, 30' - 59' Dia.	1		22	30		

**Agricultural Land**

Ag Type	Ag Acres	Soil Unit	Irr Type	Well Depth	Acre Feet	Acre Ft/Ac	Adj Code	Govt Prog	Base Rate	Adj Rate	Ag Value
Dry Land - DR	0.8	2113				0			111	111	90
Dry Land - DR	0.2	2202				0			309	309	60
Dry Land - DR	16.4	3580				0			309	309	5,070
Dry Land - DR	0.4	3777				0			498	498	200
Dry Land - DR	4.9	3778				0			438	438	2,150
Irrigated Land - IR	25.7	3777	D	Ditch		0			587	587	15,090
Irrigated Land - IR	14.1	2113	C	100	88	1			666	766	10,800
Irrigated Land - IR	16.1	2202	C	100	88	1			640	736	11,850
Irrigated Land - IR	43	3580	C	100	88	1			640	736	31,650
Irrigated Land - IR	1.8	3777	C	100	88	1			693	797	1,430
Irrigated Land - IR	4	3778	C	100	88	1			732	842	3,370
	0.4	3580				0			99	99	40

Native Grass - NG											
Native Grass - NG	2.3	3777				0			99	99	230
Native Grass - NG	1.5	3778				0			99	99	150
Native Grass - NG	3.1	2117				0			111	111	340
Native Grass - NG	17	3580				0			99	99	1,680
Native Grass - NG	9.8	9999				0			10	10	100

**Ag Land Summary**

<b>Dry Land Acres</b>	22.7
<b>Irrigated Acres</b>	104.7
<b>Native Grass Acres</b>	34.1
<b>Tame Grass Acres</b>	0
<b>Total Ag Acres</b>	161.5
<b>Total Ag Use Value</b>	84,300
<b>Total Ag Market Value</b>	780,680

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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

**FILE COPY**

March 20, 2017

ROBISON FARMS  
PO BOX 183  
SCANDIA, KS 66966

RE: File No. MP 6532

Dear Sir or Madam:

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

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

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

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

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

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

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

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

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

BAT: dlw  
pc: STOCKTON Field Office    GMD

**SCANNED**