

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

Document Signature LPL

1. File Number: 38315	2. Status Change Date: <u>10/17/2018</u>	3. Change Num: 3	4. Field Office: 01	5. GMD:
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change:
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8a. Applicant(s) Person ID 26240
 New to system Add Seq# 1

**DENNIS ERKENBRACK
 551 PAWNEE TRAIL
 REPUBLIC KS 66964**

8c. Landowner(s) Person ID 66383
 New to system Add Seq# 1

**KENNETH (DREW) ERKENBRACK
 PO BOX 4
 REPUBLIC KS 66964**

8b. Landowner(s) Person ID 26240
 New to system Add Seq# 1

**DENNIS ERKENBRACK
 551 PAWNEE TRAIL
 REPUBLIC KS 66964**

8d. WUC Person ID 66382
 New to system Add Seq# 1

**DENNIS ERKENBRACK FAMILY TRUST
 551 PAWNEE TRAIL
 REPUBLIC KS 66964**

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

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: **8/7/18** By: **BAT**
 Date Entered: 10/18/2018 By: LLM

File No. **38315** 11. County: RP Basin: Stream: Formation Code: Special Use:

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

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

* 14. Limitation: 78 af/yr at _____ gpm (_____ cfs) when combined with file number(s) Bostwick 1R2 district *
 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 T MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						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	61972	25	2S	5W	6									20.5	19.0						39.5	8c	YES	38315 50,022	
MOD	58001	26	2S	5W	2	29			28							6	13		20.5	24	120.5	8b	YES	38315 50022	

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: August 15, 2018

FROM: Brent A. Turney

RE: Water Right
File No. 38,315
Appropriation of Water
File No. 47,786

Dennis L. and Judith E. Erkenbrack on behalf of the Dennis L. Erkenbrack Family Trust, and Drew and Emily Erkenbrack, owners of the above referenced water rights have filed applications for approval to change the place of use. The applications propose to better define the place of use of the existing 160 acres and also to create a complete overlap in the place of use with new Application, File No. 50,022.

The referenced file number does not appear to be abandoned as per K.S.A. 82a-718.

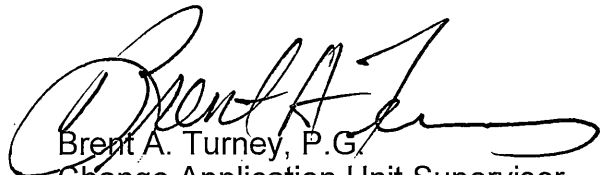
The change in place of use proposes to create a complete overlap in the place of use with new Application, File No. 50,022, for a total of 160 acres. The quantity of water when combined with new Application, File No. 50,022, appears to be reasonable to irrigate the proposed place of use with 1.2 acre-feet of water per acre as per KAR 5-3-23, assuming that all of the proposed acres can be irrigated.

A total of six landowners adjacent to the Republican River were notified of the proposed changes in place of use, no responses were received.

In an email dated today's date, Kelly Stewart, Water Commissioner, Stockton Field Office recommended approval of the referenced changes.

A check valve will be required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the Stockton Field Office recommends approval, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur and that the new application will account for any increase in the consumptive use, the referenced applications should be approved.


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

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

DENNIS ERKENBRACK
551 PAWNEE TRAIL
REPUBLIC KS 66964

October 22, 2018

FILE COPY

RE: Water Right
File Nos. 38,315 & 47,786

Dear Mr. Erkenbrack:

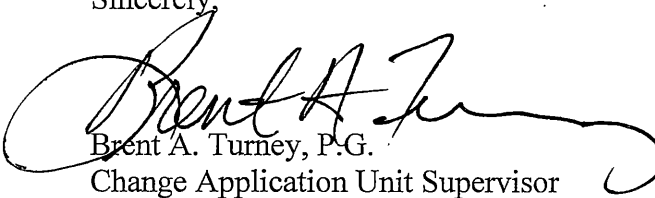
Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced water rights.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced water rights. 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 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 contact this office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


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

BAT
Enclosures
pc: Stockton Field Office
Drew and Emily Erkenbrack



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. 38,315**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Dennis L. and Judith E. Erkenbrack on behalf of the Dennis L. Erkenbrack Family Trust, 551 Pawnee Trail, Republic, Kansas 66964, and Drew and Emily Erkenbrack, PO Box 4, Republic, Kansas 66964 received in this office on March 26, 2018, for approval of a change in the location of the place of use under the Approval of Application, File No. 38,315, for permit to appropriate water for beneficial use, as modified and amended by the order of the Chief Engineer, dated March 11, 2014, approving the application to change the authorized 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, the authorized place of use shall be described as:

Sec Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25 2S 5W										Lot 3 20.5	Lot 6 19.0						39.5
26 2S 5W	29.0			28.0								6.0	13.0		20.5	24.0	120.5

a total of 160 acres in Township 2 South, 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. 38,315, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated April 4, 1995, 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.

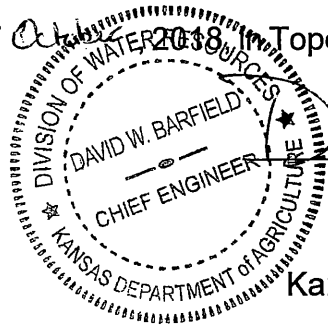
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal 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 17th day of October, 2018, 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 17th day of October, 2018, 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 22nd day of October, 2018, I hereby certify that the attached original Approval of Change in Place of Use, File No. 38,315, dated October 1st, 2018, was mailed postage prepaid, first class, US mail to the following:

Dennis Erkenbrack
551 Pawnee Trail
Republic Ks 66964

With photocopies to:

Stockton Field Office

Drew and Emily Erkenbrack
PO Box 4
Republic KS 66964

Danielle Wilson
Staff

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.

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 26 2018
2:24
KS Dept Of Agriculture**

File No. 38,315

2. Name of applicant: Dennis Erkenbrack

Address: 551 Pawnee Trail,

City, State and Zip: Republic, KS 66964

Phone Number: (785)2433-6204 E-mail address: _____

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): New owner.

As proposed will authorize actual & planned pivot locations. Corresponding change in PU proposed for File 47,486.

Proposed acres completely overlap in PU with new application for surface water in Southeast Quarter of Section 26-02-05w.

The change(s) (will be) completed by on approval

(Date)

For Office Use Only:	
F.O. <u>3</u> GMD <u>8</u>	Meets K.A.R. 5-5-1 (YES / NO) Use <u>IRR</u> Source <u>G/S</u> County <u>2P</u> By <u>AW</u> Date <u>3/26/18</u>
Code <u>CPU</u>	Fee \$ <u>200</u> TR # _____ Receipt Date <u>3/26/18</u> Check # <u>1845</u>

APPLICATION COMPLETE

9/20/18
Reviewer [Signature]

APPLICATION COMPLETE

8/15/18
Reviewer [Signature]

WATER RESOURCES
RECEIVED

SEP 20 2018

Assisted by: jkb - Stock FO
KS DEPT OF AGRICULTURE

4. The presently authorized place of use is:

Owner of Land — NAME: Dennis Erkenbrack

ADDRESS: 551 Pawnee Trail, Republic, KS 66964

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										19	19					38	
26	02	05w	27			27								10	13		24	21	122

List any other water rights that cover this place of use. 47,786

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: Dennis Erkenbrack

ADDRESS: 551 Pawnee Trail, Republic, KS 66964

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										Lot 3 20.5	Lot 6 19						39.5
26	02	05w	29			28								6	13		20.5	24	120.5

List any other water rights that cover this place of use. 47,786 & new application

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 one (1) pumpsite
(Provide description and number of points)
- 7. The proposed point(s) of diversion is 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 4 Quarter of the _____ Quarter of the _____ Quarter
 of Section 25, Township 02 South, Range 05 W,
 in Republic County, Kansas, 1100 feet North 5260 feet West of Southeast corner of section.
 Authorized Rate 450 gpm Authorized Quantity 48
(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 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 n/a

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

Water Resources
Received
MAR 26 2018

SEP 20 2018

KS Dept Of Agriculture

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

It is proposed that the use be changed to No change purposes.

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

No change in total number of authorized acres. File has a complete overlap in PU with App. of Water, File No. 47,786 and accompanying new application in 26-5-02W. Perfection period for File 47,786 does not expire until 2020. Previous owner did not complete all pivots, and did not locate all completed pivots as authorized. Proposed change addresses unauthorized acres and intent of new owner with regard to proposed pivot locations.

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to n/a gallons per minute (____ c.f.s.).

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

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

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

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

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

Change should be processed with Application for Change in PU for File 47,786 and accompanying new surface water application in Section 26-2-5w. No change in source of supply

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

[Faint, illegible text and markings in the bottom left corner, possibly bleed-through from the reverse side of the page.]

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 Courtland, Kansas, this 20 day of 3, 2018.

Dennis L. Erkenbrock
(Owner)

X Judith E. Erkenbrock
(Spouse)

Dennis L. Erkenbrock
(Please Print)

Judith E. Erkenbrock
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(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 20th day of March, 2018.



[Signature]
Notary Public

My Commission Expires 9/6/2021

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

SEP 20 2018

KS DEPT OF AGRICULTURE

Water Resources
Received

MAR 26 2018

KS Dept Of Agriculture

FILE NO. 38,315

1. Janet Weir: 560 King Road Courtland, KS 66939
2. Roger Stafford: 880 80th Rd. Scandia, KS 66966
3. Thayne Larson: 1325 US HWY 36 Belleville, KS
66935
4. Brian Rosene: Address Unavailable
(Contact Person: Steve Howley: 785-527-1010)

WATER RESOURCES
RECEIVED

SEP 20 2018

KS DEPT OF AGRICULTURE

Water Resources
Received

MAR 26 2018

KS Dept Of Agriculture

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 Courthand, Kansas, this 6 day of September, 20 18.

* Drew Erkenbrack
(Owner)

* Emily Erkenbrack
(Spouse)

Drew Erkenbrack
(Please Print)

Emily Erkenbrack
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

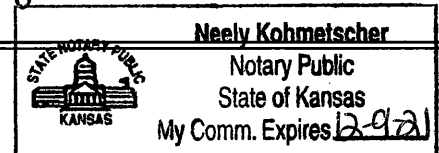
State of Kansas }
County of Republic } SS

KS DEPT OF AGRICULTURE

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6 day of September, 20 18.

Neely Kohmetscher
Notary Public

My Commission Expires 12-9-21



FEE SCHEDULE

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

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

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

Turney, Brent [KDA]

From: Stewart, Kelly [KDA]
Sent: Wednesday, August 15, 2018 4:34 PM
To: Turney, Brent [KDA]
Cc: Billinger, Mark [KDA]; Hageman, Rebecca [KDA]
Subject: RE: Changes in place of use File Nos. 38,315 and 47,786

Brent,

I have no objection to the approval of these two change applications.

Please note the first paragraph of your memo has a typo. The pending new application is referred to as 55,022 instead of 50,022.

Kelly

From: Turney, Brent [KDA]
Sent: Tuesday, August 14, 2018 4:23 PM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Subject: Changes in place of use File Nos. 38,315 and 47,786

How about a recommendation?

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

DARLYNE STANDLEY
1475 HEFTY ROAD
COURTLAND KS 66939

FILE COPY

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

Dear Ms. Standley:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney". The signature is written in black ink and is positioned above the printed name and title.

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

BAT
pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

JAMES FAULKNER DART TRUST
11 Z STREET
ST LAKE LOTAWANA MO 64086

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

Dear Sir or Madam:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. 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

BAT
pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

CHARLES ROBISON
935 TIMBER ROAD
SCANDIA KS 66966

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

Dear Mr. Robison:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. 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

BAT
pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

BRIAN ROSENE
3514 CLINTON PKWY
STE A # 154
LAWRENCE KS 66047-2145

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

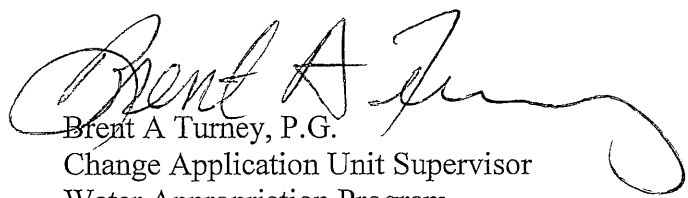
Dear Mr. Rosene:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. 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

BAT
pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

THAYNE LARSON
1325 US HWY 36
BELLEVILLE KS 66935

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

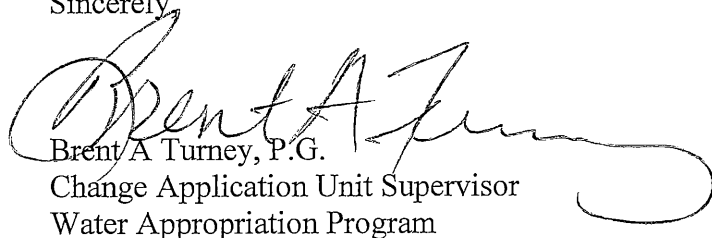
Dear Mr. Larson:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. 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

BAT
pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

ROGER STAFFORD
880 80TH ROAD
SCANDIA KS 66966

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

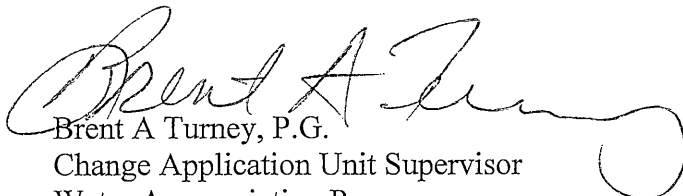
Dear Mr. Stafford:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. 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

BAT
pc: Stockton Field Office

SCANNED

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

August 6, 2018

JANET WEIR
560 KING ROAD
COURTLAND KS 66939

RE: Water Right, File No. 38,315
Appropriation of Water, File No 47,786

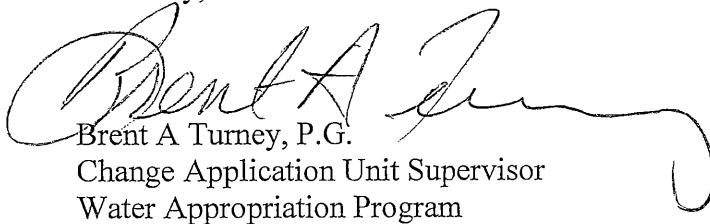
Dear Ms. Weir:

This is to advise you that Dennis Erkenfrack has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized place of use under the above referenced file numbers.

Effective July 1, 2016, K.S.A. 82a-1906 enacted by the Legislature of the State of Kansas requires the Division of Water Resources to notify all water right owners with a point of diversion within half a mile of a water right pending a request to change the water right. In order to comply with the statute, you are being notified of the above referenced application for change.

If you have any questions, please contact me at (785) 564-6645. 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

BAT
pc: Stockton Field Office

SCANNED

RPCENTRAL Property Record Card

Parcel ID: 079-067-26-0-00-00-00-0

Quick Ref: R1605

Tax Year: 2018

Run Date: 4/18/2018 3:28:22 PM

OWNER NAME AND MAILING ADDRESS

ERKENBRACK, DENNIS L FAMILY TRUST

551 PAWNEE TRL
REPUBLIC, KS 66964-8027

PROPERTY SITUS ADDRESS

575 LINCOLN RD
COURTLAND, KS 66939



Image Date: 11/13/2013

INSPECTION HISTORY

Date	Time	Code	Reason	Appraiser	Contact	Code
05/13/2013	1:21 PM	5	R	BWP		

LAND BASED CLASSIFICATION SYSTEM

Function: 9050 Farming / ranch Sfx:
 Activity: 8100 Farming, plowing, tilling, harv
 Ownership: 1100 Private-fee simple
 Site: 3200 Dev Site - crops, arazinga etc.

BUILDING PERMITS

Number	Amount	Type	Issue Date	Status	% Comp
38315		Water Right - Irrigation		O	
47786		Water Right - Irrigation		O	

GENERAL PROPERTY INFORMATION

Prop Class: F Farm Homesite - F
 Living Units: 1
 Zoning: 600.R
 Neighborhood: 600.R 600.R
 Economic Adj. Factor:
 Map / Routing: /
 Tax Unit Group: 072-WHITE ROCK TWP 072

PROPERTY FACTORS

Topographv: Level - 1, Rolling - 4
 Utilities: Well - 5, Septic - 6, Gas - 7
 Access: Semi Improved Road - 2
 Frontage: Secondary Street - 3
 Location: Neighborhood or Spot - 6
 Parking Type: Off Street - 1
 Parking Quantitv: Adequate - 2
 Parking Proximitv: On Site - 3
 Parking Covered:
 Parking Uncovered:

2018 APPRAISED VALUE

Cls	Land	Building	Total
A	109,130	8,750	117,880
F	3,000	41,250	44,250
Total	112,130	50,000	162,130

2017 APPRAISED VALUE

Cls	Land	Building	Total
A	98,030	8,830	106,860
F	3,000	41,220	44,220
Total	101,030	50,050	151,080

TRACT DESCRIPTION

S26, T02, R05W, ACRES 252.5, E 2990' OF S 1325' & E 1840' O F N 3940' EX ROW AKA LTS 23 TO 37 SEC 26

PARCEL COMMENTS

Prop-NC: 01, 06, EX, 2014; Prop-Com: 01-RMVD 8X12 RT4; 06-ADDED BOST PIVOT GIS; EX-BIN EXEMPTED APPRAISER 2007; 2013-ADD TWO BUILDINGS PREVIOUSLY MISSED; 2014-OLDER BIN OFF EXEMPTION; 2014-CHGD 15 AC NG TO DRY

MARKET LAND INFORMATION

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	OVRD	Rsn	Cls	Model	Base Size	Base Val	Inc Val	Dec Val	Value Est
Acre	1-Primarv Site - 1	0.50											1	1.00	3,500.00	1,500.00	1,000.00	3,000

Total Market Land Value 3,000

RPCENTRAL Property Record Card

Parcel ID: 079-067-26-0-00-00-001.00-0

Quick Ref: R1605

Tax Year: 2018

Run Date: 4/18/2018 3:28:22 PM

DWELLING INFORMATION

Res Type: 1-Single-family Residence
 Quality: 2.33-FR+
 Year Blt: 1920 Est: Yes
 Eff Year:
 MS Style: 5-1 1/2 Story Finished
 LBCS Struct: 1110-Detached SFR unit
 No. of Units:
 Total Living Area:
 Calculated Area: 1,456
 Main Floor Living Area: 1,040
 Upper Floor Living Area Pct: 40
 CDU: AV
 Phys/Func/Econ: AV / /
 Ovr Pct Gd/Rsn:
 Remodel: 1949
 Percent Complete:
 Assessment Class:
 MU Cls/Pct:

COMP. SALES INFORMATION

Arch Style: 09-Old Style
 Bsmt Type: 3-Partial - 3
 Total Rooms: 5 Bedrooms: 3
 Family Rooms:
 Full Baths: 1 Half Baths:
 Garage Cap:
 Foundation: Block - 3

IMPROVEMENT COST SUMMARY

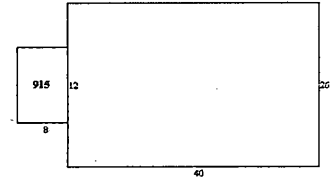
Dwelling RCN: 126,252
 Percent Good: 28
 Mkt Adj: 100 Eco Adj: 100
 Building Value: 35,350
 Other Improvement RCN: 30,150
 Other Improvement Value: 5,950

CALCULATED VALUES

Cost Land: 3,000
 Cost Building: 41,300
 Cost Total: 44,300
 Income Value: 0
 Market Value: 42,600
 MRA Value: 44,250

FINAL VALUES

Value Method: MRA
 Land Value: 112,130
 Building Value: 50,000
 Final Value: 162,130
 Prior Value: 151,080



BUILDING COMMENTS

RemDesc: 1949; DwellCom: A1-63 0096sf; DwellComp: OBY cond = F, OBY cond = F; OthPhys: SOUTH BY POND

SKETCH VECTORS

A0CU26X40; A1L8U7CU12X8

OTHER BUILDING IMPROVEMENTS

No.	Occupancy	MSCIs	Rank	Qty	Yr Blt	Eff Yr	LBCS	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Econ	OVR%	Rsn	Cls	RCN	%Gd	Value
1	538-Guest Cottage	D	0.60	1	1990			532	96	8	32 X 16	1	3	3					25,850	22	5,690
2	163-Site Improvements	C	1.00	1	1990			272		8	17 X 16	1	3	3					4,296	6	260

DWELLING COMPONENTS

Code	Units	Pct	Quality	Year
116-Frame, Siding/Shingle		100		
208-Composition Shingle		100		
402-Automatic Floor Cover Allowance				
601-Plumbing Fixtures (#)	5			
602-Plumbing Rough-ins (#)	1			
622-Raised Subfloor (% or SF)	1,456			
641-Single 1-Story Fireplace (#)	1			
801-Total Basement Area (SF)	520			
902-Raised Slab Porch (SF)	30	3.00		1920
915-Enclosed Wood Deck (SF), Solid Wall	96	1.00		

DWELLING COMPONENTS

Code	Units	Pct	Quality	Year
1637-Storage Building, Wood (SF)	480		2.00	1940

OTHER BUILDING IMPROVEMENT COMPONENTS

No.	Code	Units	Pct	Size	Other	Rank	Year
2	8025-Gazebo	1					1990

RPCENTRAL Property Record Card

Parcel ID: 079-067-25-0-00-003.00-0

Quick Ref: R1602

Tax Year: 2018

Run Date: 4/18/2018 3:28:16 PM

OWNER NAME AND MAILING ADDRESS
ERKENBRACK, DENNIS L FAMILY TRUST

551 PAWNEE TRL
REPUBLIC, KS 66964-8027

PROPERTY SITUS ADDRESS

00000 60 RD
WHITE, KS 66939

No Image Available

LAND BASED CLASSIFICATION SYSTEM

Function: 9010 Farming / ranch Sfx: 0
 Activity: 8100 Farming, plowing, tilling, harv
 Ownership: 1100 Private-fee simple
 Site: 3100 Dev Site - crops, grazing etc.

Image Date:

GENERAL PROPERTY INFORMATION

Prop Class: A Agricultural Use - A
 Living Units:
 Zoning: 600.R 600.R
 Neighborhood: 600.R 600.R
 Economic Adj. Factor:
 Map / Routing: /
 Tax Unit Group: 072-WHITE ROCK TWP 072

PROPERTY FACTORS

Topography: Rolling - 4
 Utilities: None - 8
 Access: Dirt Road - 3
 Frontage: Residential Street - 4
 Location: Neighborhood or Spot - 6
 Parking Type: None - 0
 Parking Quantity: None - 0
 Parking Proximity: Far - 0
 Parking Covered:
 Parking Uncovered:

INSPECTION HISTORY

Date	Time	Code	Reason	Appraiser	Contact	Code
06/21/2013	1:05 PM	0	R	BWP		

BUILDING PERMITS

Number	Amount	Type	Issue Date	Status	% Comp
38315		Water Right - Irrigation		O	
47786		Water Right - Irrigation		O	

TRACT DESCRIPTION

S25, T02, R05W, ACRES 111.7, LTS 3 & 6 W OF
 REPUBLICAN RIVE R (RIVER LOTS A)

PARCEL COMMENTS

2018 APPRAISED VALUE

Cls	Land	Building	Total
A	27,600	0	27,600
Total	27,600	0	27,600

2017 APPRAISED VALUE

Cls	Land	Building	Total
A	24,720	0	24,720
Total	24,720	0	24,720

MARKET LAND INFORMATION

Method	Type	AC/SF	Eff FF	Depth	D-Fact	Inf1	Fact1	Inf2	Fact2	OVRD	Rsn	Cls	Model	Base Size	Base Val	Inc Val	Dec Val	Value Est
--------	------	-------	--------	-------	--------	------	-------	------	-------	------	-----	-----	-------	-----------	----------	---------	---------	-----------

Total Market Land Value 0

RPCENTRAL Property Record Card

Parcel ID: 079-067-25-0-00-00-003.00-0

Quick Ref: R1602

Tax Year: 2018

Run Date: 4/18/2018 3:28:16 PM

AGRICULTURAL LAND											
Ag Type	Ag Acres	Soil Unit	Irr Type	Well Depth	Acre Feet	Acre FUAc	Adj Code	Govt Prog	Base Rate	Adj Rate	Ag Value
DR	0.10	2584				0.00			10	10	10
DR	1.10	3040				0.00			387	387	430
DR	21.60	3580				0.00			349	349	7,540
DR	2.50	3611				0.00			349	349	870
DR	12.20	3612				0.00			340	340	4,150
DR	0.10	3802				0.00			434	434	40
DR	0.10	3851				0.00			406	406	40
IR	4.50	3580	D	Ditch		0.00			596	596	2,680
IR	10.40	3612	D	Ditch		0.00			624	624	6,490
NG	7.90	3040				0.00			159	159	1,260
NG	32.40	3580				0.00			108	108	3,500
NG	0.50	3611				0.00			159	159	80
NG	2.20	3612				0.00			159	159	350
NG	10.40	9999				0.00			10	10	100
NG	5.70	WST				0.00			10	10	60

COMMENTS
 AgCom: WATER RIGHT # A 38315; WATER RIGHT # A 47786; WITH BOSTWICK

IMPROVEMENT COST SUMMARY	
Other Improvement RCN:	0
Eco Adj:	100
Other Improvement Value:	0

AG LAND SUMMARY	
Dry Land Acres:	37.70
Irrigated Acres:	14.90
Native Grass Acres:	59.10
Tame Grass Acres:	0.00
Total Ag Acres:	111.70
Total Ag Use Value:	27,600
Total Ag Mkt Value:	247,870

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

DENNIS ERKENBRACK
551 PAWNEE TRAIL
REPUBLIC, KS 66964

April 2, 2018

RE: File No 38315

Dear Sir or Madam:

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

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

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

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

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

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

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

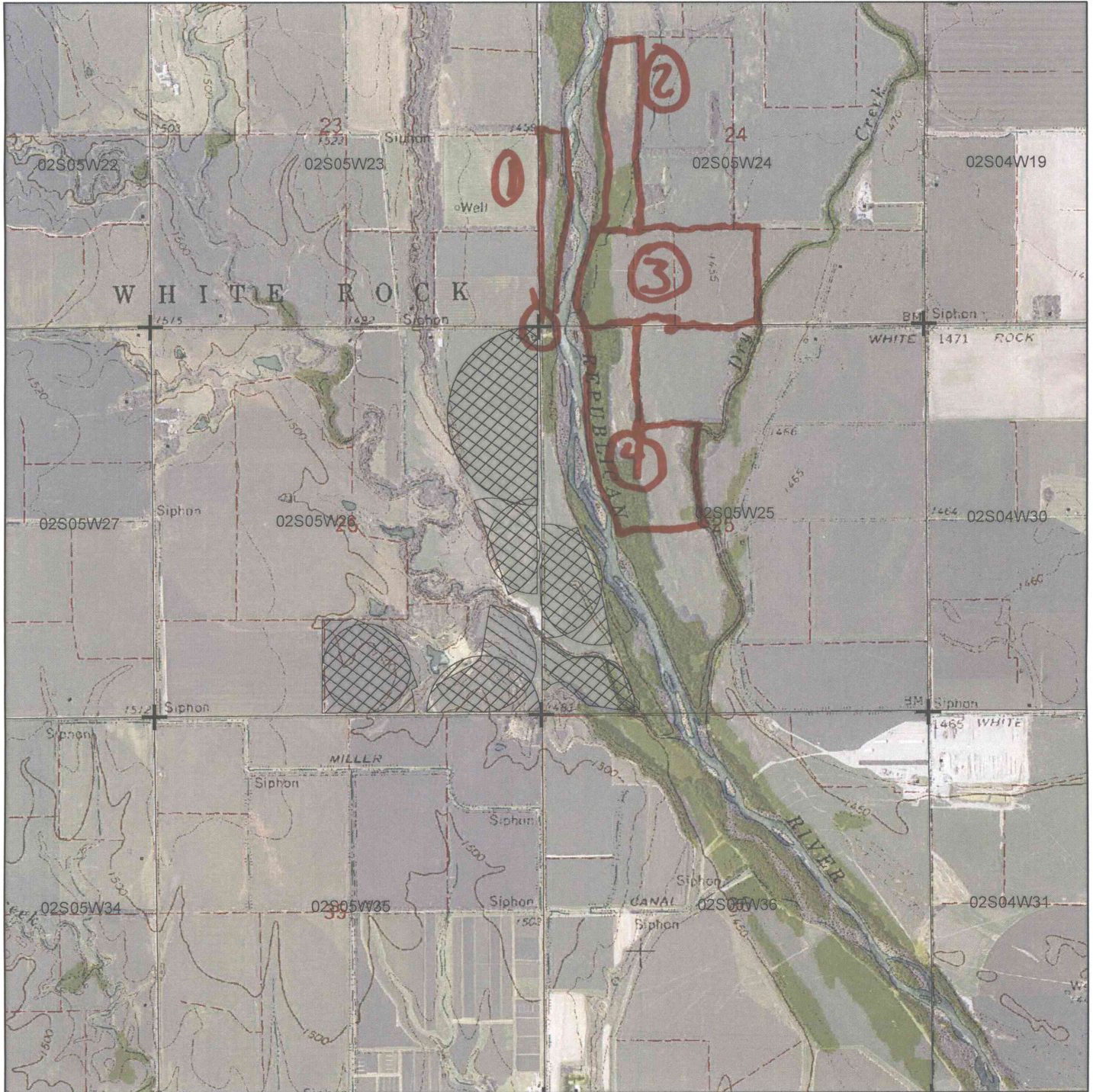
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: DLW
pc: STOCKTON Field Office GMD

Application for Change in Place of Use,
File No. 38,315



Section Corners



Presently Authorized Place of Use



Proposed Place of Use



1:24,000

All known landowners adjacent to the stream within 1/2 mile upstream and downstream of the subject property lines are shown on this map.

SEP 20 2018

MAR 26 2018

Signature

KS DEPT OF AGRICULTURE

KS Dept of Agriculture

Date

Water Resources Received