

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

1. File Number: 48288	2. Status Change Date: 2/25/2020	3. Change Num: C1	4. Field Office: 03	5. GMD: 04
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 21-OCT-2019
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID <u>28060</u> Add Seq# <u>1</u>		8c. Landowner(s) New to system <input type="checkbox"/>
KATHLEEN J CRAMPTON TRUST Attn: CRAMPTON FARMS 1025 MAIZE RD COLBY, KS 67701-3523				Person ID _____ Add Seq# _____
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8d. WUC New to system <input type="checkbox"/>
				Person ID <u>28060</u> Add Seq# <u>1</u>
KATHLEEN J CRAMPTON TRUST Attn: CRAMPTON FARMS 1025 MAIZE RD COLBY, KS 67701-3523 NO CHANGE				
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/20</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/20</u>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" 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: 02/06/20 By: RAK Date Entered: 2/26/2020 By: LMoody				

File No. **48288** 11. County **TH** Basin **SAPPA CREEK** Stream: Formation Code: **211** Special Use: '

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

DEL 16555 SE¼ NE¼ SE¼ 10 7 35W 6 1686 50

ENT 16009 NC S2 S2 N2 10 7 35W 2 2888 2640 **910 g.p.m. 207.5 AF** **0 g.p.m. 52.5 AF** **32020**

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

14. **KEEP** Limitation: **207.5 AF/YR@ 910 GPM COM/W # 32020**
KEEP Limitation: **928.5 AF/YR COM/W #4529, #17330, #20190, #20719, #32020**

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK 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				
no changes to pu																				

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: February 6, 2020

FROM: Richelle A. Krueger

RE: Water Right
File Nos. 17,330 and 32,020
Appropriation of Water
File No. 48,288

Kenneth L. and Kathleen J. Crampton, on behalf of Kathleen J. Crampton Trust, water right owner, filed applications for approval to change the authorized points of diversion for the referenced file numbers located within the Sappa Creek drainage basin.

The referenced water rights do not appear to be abandoned as per K.S.A. 82a-718. The perfection period for File No. 48,288 expires on December 31, 2024.

File No. 17,330 is authorized 207.5 acre-feet and 975 gallons per minute from one well (2888'N,2640'W) with no overlaps in Section 10, Township 7 South, Range 35 West, Thomas County. File Nos. 32,020 and 48,288 are authorized a limited quantity and diversion rate of 207.5 acre-feet and 910 gallons per minute from the same well (1686'N,50'W) also located in Section 10. All of the referenced file numbers overlap each other in the 619-acre place of use in Section 10 along with Water Right, File Nos. 4,529; 20,190; and 20,719. The water right owner proposes to "flip-flop" the authorized rate and quantities of the well authorized by File No. 17,330 with the well authorized by File Nos. File Nos. 32,020 and 48,288, a distance of approximately 2,855 feet. No new wells will be drilled.

According to the application maps and WRIS, there is one irrigation well under common ownership and 2 domestic wells (one under common ownership) within one half mile of the proposed existing wells. On November 20, 2019, a notification letter was sent to the nearby domestic well owner, no response has been received as of today's date.

In a letter dated January 30, 2020, Shannon Kenyon, Manager of Northwest Kansas Groundwater Management District indicated the Board of Directors recommended approval of the applications, so it is assumed the applications meet the requirements of K.A.R. 5-24-6 regarding long move changes.

The source of supply will remain the same, which appears to be the Ogallala Formation (211) based on available information.

Water flow meters will be required. Check valves are required if any chemical or foreign substances are injected into the water through the diversion works according to K.A.R. 5-3-5(c).

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely and that no change in the local source of supply will occur, it has been recommended that the referenced applications be approved.


Richelle A. Krueger
Environmental Scientist

Krueger, Richelle [KDA]

From: Stewart, Kelly [KDA]
Sent: Monday, February 3, 2020 10:49 AM
To: Krueger, Richelle [KDA]
Cc: Billinger, Mark [KDA]; Hageman, Rebecca [KDA]
Subject: RE: Request for Recommendations Change in PD File Nos. 17330, 32020 and 48288 Kathleen J. Crampton Trust

Richelle, I have no objection to the approval of these changes.

Kelly

From: Krueger, Richelle [KDA] <Richelle.Krueger@ks.gov>
Sent: Monday, February 3, 2020 10:23 AM
To: Stewart, Kelly [KDA] <Kelly.Stewart@ks.gov>
Cc: Billinger, Mark [KDA] <Mark.Billinger@ks.gov>
Subject: Request for Recommendations Change in PD File Nos. 17330, 32020 and 48288 Kathleen J. Crampton Trust

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

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

KATHLEEN J CRAMPTON TRUST
Attn: CRAMPTON FARMS
1025 MAIZE RD
COLBY, KS 67701-3523

February 27, 2020

FILE COPY

RE: Water Right, File Nos. 17,330 and 32,020
Appropriation of Water, File No. 48,288

Dear Sir or Madam:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Since the orders modify the original documents referred to above, the orders for File Nos. 17,330 and 32,020 should be recorded with the Register of Deeds as other instruments affecting real estate.

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

Sincerely,

Richelle A. Krueger
Environmental Scientist
Division of Water Resources

RAK

pc: Stockton Field Office
Groundwater Management District No. 4

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
APPROPRIATION OF WATER
FILE NO. 48,288**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Kenneth L. and Kathleen J. Crampton, on behalf of Kathleen J. Crampton Trust, 1025 Maize Road, Colby, Kansas 67701-3523, received in this office on October 21, 2019, for approval of a change in the location of the point of diversion under Approval of Application, File No. 48,288, for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the point of diversion shall be:

one(1) well located near the center of the South Half of the South Half of the North Half (S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$) of Section 10, more particularly described as being near a point 2,888 feet North and 2,640 feet West of the Southeast corner of said section, in Township 7 South, Range 35 West, Thomas County, Kansas,

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

Installation of the works for diversion of water shall be completed on or before December 31, 2020, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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 Approval of Application, File No. 48,288, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated January 15, 2014.

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.

