

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

1. File Number: 27811	2. Status Change Date: 7/18/2018	3. Change Num: C2	4. Field Office: 01	5. GMD:
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 18-APR-2018
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8a. Applicant(s) Person ID **57949**
 New to system Add Seq# **1**

WILLIAM & TERRI BLOOMFIELD
406 E BARTLETT ST
CLIFTON KS 66937-9304

Person ID **38739**
 Add Seq# **1**

STEVE & PATTI BLOOMFIELD
2875 FRONTIER RD
CLIFTON KS 66937

8c. Landowner(s) Person ID **38739**
 New to system Add Seq# **1**

STEVE & PATTI BLOOMFIELD
2875 FRONTIER RD
CLIFTON KS 66937

8b. Landowner(s) Person ID **57949**
 New to system Add Seq# **1**

WILLIAM & TERRI BLOOMFIELD
406 E BARTLETT ST
CLIFTON KS 66937-9304

8d. WUC Person ID **38739**
 New to system Add Seq# **1**

STEVE & PATTI BLOOMFIELD
2875 FRONTIER RD
CLIFTON KS 66937

NO CHANGE

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/19** N & P Date to Comply: _____

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

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

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

Date Prepared: **07/02/18** By: **RAK**
 Date Entered: **7/19/2018** By: **UM**

File No. **27811** 11. County: **CY** Basin: **REPUBLICAN RIVER** Stream: Formation Code: **115** Special Use: **034**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
MOD	1088			SE¼ NW¼ NE¼	14	6	1E	2	4199	1451		1000 g.p.m.	94 AF	1000 g.p.m.	94 AF	NO

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

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 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	
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
ENT	68841				13	6	1E								L-1 3.00	4.50											7.50	8C	Y	27811; 27812 & 50039
MOD	12416				14	6	1E	4		L-1 19.00	22.00	40.00	40.00													121.00	8C	NO	27811; 27812 & 50039	
MOD	221				14	6	1E	2						26.00	26.00	40.00	40.00									132.00	8B	NO	27811; 27812 & 50039	

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: July 2, 2018

FROM: Richelle A. Krueger

RE: Water Right
File Nos. 27,811 and 27,812

William and Terri Bloomfield and Steve and Patti Bloomfield filed applications for approval to change the authorized place of use for File Nos. 27,811 and 27,812 both authorized groundwater in the Republican River Basin. The referenced change applications were filed in conjunction with Application, File No. 50,039 being processed by Doug Schemm, Environmental Scientist of the Topeka Field Office.

The above referenced files do not appear abandoned as per K.S.A. 82a-718.

File Nos. 27,811 and 27,812 have no overlaps in the authorized points of diversion and are authorized a total of 208 acre-feet of groundwater water for irrigation of the same 222 acres located in Section 14, Township 6 South, Range 1 East, Clay County. The referenced change applications propose to create a complete overlap in the place of use with Application, File No. 50,039 (surface water), adding new acreage in for a total of 260.5 acres to be irrigated.

The total limited quantity to be authorized by File Nos. 27,811, 27811 and 50,039 will provide 312.6 acre-feet total for 260.5 acres or 1.20 acre-feet per acre, which appears reasonable.

Doug sent notifications on May 11, 2018 to nearby upstream and downstream landowners one-half (½) mile upstream and downstream of the property boundaries, informing them of the new application and the referenced change applications. No responses were received.

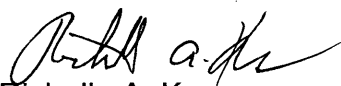
The authorized wells for File Nos. 27,811 and 27,811 will be better described with g.p.s. feet distances as provided on the referenced change applications.

The same local source of supply will not change.

Katherine Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the applications in a June 29, 2018 e-mail.

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

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, and if Application, File No. 50,039 can be approved, it has been recommended that the change applications be approved.


Richelle A. Krueger
Environmental Scientist

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

STEVE & PATTI BLOOMFIELD
2875 FRONTIER RD
CLIFTON KS 66937

July 20, 2018

FILE COPY

RE: Water, File Nos. 27,811 and 27,812

Dear Mr. and Mrs. Bloomfield:

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 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 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:rak

pc: Topeka Field Office
William N. and Terri L. Bloomfield

KANSAS DEPARTMENT OF AGRICULTURE
 Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
 David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
 FOR
 CHANGE IN PLACE OF USE
 AND ORDER BETTER DESCRIBING THE LOCATION OF THE
 AUTHORIZED POINT OF DIVERSION
 WATER RIGHT
 FILE NO. 27,811**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of William N. and Terri L. Bloomfield, 406 East Bartlett Street, Clifton, Kansas 66937-9304 and Steve and Patti Bloomfield, 2875 Frontier Road, Clifton, Kansas 66937, received in this office on April 18, 2018, 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 20, 2004, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13	6S	1E						Lot 1 3.00	4.50										7.50
14	6S	1E	Lot 1 19.00	22.00	40.00	40.00	26.00	26.00	40.00	40.00									253.00

a total of 260.50 acres in Township 6 South, Range 1 East, Clay County, Kansas, located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion is more accurately described as:

one(1) well located in the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE¼ NW¼ NE¼) of Section 14, more particularly described as being near a point 4,199 feet North and 1,451 feet West of the Southeast corner of said section, in Township 6 South, Range 1 East, Clay County, Kansas.

All 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. 27,811, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 7, 1982, as modified and amended by the aforementioned order.

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 the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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 review 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 the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by 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 18th day of July

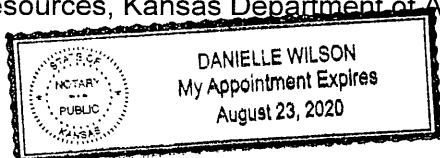
, 2018, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

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

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 18th day of July, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson

Notary Public

CERTIFICATE OF SERVICE

On this 20th day of July, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 27,811, dated July 18th, 2018 was mailed postage prepaid, first class, US mail to the following:

STEVE & PATTI BLOOMFIELD
2875 FRONTIER RD
CLIFTON KS 66937.

With a true and correct copy to:

WILLIAM N & TERRI L BLOOMFIELD
406 E BARTLETT ST
CLIFTON KS 66937-9304

With a photocopy to:

Topeka Field Office


Division of Water Resources

#4

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

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



State of Kansas

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

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

**Water Resources
Received
APR 18 2018
11:17
KS Dept Of Agriculture**

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)

File No. 27,811

2. Name of applicant: WILLIAM & TERRI BLOOMFIELD / STEVE & PATTI BLOOMFIELD

Address: 406 E BARTLETT ST CLIFTON KS 66937-9304 / 2875 FRONTIER RD CLIFTON KS 66937

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

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

Name of water use correspondent: STEVE & PATTI BLOOMFIELD

Address: 2875 FRONTIER RD

City, State and Zip: CLIFTON KS 66937

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

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

THE EAST PIVOT IS IRRIGATING LAND THAT IS NOT COVERED BY THE WATER RIGHT

The change(s) (was) (will be) completed by ALREADY COMPLETE

(Date)

For Office Use Only:					
F.O. Code	<u>GMD</u>	Meets K.A.R. 5-5-1	<u>(YES)</u> / <u>(NO)</u>	Use <u>FR</u>	Source <u>G/S</u> County <u>CY</u>
	<u>CPD</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>4/18/18</u>	By <u>AW</u> Date <u>4/14/18</u>
				Check # <u>5881</u>	

APPLICATION COMPLETE
7/02/18
Reviewer RAK

SCANNED
4/19/18 DAW

4. The presently authorized place of use is:

Owner of Land — NAME: **WILLIAM & TERRI BLOOMFIELD**

ADDRESS: **406 E. BARTLETT, CLIFTON KS 66937**

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	
14	6	1E					24	24	40	40									128

List any other water rights that cover this place of use. **27812**

Owner of Land — NAME: **STEVE & PATTI BLOOMFIELD**

ADDRESS: **2875 FRONTIER RD, CLIFTON KS 66937**

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	
14	6	1E	20	21	26	27													94

List any other water rights that cover this place of use. **27812**

(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: **STEVE & PATTI BLOOMFIELD**

ADDRESS: **2875 FRONTIER RD, CLIFTON KS 66937**

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	
14	6	1E	19 L-1	22	40	40													121
13	6	1E					3 L-1	4.5											7.5

List any other water rights that cover this place of use. **27812 * 50039**

Owner of Land — NAME: **WILLIAM & TERRI BLOOMFIELD**

ADDRESS: **406 E. BARTLETT, CLIFTON KS 66937**

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	
14	6	1E					26	26	40	40									132

**Water Resources
Received**

List any other water rights that cover this place of use. **27812 * 50039**

APR 18 2018

**KS Dept Of Agriculture
SCANNED**

** ASK/OWN 7/2/18*

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.
A NEW APPLICATION IS BEING FILED WHICH WILL AUTHORIZE ADDITIONAL WATER FOR THE EXPANDED PLACE OF USE

(Please show any calculations here.)

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

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

IMPAIRMENT WILL NOT BE AN ISSUE AS THIS IS A CHANGE IN PLACE OF USE ONLY

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.

NOT APPLICABLE

Water Resources
Received

APR 18 2018

KS Dept Of Agriculture
SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Clifton, Kansas, this 3rd day of April, 2018.

Steve Bloomfield
(Owner)

Patti Bloomfield
(Spouse)

Steve Bloomfield
(Please Print)

Patti Bloomfield
(Please Print)

William N. Bloomfield
(Owner)

Terril Bloomfield
(Spouse)

William N. Bloomfield
(Please Print)

Terri K. Bloomfield
(Please Print)

(Owner)

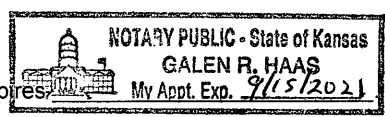
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Washington } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3rd day of April, 2018.



Galen R. Haas
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.**

Received
KS Dept of Agriculture

Received
KS Dept of Agriculture

Krueger, Richelle

From: Tietsort, Katie [KDA]
Sent: Friday, June 29, 2018 3:25 PM
To: Krueger, Richelle
Cc: Bunger, Brett [KDA]; Baum, Kristen; Schemm, Doug [KDA]
Subject: RE: Request for Recommendation Change in PU File Nos. 27811 and 27811

Hi Richelle,

TFO has no objections to the approvals.

Thanks and have a great weekend!
Katie

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

Achiever~Responsibility~Input~Relator~Arranger

From: Krueger, Richelle
Sent: Wednesday, June 27, 2018 5:12 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Baum, Kristen <Kristen.Baum@ks.gov>; Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: Request for Recommendation Change in PU File Nos. 27811 and 27811

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

Thanks,
Richelle

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

WILLIAM & TERRI BLOOMFIELD
406 E BARTLETT ST
CLIFTON, KS 66937

April 19, 2018

RE: File No 27811

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 Tournay, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: TOPEKA Field Office GMD

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* 10/1/18

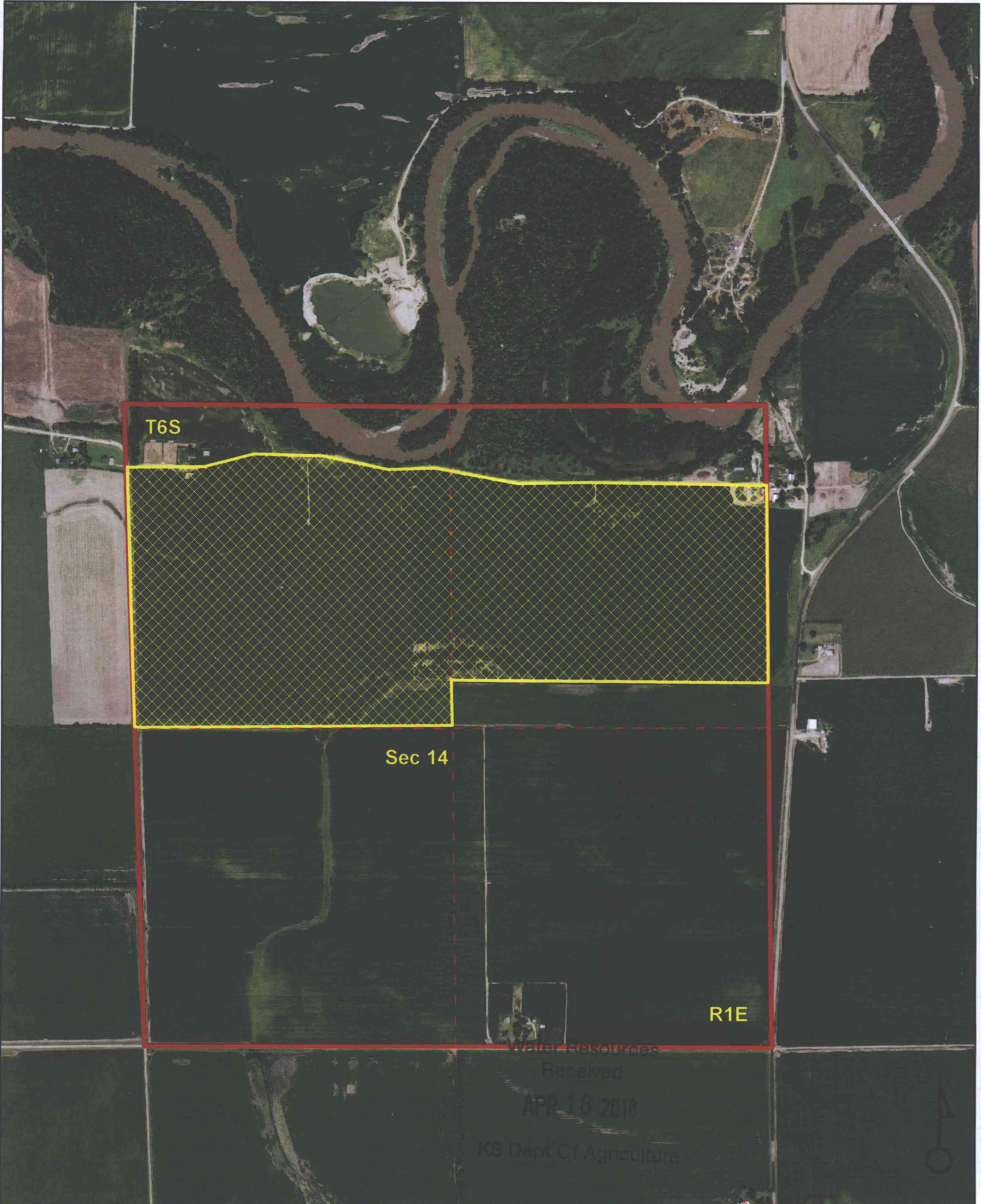
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