



File No. **47464**      11. County: **BR**      Basin:      Stream:      Formation Code:      Special Use:

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

NO CHANGES

NO CHANGES

NO CHANGES

NO CHANGES

NO CHANGES

NO CHANGES

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 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				
√	65139	34	1	15E	1										40	40	34					114	8B	NO	see above
MOD	59361	3	2	15E	1	40.00	35.00	40.00		39.50	40.00	39.5	40.00	39.5	24.00	2.00	36.00		40.00	40.00		455.50	8B	NO	see above
MOD	59922	10	2	15E	1						32.00	40.0	37.50		31.00							140.50	8B	NO	see above

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  
**FROM:** Richelle A. Krueger

**DATE:** April 16, 2018  
**RE:** Appropriation of Water  
File Nos. 46,969; 47,141; 47,142;  
47,464; 48,819; and 49,220

Pine Ridge, Inc., water right owner, filed applications for approval to change the authorized place of use for the referenced file numbers. The referenced change applications were filed in conjunction with Application, File No. 49,959 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. The perfection period for File Nos. 46,969 and 47,141 expires on December 31, 2019 and on December 31, 2020 for the other referenced files.

The referenced file numbers are authorized a total limited quantity of 616.50 acre-feet of water for irrigation use and form a complete overlap in the 616.50 acre place of use located in Section 34, Township 1 South, and Sections 3 and 10, Township 2 South, all in Range 15 East, Brown County. File Nos. 46,969 and 47,141 are authorized surface water from the same reservoir along with Water Right, File No. 46,830 authorized for sediment storage. File Nos. 47,142 and 48,819 are also authorized surface water from separate reservoirs while File No. 47,464 is authorized surface water from one pumpsite with no overlaps on Mulberry Creek (SF Big Nemaha). File No. 49,220 is authorized groundwater from a battery of four wells with no overlaps. The referenced change applications propose to create a complete overlap in the place of use with each other and Application, File No. 49,959, and add new acreage for a total of 710 acres to be irrigated in the referenced sections. The total limited quantity of 710 acre-feet requested by Application, File No. 49,959 will be sufficient to cover any potential increase in consumptive use

The total quantity that will be available under the referenced files and new application, 710 acre-feet, can irrigate the proposed 710 acres with 1 acre-foot per acre which is the maximum reasonable quantity for Brown County.

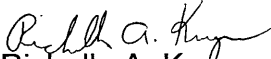
Notifications to nearby water right owners and/or upstream/downstream landowners were not sent regarding the proposed changes since the applications propose an exact overlap in place of use with a new application.

The same local source of supply will not change.

Katherine Tietsort, Water Commissioner of the Topeka Field Office, indicated in an April 13, 2018 e-mail that she is not opposed to approval of the applications.

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

Based on the above discussion, that the change is 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. 49,959 can be approved, it has been recommended that the 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

PINE RIDGE INC  
ATTN KEVIN GRIMM  
477 K 246  
MORRILL KS 66515

May 8, 2018

**FILE COPY**

RE: Appropriation of Water, File Nos. 46,969; 47,141; 47,142; 47,464; 48,819 and 49,220

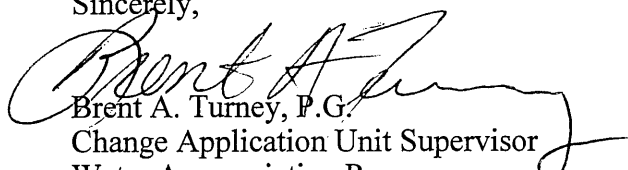
Dear Mr. Grimm:

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.

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



**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  
APPROPRIATION OF WATER  
FILE NO. 47,464**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Kevin Grimm, President, and Nita Grimm, Secretary, on behalf of Pine Ridge, Incorporated, 477 K 246, Morrill, Kansas, 66515, received in this office on March 29, 2018, for approval of a change in the location of the place of use under the Approval of Application, File No. 47,464, for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated July 2, 2015, 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			
34	1S	15E																		114.00	
3	2S	15E	40.00	35.00	40.00		39.50	40.00	39.50	40.00	39.50	24.00	2.00	36.00					40.00	40.00	455.50
10	2S	15E						32.00	40.00	37.50		31.00									140.50

a total of 710 acres in Brown County, Kansas,

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

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 Approval of Application, File No. 47,464, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated March 1, 2010, 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 1<sup>st</sup> day of May

, 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 1<sup>st</sup> day of May, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

*Danielle Wilson*

Notary Public



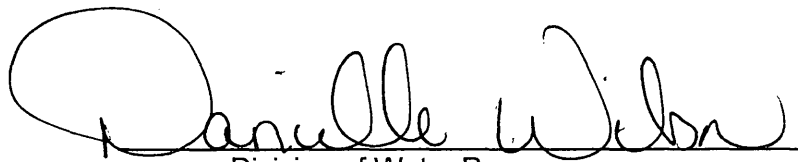
**CERTIFICATE OF SERVICE**

On this <sup>8<sup>th</sup></sup> day of May, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 47,464, dated May 1<sup>st</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

PINE RIDGE INC  
477 K 246  
MORRILL KS 66515

With photocopies sent to:

Topeka Field Office

  
Division of Water Resources

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  
**MAR 29 2018**  
 11:33  
 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. 47,464

2. Name of applicant: PINE RIDGE INC.

Address: 477 K 246

City, State and Zip: MORRILL, KS 66515

Phone Number: (785) 459-2851 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 applicant

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): \_\_\_\_\_

Change will create a complete overlap with new application (49,959) and multiple other files in place of use.

The change(s) (was) (will be) completed by Spring 2018 (Date)

For Office Use Only:									
F.O. Code	<u>1 GMD 0</u>	Meets K.A.R. 5-5-1	<u>(YES / NO)</u>	Use	<u>FR</u>	Source	<u>G (S)</u>	County	<u>BR</u>
	<u>CPJ</u>			Fee \$	<u>200</u>	TR #		Receipt Date	<u>3/29/18</u>
								By	<u>AW</u>
								Date	<u>3/29/18</u>
								Check #	<u>0705</u>

APPLICATION COMPLETE  
 4/16/18  
 RAY

**SCANNED**

Assisted by: DWS - FO 1 \_\_\_\_\_

4/2/18 DW



4. The presently authorized place of use is:

Owner of Land — NAME: PINE RIDGE INC.

ADDRESS: 477 K 246, MORRILL, KS 66515

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	
34	1S	15E									40	40	34					114	
3	2S	15E		25.5	40		39.5	29	39.5	40	39.5	24	2	36		31	40	386	
10	2S	15E						8	40	37.5		31						116.5	

List any other water rights that cover this place of use. 46,969; 47,141; 47,142; 47,464; 48,819; & 49,220

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:

6. Owner of Land — NAME: PINE RIDGE INC.

ADDRESS: 477 K 246, MORRILL, KS 66515

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	
* 34	25	15S									40	40	34					114	
* 3	25	15E	40	35	40		39.5	40	39.5	40	39.5	24	2	36		40	40	455.5	
* 10	25	15E						32	40	37.5		31						140.5	

List any other water rights that cover this place of use. 46,969; 47,141; 47,142; 47,464; 48,819; 49,220 & 49,959

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. \_\_\_\_\_

**Water Resources**

Received

**MAR 29 2018**

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

\* per draft permit File No 49959

\* RAKdown 4/16/18

KS Dept Of Agriculture  
**SCANNED**

- 7. The presently authorized point(s) of diversion (is) (are) ONE PUMP SITE  
(Provide description and number of points)
- 8. The proposed point(s) of diversion (is) (are) NO CHANGE  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/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 \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/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 \_\_\_\_\_ (E/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 \_\_\_\_\_ (E/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 \_\_\_\_\_ (E/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 29 2018**

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.  
NEW APPLICATION WILL ENSURE NO INCREASE IN CONSUMPTIVE 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](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 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.

NO PHYSICAL CHANGE TO PUMP SITE. PU change 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.

N/A  
\_\_\_\_\_  
\_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

Water Resources  
Received  
**MAR 29 2018**  
**SCANNED**  
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 Sebeta, Kansas, this 27<sup>th</sup> day of March, 20 18.

Ilerin Durin Pres  
(Owner)

Nita Durin Sec.  
(Spouse)

Kevin Grimm Pres  
(Please Print)

Nita Grimm; Sec.  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

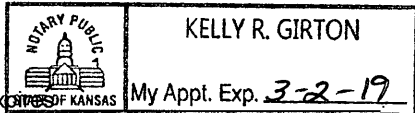
(Spouse)

(Please Print)

(Please Print)

State of Kansas )  
County of Nemaha ) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27<sup>th</sup> day of March, 20 18.



[Signature]  
Notary Public

**FEE SCHEDULE**

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

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

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

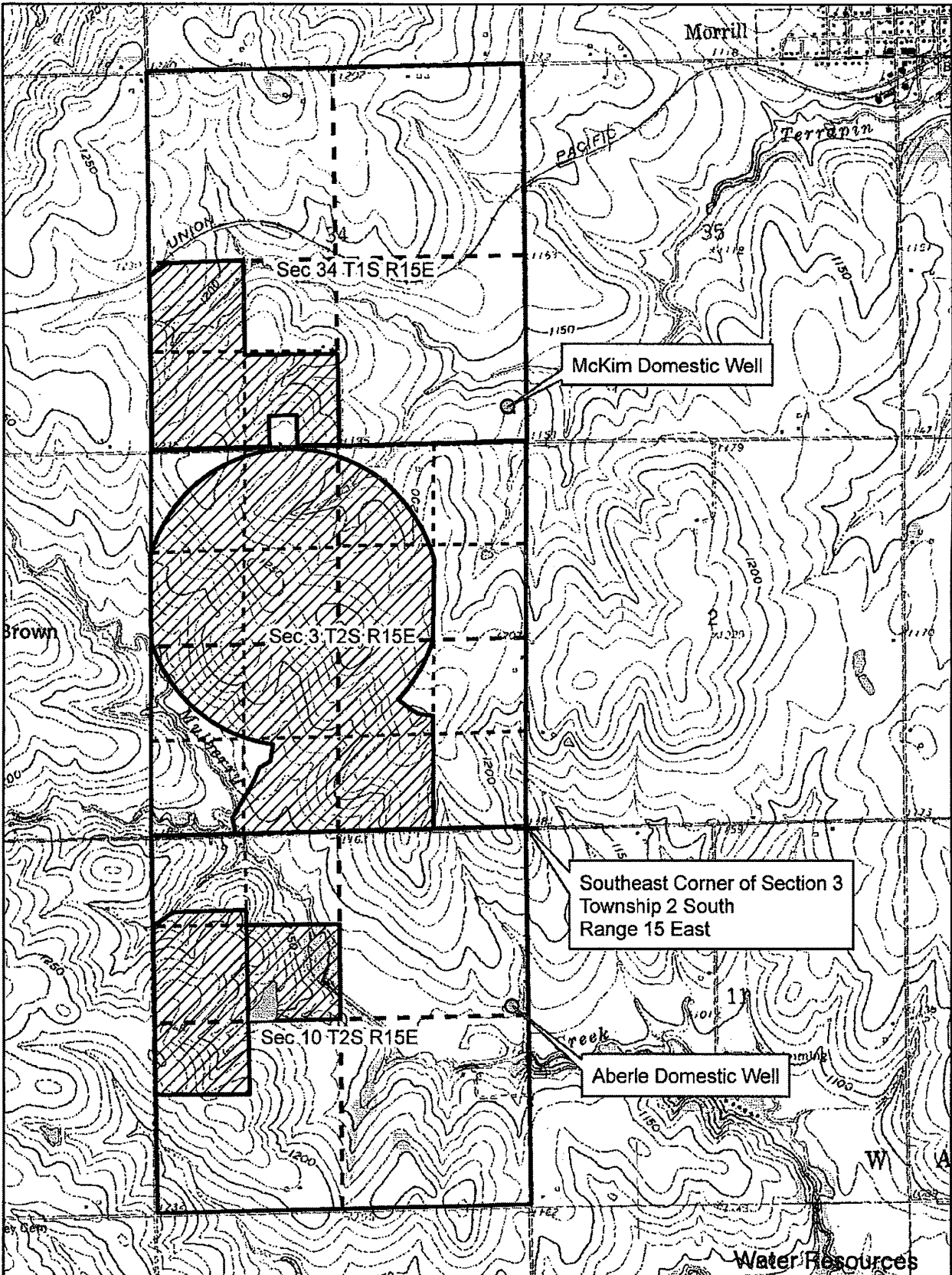
Water Resources  
Received


**MAR 29 2018**

KS Dept of Agriculture

# AUTHORIZED PLACE OF USE

FILE NOS. 46,969; 47,141; 47,142; 47,464; 48,819; & 49,220



 Authorized Place of Use



1:24,000  
0 0.25 0.5 1 Mile  
KSD Agriculture

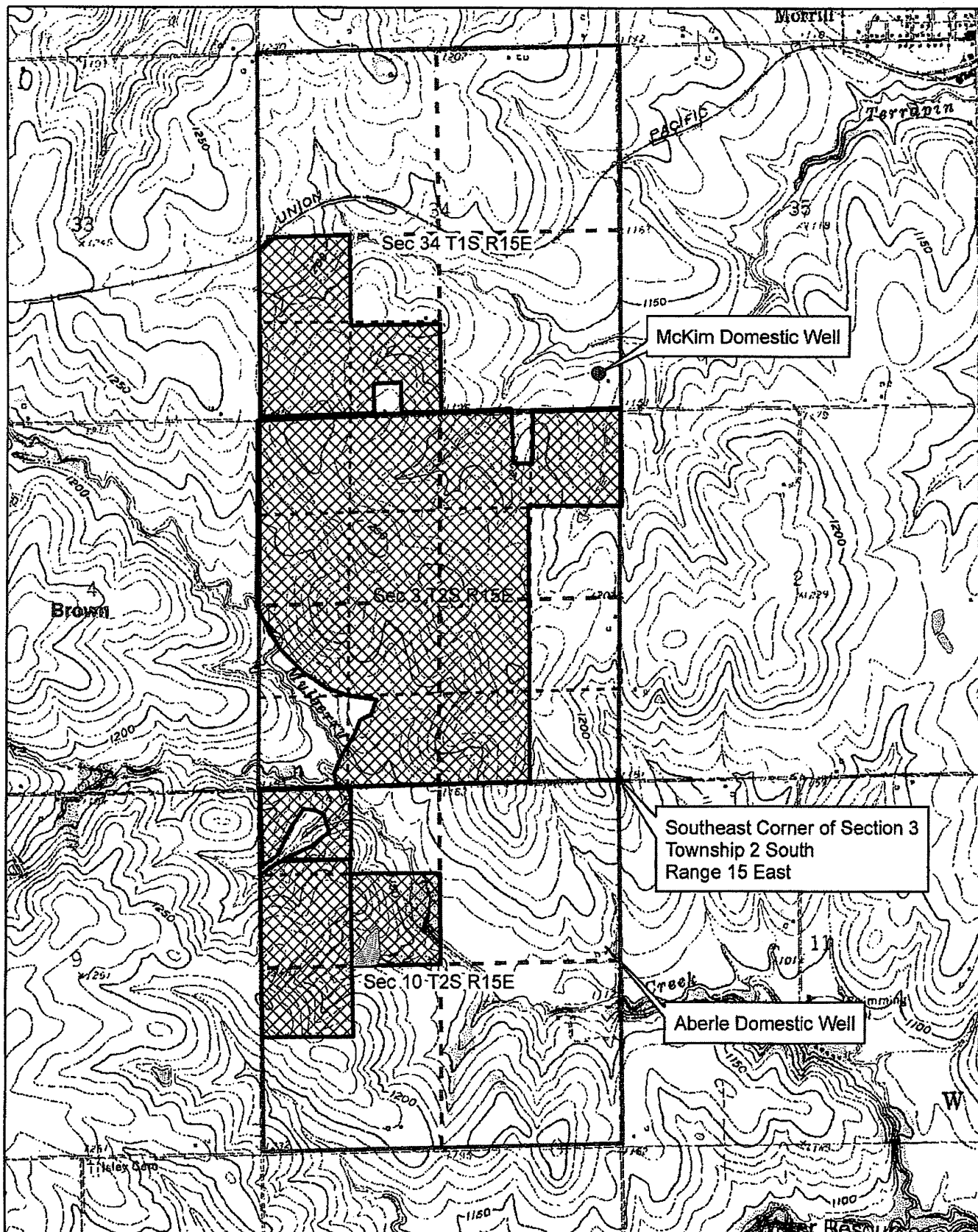
Water Resources  
Received

MAR 29 2018

SCANNED

# PROPOSED PLACE OF USE

FILE NOS. 46,969; 47,141; 47,142; 47,464; 48,819; AND 49,220



 Proposed Place of Use



0 0.25 0.5 Mile  
1:24,000

KS Department of Agriculture

Received

MAR 29 2018

## Krueger, Richelle [KDA]

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**From:** Tietsort, Katie [KDA]  
**Sent:** Friday, April 13, 2018 12:51 PM  
**To:** Krueger, Richelle [KDA]  
**Cc:** Bunger, Brett [KDA]; Baum, Kristen; Turney, Brent [KDA]; Schemm, Doug [KDA]  
**Subject:** RE: Request for Recommendation Change in PU File Nos. 46,969; 47,141; 47,142; 47,464; 48,819; and 49,220 Pine Ridge Inc.

Hi Richelle,

Hope all is well!!! Please wash your vehicle... we need rain!

The TFO agrees to the approval of the referenced applications as you have outlined within your memo.

Thanks for working this package,  
Katie

Katie Tietsort

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

*Achiever~Responsibility~Input~Relator~Arranger*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Thursday, April 12, 2018 2:21 PM  
**To:** Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>  
**Cc:** Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Baum, Kristen <Kristen.Baum@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>; Schemm, Doug [KDA] <Doug.Schemm@ks.gov>  
**Subject:** Request for Recommendation Change in PU File Nos. 46,969; 47,141; 47,142; 47,464; 48,819; and 49,220 Pine Ridge Inc.

Hi Katie,  
Attached is a draft memorandum for the referenced changes in pu which overlap Application File No. 49959. Do you recommend approval of the referenced change applications?  
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

PINE RIDGE, INC  
477 K 246  
MORRILL, KS 66515

April 2, 2018

RE: File No 47464

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: TOPEKA Field Office    GMD

SCANNED



47464

PROPOSED PLACE OF USE  
FILE NOS. 46,969; 47,141; 47,142; 47,464; 48,819; AND 49,220



Proposed Place of Use



1:24,000

