

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

1. File Number: 49425	2. Status Change Date: <i>7/2/2018</i>	3. Change Num: C1	4. Field Office: 01	5. GMD:	
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: 26-MAR-2018	
8a. Applicant(s) New to system <input type="checkbox"/> WAYNE HEINEN 1441 96TH RD GOFF KS 66428-8233		Person ID 62868 Add Seq# 1	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/> WAYNE AND LINDA HEINEN 1441 96TH RD GOFF KS 66428-8233 <i>Name Chg</i>		Person ID 62868 Add Seq# 1	8d. WUC New to system <input type="checkbox"/> TODD P & LUCY C HEINEN 1410 96TH ROAD GOFF KS 66428-8233 NO CHANGE Person ID 63398 Add Seq# 1		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input type="checkbox"/> N & P Date to Comply: _____					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____					
10. Use Made of Water From: _____ To: _____					
Date Prepared: 06/19/18 By: RAK Date Entered: 7/3/2018 By: LM					

File No. **49425** 11. County: **NM** Basin: Stream: Formation Code: Special Use:

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

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					
MOD 67058 25 5 12E 1		40.00	40.00		40.00	36.00	24.00	40.00	40.00	40.00	40.00	39.00					379.00	8B	NO	50025	

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: June 25, 2018
RE: Appropriation of Water
File No. 49,425

Wayne and Linda Heinen, water right owners, filed an application for approval to change the authorized place of use for the referenced file number. The referenced change application was filed in conjunction with Application, File No. 50,025 being processed by Doug Schemm, Environmental Scientist of the Topeka Field Office.

The above referenced file does not appear abandoned as per K.S.A. 82a-718. The perfection period for File No. 49,425 expires on December 31, 2020.

The referenced file number is authorized 250 acre-feet of storage and 242 acre-feet of direct use for irrigation of 220 acres located in the North Half (N½) of Section 25, Township 5 South, Range 12 East, Nemaha County. The point of diversion overlaps Application, File Nos. 50,025. The referenced change application proposes to create a complete overlap in the place of use with Application, File Nos. 50,025, adding new acreage in the southwest quarter of the section for a total of 379 acres to be irrigated in Section 25.

The 112 acre-feet of storage and 100 acre-feet of direct use requested by File No. 50,025 will be sufficient to cover any potential increase in consumptive use and combined with File No. 49,425 will provide 342 acre-feet/379 acres or 0.90 acre-feet per acre, which appears reasonable since 50% NIR in Nemaha County with 85% efficiency is 0.76 acre-feet per acre.

Doug sent notifications on April 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 application.

The same local source of supply will not change.

Katherine Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the application in a June 21, 2018 e-mail.

A water flow meter is required. A check valve is 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. 50,025 can be approved, it has been recommended that the change application 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

WAYNE AND LINDA HEINEN
1441 96TH RD
GOFF KS 66428-8233

July 5, 2018

FILE COPY

RE: Appropriation of Water, File No. 49,425

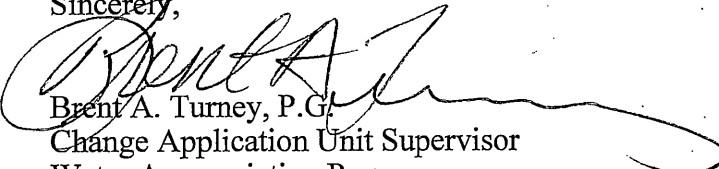
Dear Mr. and Mrs. Heinen:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and/or installation of the required meter 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
Todd and Lucy Heinen

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.

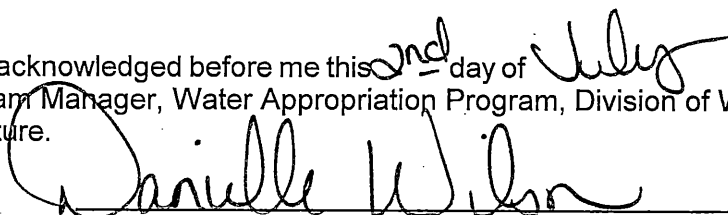
Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 2nd day of July, 2018, in Topeka, Shawnee County, Kansas.


 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 2nd day of July, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.



 Notary Public



CERTIFICATE OF SERVICE

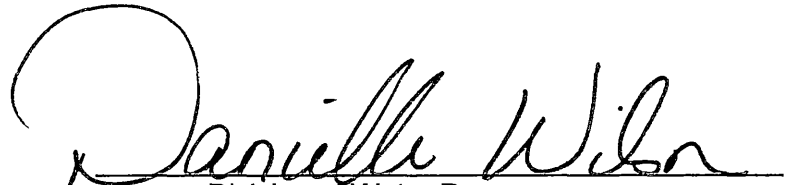
On this 5th day of July, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 49,425, dated July 2nd, 2018 was mailed postage prepaid, first class, US mail to the following:

WAYNE AND LINDA HEINEN
1441 96TH RD
GOFF KS 66428-8233

With photocopies sent to:

TODD P & LUCY C HEINEN
1410 96TH ROAD
GOFF KS 66428-8233

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.

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

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

**Water Resources
 Received**

**MAR 26 2018
 2:35**

KS Dept Of Agriculture

File No. 49,425

2. Name of applicant: WAYNE HEINEN

Address: 1441 96TH ROAD

City, State and Zip: GOFF, KS 66428

Phone Number: (785) 336-1073 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 in place of use.

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

For Office Use Only:							
F.O. <u>1</u>	<u>GMD</u>	<input checked="" type="checkbox"/> Meets K.A.R. 5-5-1 (YES/NO)	Use <u>ICR</u>	Source <u>G</u>	County <u>NM</u>	By <u>AW</u>	Date <u>3/27/18</u>
Code <u>CPU</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>3/20/18</u>	Check # <u>2492</u>			

APPLICATION COMPLETE
6/18/18
 Reviewer RAK

SCANNED
4/2/18 DMW

4. The presently authorized place of use is:

Owner of Land — NAME: WAYNE HEINEN

ADDRESS: 1441 96TH ROAD, GOFF, KS 66428

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	5S	12E		40	40		40	36	24	40									220

List any other water rights that cover this place of use. NONE

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: WAYNE HEINEN

ADDRESS: 1441 96TH ROAD, GOFF, KS 66428

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	5S	12E		40	40		40	36	24	40	40	40	40	39					379

List any other water rights that cover this place of use: NEW APPLICATION TO BE FILED #50025

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

Water Resources
Received

**RAK/DWR 6/25/18*

MAR 26 2018

7. The presently authorized point(s) of diversion (is) (are) ONE DAM AND RESERVOIR
(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 26 2018

KS Dept of Agriculture
SCANNED

11. The presently authorized use of water is for IRRIGATION _____ purposes.

It is proposed that the use be changed to NO CHANGE _____ purposes.

12. 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.)

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

14. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (____ c.f.s.).

15. 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.

16. 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 DAM AND RESERVOIR

17. 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

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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.

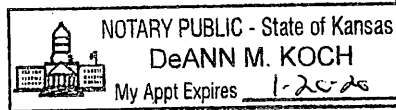
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 Seneca, Kansas, this 20th day of March, 2018.

<u>Wayne Heiner</u> (Owner)	_____	(Spouse)
<u>Wayne Heiner</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(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 20th day of March, 2018.

DeAnn Koch
Notary Public

My Commission Expires 1-20-20

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 26 2018

KS Dept Of Agriculture
SCANNED

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): WAYNE HEINEN

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: WAYNE HEINEN
 ADDRESS: 1441 96TH ROAD GOFF, KS 66428

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	5S	12E		40	40		40	36	24	40	40	40	40	39					379

TOTAL = 379 Acres

Landowner of Record NAME: _____
 ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____
 ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

**Water Resources
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2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

Water Resources
Received Page 2 of 2

MAR 26 2018

KS Dept Of Agriculture **SCANNED**

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.

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
2:35
KS Dept Of Agriculture

File No. 49,425

2. Name of applicant: WAYNE HEINEN

Address: 1441 96TH ROAD

City, State and Zip: GOFF, KS 66428

Phone Number: (785) 336-1073 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 in place of use.

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

(Date)

For Office Use Only:	
W.O. <u>GMD</u>	Meets K.A.R. 5-5-1 <u>(YES)</u> Use <u>IRR</u> Source <u>G</u> County <u>NM</u> By <u>AW</u> Date <u>3/27/18</u>
Code <u>CAU</u>	Fee \$ <u>200</u> TR # _____ Receipt Date <u>3/20/18</u> Check # <u>249</u>

WATER RESOURCES
RECEIVED

JUN 18 2018

KS DEPT OF AGRICULTURE

SCANNED

Assisted by: DWS - FO 1 _____

SCANNED

4/2/18 DMW

4. The presently authorized place of use is:

Owner of Land — NAME: WAYNE HEINEN

ADDRESS: 1441 96TH ROAD, GOFF, KS 66428

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	5S	12E		40	40		40	36	24	40									220

List any other water rights that cover this place of use. NONE

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: WAYNE HEINEN

ADDRESS: 1441 96TH ROAD, GOFF, KS 66428

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	5S	12E		40	40		40	36	24	40	40	40	40	39					379

List any other water rights that cover this place of use. NEW APPLICATION TO BE FILED

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

Water Resources
Received

MAR 26 2018

7. The presently authorized point(s) of diversion (is) (are) ONE DAM AND RESERVOIR
(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

Water Resources Received

JUN 18 2018

MAR 26 2018

KS DEPT OF AGRICULTURE

SCANNED Agriculture

11. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to NO CHANGE purposes.

12. 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.)

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

14. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (____ c.f.s.).

15. 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.

16. 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 DAM AND RESERVOIR

17. 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 26 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 May 30, 2018 Sawa, Kansas, this 30th day of May, 20 18.

(Owner)

[Signature]
(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

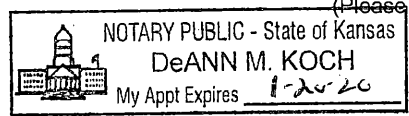
(Owner)

(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 30th day of May, 20 18.

[Signature]
Notary Public

My Commission Expires 1-20-20

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

JUN 18 2018

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.

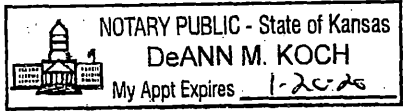
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

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 Seneca, Kansas, this 20th day of March, 2018.

<u>Wayne Heiney</u> (Owner)	_____	(Spouse)
<u>Wayne Heiney</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Wenatcha } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20th day of March, 2018.

DeAnn Koch
Notary Public

My Commission Expires 1-20-20

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
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JUN 18 2018
KS DEPT OF AGRICULTURE

Water Resources
Received
MAR 26 2018
KS Dept Of Agriculture
SCANNED

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): WAYNE HEINEN

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof.

Landowner of Record NAME: WAYNE HEINEN

ADDRESS: 1441 96TH ROAD GOFF, KS 66428

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25	5S	12E		40	40		40	36	24	40	40	40	39					379	

TOTAL = 379 Acres

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Landowner of Record NAME: _____

ADDRESS: _____

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

2. Please complete the following information for the description of the operation for the irrigation project. Attach supplemental sheets as needed.

a. Indicate the soils in the field(s) and their intake rates:

Soil Name	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total:	100 %		

b. Estimate the average land slope in the field(s): _____ %

Estimate the maximum land slope in the field(s): _____ %

c. Type of irrigation system you propose to use (check one):

Center pivot Center pivot - LEPA "Big gun" sprinkler
 Gravity system (furrows) Gravity system (borders) Sideroll sprinkler

Other, please describe: _____

d. System design features:

i. Describe how you will control tailwater:

ii. For sprinkler systems:

(1) Estimate the operating pressure at the distribution system: _____ psi

(2) What is the sprinkler package design rate? _____ gpm

(3) What is the wetted diameter (twice the distance the sprinkler throws water) of a sprinkler on the outer 100 feet of the system? _____ feet

(4) Please include a copy of the sprinkler package design information.

e. Crop(s) you intend to irrigate. Please note any planned crop rotations:

f. Please describe how you will determine when to irrigate and how much water to apply (particularly important if you do not plan a full irrigation).

You may attach any additional information you believe will assist in informing the Division of the need for your request.

WATER RESOURCES RECEIVED

JUN 18 2018

KS DEPT OF AGRICULTURE

Water Resources Received Page 2 of 2

MAR 26 2018

KS Dept Of Agriculture **SCANNED**

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

WAYNE HEINEN
1441 96TH RD
GOFF KS 66428-8233

May 9, 2018

Re: Appropriation of Water, File No. 49,425

Dear Mr. Heinen:

Reference is made to the application for approval of the Chief Engineer to change the place of use under the referenced file number which was received in the office of the Chief Engineer on March 26, 2018. Upon review of the application, we find that additional information is needed.

Please note that the application must be signed by each landowner and their spouse in the presence of a notary. I am enclosing a copy of the application and an additional signature form so that you may obtain the original notarized signature of Linda Heinen. Please return the form with the original notarized signature to the Manhattan address above at your earliest convenience so that I may continue with processing your application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in black ink, appearing to read "Richelle A. Krueger".

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures

pc: Topeka Field Office

WATER RESOURCES
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JUN 18 2018

KS DEPT OF AGRICULTURE

SCANNED

Property Details for PID: 0661972500000002010

QuickRef ID :	R8367
Owner Name :	HEINEN,WAYNE & LINDA
Location:	274 STATE HWY 63, Corning, KS 66417
Abbreviated Boundary Description:	S25, T05, R12, ACRES 233.62, W2-NE4 & NW4 LESS BEG 25' S & 60' E OF NW COR-NW4 TH E 154' S 189' W 154' N 189' TO POB & LESS BEG 214.5' S & 60' E OF

Owner Information:

Owner	HEINEN,WAYNE & LINDA
Mailing Address	1441 96TH RD GOFF, KS 66428

Property Information:

Type	Farm Homesite
Status	Active
Taxing Unit	244
Neighborhood Code	675

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	1
Square Feet	32,234

No Permit Details found

Deed Book Page Details

Book	Page
486	459-460

Additional Deed Book Page Details

Deed Book/Page 0433/0637 0433/0636 0377/0190 0377/0189 NW-COR OF THE NW4 TH E 154' S 100' W 154' N 100' TO POB & LESS R/W

Value Details

	Year	2017
Current Final Value (Agricultural)	Land	\$118,710.00
	Building	\$5,690.00
	Total	\$124,400.00

	Year	2017
Current Final Value (Farm Homesite)	Land	\$7,070.00
	Building	\$26,130.00
	Total	\$33,200.00

	Year	2016
Current Final Value (Agricultural)	Land	\$100,440.00
	Building	\$5,800.00
	Total	\$106,240.00

	Year	2016
Current Final Value (Farm Homesite)	Land	\$8,300.00
	Building	\$22,500.00
	Total	\$30,800.00

Dwelling Details

Story Height	One Story	Style	Ranch	Year Built	2005
Total Sq Ft Living Area	636	Main Floor Living SqFt :	636	Upper Floor Living Pct :	
Total Rooms:	1	Bedrooms:	1	Remodel Year:	
Full Baths:	1	Half Baths:	0	Basement:	Slab - 1
Depreciation Rating:	AV	Physical Condition:	AV	Quality:	LO+

No Manufactured Home Details found

Property Details for PID: 0661972500000005000

QuickRef ID :	R8370
Owner Name :	HEINEN,WAYNE & LINDA
Location:	00000 STATE HWY 63, Coming, KS 66417
Abbreviated Boundary Description:	S25, T05, R12, ACRES 155.76, SW4 LESS R/W
Owner Information:	
Owner	HEINEN,WAYNE & LINDA
Mailing Address	1441 96TH RD GOFF, KS 66428
Property Information:	
Type	Agricultural Use
Status	Active
Taxing Unit	244
Neighborhood Code	675

No Secondary Address Details found

Market Land Details:

Actual Width:	0
Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	0

No Permit Details found

Deed Book Page Details

Book	Page
530	422

Additional Deed Book Page Details

Deed Book/Page 0448/0475 0448/0474 0448/0473 0448/0473

Value Details

	Year	2017
Current Final Value (Agricultural)	Land	\$80,140.00
	Building	\$0.00
	Total	\$80,140.00
	Year	2016
Current Final Value (Agricultural)	Land	\$67,280.00
	Building	\$0.00
	Total	\$67,280.00

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

No Commercial Building Details found

No Commercial Building Section Details found

Ag Land Details

Acre Type : No Acres : Map Unit : Irrig : Well Depth :

Krueger, Richelle [KDA]

From: Tietsort, Katie [KDA]
Sent: Thursday, June 21, 2018 1:52 PM
To: Krueger, Richelle [KDA]
Cc: Bunger, Brett [KDA]; Schemm, Doug [KDA]
Subject: RE: Request for Recommendation Change in PU File No. 49425 Wayne Heinen

This looks good to go Richelle.

Thanks! 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 [KDA]
Sent: Tuesday, June 19, 2018 9:38 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Schemm, Doug [KDA] <Doug.Schemm@ks.gov>
Subject: Request for Recommendation Change in PU File No. 49425 Wayne Heinen

Hi Katie,
Attached is a draft memo for the referenced change in pu, 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



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

WAYNE HEINEN
1441 96TH RD
GOFF KS 66428-8233

May 9, 2018

FILE COPY

Re: Appropriation of Water, File No. 49,425

Dear Mr. Heinen:

Reference is made to the application for approval of the Chief Engineer to change the place of use under the referenced file number which was received in the office of the Chief Engineer on March 26, 2018. Upon review of the application, we find that additional information is needed.

Please note that the application must be signed by each landowner and their spouse in the presence of a notary. I am enclosing a copy of the application and an additional signature form so that you may obtain the original notarized signature of Linda Heinen. Please return the form with the original notarized signature to the Manhattan address above at your earliest convenience so that I may continue with processing your application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Richelle A. Krueger".

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures

pc: Topeka Field Office

SCANNED

Turney, Brent [KDA]

From: Baum, Kristen
Sent: Tuesday, May 8, 2018 9:29 AM
To: Turney, Brent [KDA]; Ireland, Leslie [KDA]; Krueger, Richelle [KDA]
Subject: FW: Heinen 50,025 Approval
Attachments: 50025 Approval and Notice to Proceed.docx; 50025 Memo to File.docx; 50025 Permit Worksheet.docm; 50025 Transmittal.docx

Would someone be willing to pick up this change app? Definitely no rush on it – I still need to receive the hard copy documents in the mail and I'm playing catch up on my inbox. Thanks!

From: Schemm, Doug [KDA]
Sent: Monday, May 7, 2018 8:01 AM
To: Baum, Kristen <Kristen.Baum@ks.gov>
Subject: Heinen 50,025 Approval

Hello Kristen,
This goes with Change in PU on File No. 49,425. Expanding the acreage, so more storage and direct use under the new application.
Keeping drawdown tube condition to be consistent with senior file.
Doug

STATE OF KANSAS

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

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PHONE: (785) 296-3556
www.agriculture.ks.gov



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

April 2, 2018

WAYNE HEINEN
1441 96TH RD
GOFF, KS 66428

RE: File No 49425

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

FILE NO. 49,425 - WAYNE HEINEN
PROPOSED PLACE OF USE MAP

50025



Earl & Barbara Solt
350 State Highway 63
Corning, KS 66417

Steven & Connie Holthaus
1528 120th Road
Seneca, KS 66538

Timothy C. Eisenbarth
1265 8th Road
Soldier, KS 66540

Kyle & Glenda Coe
1127 286th Road
Soldier, KS 66540

Southeast Corner of Section 25
Township 5 South
Range 12 East

1:24,000



Proposed Place of Use

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

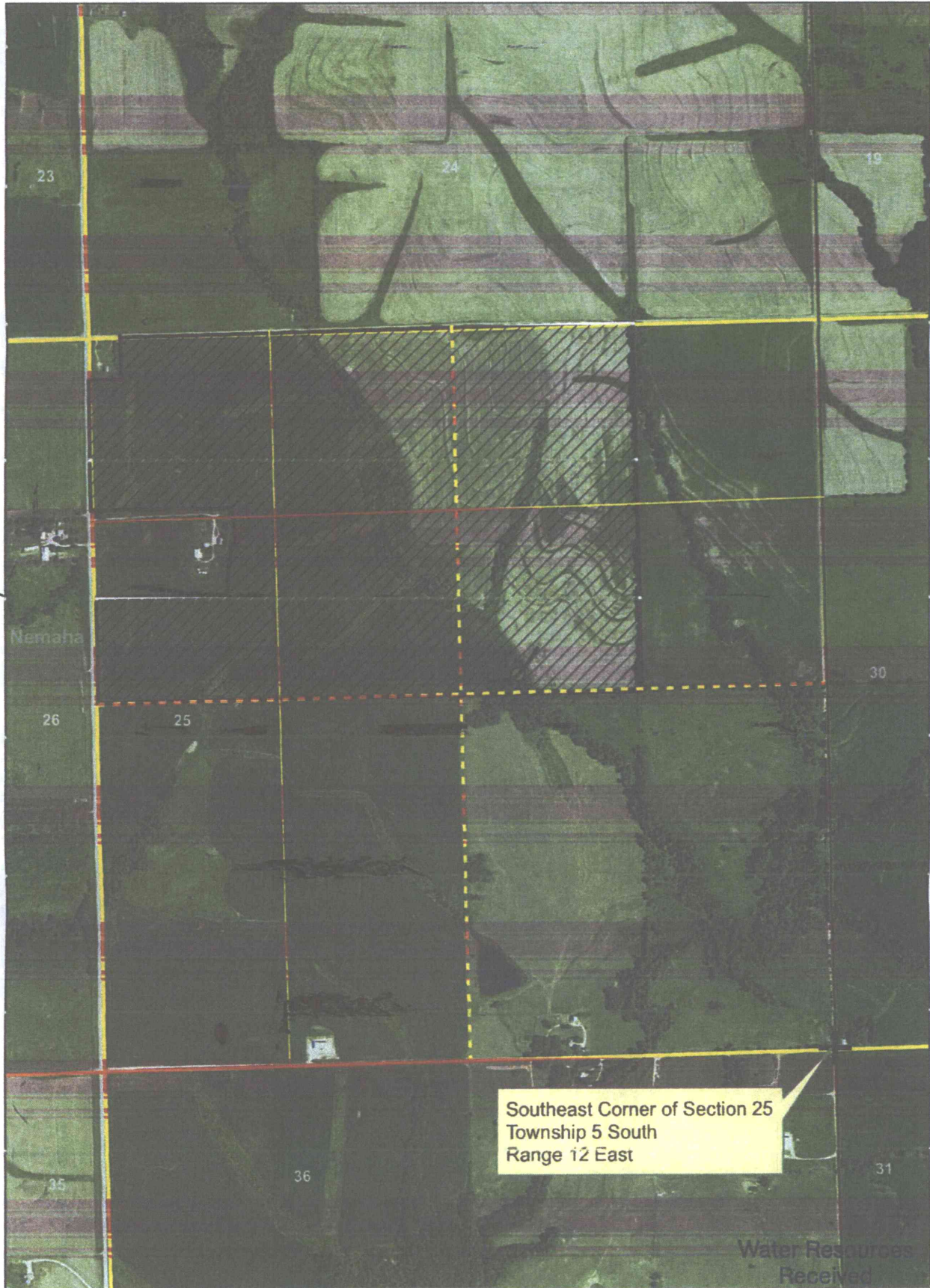
Water Resources
Received

MAR 26 2018

KS Dept Of Agriculture

FILE NO. 49,425 - WAYNE HEINEN
AUTHORIZED PLACE OF USE MAP

50025



Southeast Corner of Section 25
Township 5 South
Range 12 East

1:12,000



Authorized Place of Use

MAR 26 2018

KS Dept Of Agriculture

