

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

1. File Number: 49687	2. Status Change Date: <i>3/5/2018</i>	3. Change Num: C1	4. Field Office: 01	5. GMD:	
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 7/13/17	
8a. Applicant(s) New to system <input type="checkbox"/> LOUIS HOLLE 892 6TH RD MARYSVILLE KS 66508		Person ID 65091 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/> EDINGTON FAMILY TRUST RODNEY L EDINGTON 1104 LARAMIE ST MARYSVILLE KS 66508		Person ID 65092 Add Seq# _____	8d. WUC New to system <input type="checkbox"/> 8a Person ID 65091 Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2018 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/2018					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input 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: 2/16/2018 By: LI Date Entered: <i>3/7/2018</i> By: <i>UM</i> 8					

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: February 13, 2018

FROM: Leslie Ireland

RE: Appropriation of Water
File No. 49,687

Rodney L. Edington, Trustee of the Edington Family Trust, owner of the referenced file, has filed an application for approval to change the point of diversion which was received in the office of the Chief Engineer on July 13, 2017. This new appropriation authorizes surface water from the Big Blue River in Marshall County for irrigation use. Louis Holle, the water use correspondent for the referenced file helped with the application.

This 2016 approved appropriation is not required to complete until 2018.

The sole pumpsite is authorized 101.970 acre-feet from one(1) pumpsite for irrigation of 92.7 acres in the North Half (N $\frac{1}{2}$) of Section 31, Township 3 South, Range 7 East, Washington County. The referenced file number has no overlaps in the authorized point of diversion or place of use. The water right owner proposes to move the pumpsite upstream approximately 2,045 feet North to a portion of the river bank that has more stable. The currently authorized site is in the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) approximately 3,398 feet North and 3,148 feet West of the Southeast corner of Section 31. The new pumpsite will be located near the center of the North side of the Northwest Quarter of the Northeast Quarter (CN NW $\frac{1}{4}$ NE $\frac{1}{4}$) approximately 5,270 feet North and 2,326 feet West of the Southeast corner of the same section. The proposed changes in point of diversion will not alter any water right priorities along the river between the currently authorized and proposed pumpsite location. The right will divert from same local source of supply.

Nearby landowners located one-half ($\frac{1}{2}$) mile upstream and downstream from land owned or controlled by the applicant were notified of the proposed change in point of diversion. No comments of any kind were received.

In a February 16, 2018 e-mail, Katherine Tietsort, Water Commissioner of the Topeka Field Office, indicated that she has no objections to approval of the application.

The transmittal letter will remind the owner to submit the required FIS fee with the Notice of Completion. A water flowmeter 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, and that no change in the local source of supply will occur, it is recommended that the referenced application be approved.


Leslie Ireland
Environmental Scientist

1320 Research Park Drive
Manhattan, Kansas 66502
785-564-6700



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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

March 8, 2018

FILE COPY

LOUIS HOLLE
892 6TH RD
MARYSVILLE KS 66508

RE: Appropriation of Water
File No. 49,687

Dear Mr. Holle:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file. Please return the required and the enclosed form, Notification of the Completion of the Diversion Works, and the \$400.00 Field Inspection Fee upon completion of the proposed change.

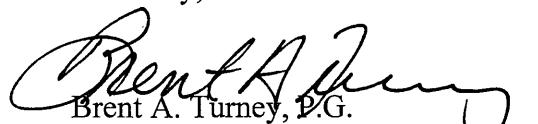
Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of the referenced appropriation.

If for any reason, you require an extension of time, you must request it before the expiration of time set forth in this permit. Failure to comply with this regulation will result in the dismissal of your permit or your water right. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00.

If you have any questions, please contact Topeka Field Office at (785) 296-5733. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Additional information regarding appropriations of water may be found on the Kansas Department of Agriculture web site, <http://www.agriculture.ks.gov>.

Sincerely,


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

BAT:LI:li:
Enclosures

pc: Topeka Field Office
Rodney L. Edington, Edington Family Trust

THE STATE



OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN POINT OF DIVERSION
APPROPRIATION OF WATER
FILE NO. 49,687**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Rodney L Edington, on behalf of the Edington Family Trust 1104 Laramie Street, Marysville, Kansas 66508, received in this office on July 13, 2017, for approval of a change in the location of the point of diversion under the Approval of Application, File No. 49,687, for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply 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 for of the point of diversion for irrigation use shall be:

one(1) pumpsite located near the center of the North side of the Northwest Quarter of the Northeast Quarter (CN NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 31, more particularly described as being near a point 5,270 feet North and 2,326 feet West of the Southeast corner of said section, in Township 3 South, Range 7 East, Marshall County, Kansas,

located substantially as shown on the topographic and photographic maps accompanying the application to change the point of diversion.

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.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

In all other respects, the Approval of Appropriation, File No. 49,687, for permit to appropriate water for beneficial use, is as stated and set forth in the approval dated December 8, 2016.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Ordered this 5th day of March, 2018, at Topeka, Shawnee County, Kansas.

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

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 5th day of March, 2018, by Lane P. Letourneau, L.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
 Notary Public

CERTIFICATE OF SERVICE

On this 8th day of March, 2018, I hereby certify that the attached Approval of Application for Change in Point of Diversion, Appropriation of Water, File No. 49,687, dated March 5th, 2018 was mailed postage prepaid, first class, US mail to the following:

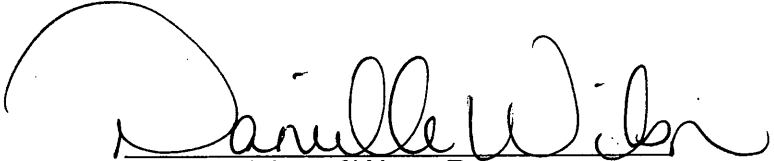
LOUIS HOLLE
892 6TH RD
MARYSVILLE KS 66508

With a true & correct copy to:

EDINGTON FAMILY TRUST
RODNEY L EDINGTON
1104 LARAMIE ST
MARYSVILLE KS 66508

With photocopies to:

Topeka Field Office


Division of Water Resources

JUL 13 2017

11:05

KS DEPT OF AGRICULTURE



State of Kansas

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

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

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
ACCEPTABLE FOR PRIORITY
JUN 15 2017
11:56
KS DEPT OF AGRICULTURE

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

File No. 49,687

Edington Family Trust

2. Name of applicant: LOUIS HOLLE

Co Truila Rodney L. Edington

Address: 892 6TH RD

City, State and Zip: MARYSVILLE KS 66508

Phone Number: (785)562-6129

E-mail address: _____

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

Name of water use correspondent: SAME AS ABOVE

Address: _____

City, State and Zip: _____

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): BANK IS MOVING AND POINT OF DIVERISON WOULD BE BETTER LOCATED 1000 FEET NORTH FOR PUMPING

The change(s) (will be) completed by WHEN APPROVED IN 2017

(Date)

For Office Use Only:

F.O. GMD Meets K.A.R. 5-5-1 (YES/NO) Use IRA Source CS County MS By AW Date 7/13/17
Code 6GT Fee \$ 200 TR # _____ Receipt Date 7/13/17 Check # 1573

APPLICATION COMPLETE
12/29/17

Reviewer LI

SCANNED

Assisted by: LI

REC 6/19/17

10F7

7/17/17 AW

4. The presently authorized place of use is:

Owner of Land — NAME: EDINGTON FAMILY TRUST, RODNEY L EDINGTON

ADDRESS: 1104 LARAMIE ST MARYSVILLE KS 66508

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	
31	3	7E		5.1			39.3	33.0	5.9	9.4									92.7

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:

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. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion is ONE (1) PUMPSITE
(Provide description and number of points)

7. The proposed point(s) of diversion is ONE (1) PUMPSITE
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. Presently authorized point of diversion:

One in the NE Quarter of the SE Quarter of the NW Quarter of Section 31, Township 3 South, Range 7 (E), in MARSHALL County, Kansas, 3398* feet North 3148* feet West of Southeast corner of section. Authorized Rate 900 Authorized Quantity 101.97

(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 SW CN Quarter of the NW NW Quarter of the NE NE Quarter of Section 31, Township 3 South, Range 7 (E), in MARSHALL County, Kansas, 5270* feet North 2326* feet West of Southeast corner of section. Proposed Rate 900 Proposed Quantity 101.97

This point is: Additional Well Geo Center List other water rights that will use this point NONE

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

* LE/DWR 12/7/17 FROM MAP & JURIS
* LE/DWR 2/12/18 FROM EMAILS & QUINCY

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ACCEPTABLE FOR PRIORITY
DEPT OF AGRICULTURE
SCANNED

12. The presently authorized use of water is for IRRIGATION USE purposes.

It is proposed that the use be changed to REMAIN FOR THIS purposes.

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

NO CHANGE IN QUANTITY, RATE OR PLACE OF USE

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NO CHANGE (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NO CHANGE 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.

THERE ARE NO INCOMMING TRIBUTARIES BETWEEN THE CURRENTLY AUTHORIZED AND PROPOSED POINT OF DIVERSION. REQUESTED CHANGE IS DUE TO THE MOVEMENT OF THE STREAM AWAY FROM THE CURRENRTLY AUTHORIZED LOCATION OF THE POINT OF DIVERSION.

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.

REQUESTED CHANGE MEETS THE RULES AND REGULATION TO THE BEST OF MY KNOWLEDGE.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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 Marshall County, Kansas, this 9th day of June, 20 17

Rodney L. Edington
(Owner) Trustee

(Spouse)

EDINGTON FAMILY TRUST, RODNEY L EDINGTON
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

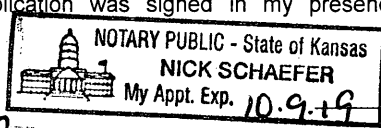
(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Marshall } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9th day of June, 20 17



Nick Schaefer
Notary Public

My Commission Expires 10.9.19

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
WATER RESOURCES RECEIVED
UNACCEPTABLE

JUL 13 2017

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

SCANNED

5 of 7

Ireland, Leslie [KDA]

From: Tietsort, Katie [KDA]
Sent: Friday, February 16, 2018 8:45 AM
To: Ireland, Leslie [KDA]
Cc: Bunger, Brett [KDA]
Subject: RE: Recommendation for Change in PD, File No. 49,687 Holle-Edington

Hi Leslie,

Yes, this one looks ready to move forward. These appear to be the feet distances we worked out and the KWAA requirements are met. Thanks for working this file.

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: Ireland, Leslie [KDA]
Sent: Tuesday, February 13, 2018 3:37 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett [KDA] <Brett.Bunger@ks.gov>
Subject: Recommendation for Change in PD, File No. 49,687 Holle-Edington

Katie,

Please let me know if you could recommend this change in point of diversion to move the pumpsite.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

Ireland, Leslie [KDA]

From: Tietsort, Katie [KDA]
Sent: Thursday, January 18, 2018 9:18 AM
To: Ireland, Leslie [KDA]
Subject: RE: File No. 49,687 change in PD location

Oh then we are all good Leslie. I didn't hear from Brett so I don't think anyone is heading that way, although he has had a couple walk ins this am for water use help. Don't be afraid to just ask me to look at this sorta stuff when you need feet distance help. That is no problem.

Have a great day! It's warming up soon we'll be out of the deep freeze! ☺

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: Ireland, Leslie [KDA]
Sent: Thursday, January 18, 2018 9:15 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: RE: File No. 49,687 change in PD location

Well it was me who assisted, as you can tell I'm not fond of pinning down these pumpsites as I'm just not that good at it.. 5270 & 2326 sounds better. Thanks.. I've sent the nearby letters, but no replies, so I'm going to summarize for your review, but need to get some other letters sent on some other projects so it will be a may or two.

Thank you for the info.

From: Tietsort, Katie [KDA]
Sent: Thursday, January 18, 2018 9:03 AM
To: Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>
Cc: Bungler, Brett [KDA] <Brett.Bunger@ks.gov>
Subject: RE: File No. 49,687 change in PD location

Leslie,

I don't even know that they would have the location set up yet before approval and they certainly won't have a pump out there in the winter. With that said, it is probably best just to proceed with what you have. I looked at the change app in Docuware but it looks like the person who assisted did not actually provide neither the existing feet distances nor the proposed feet distances on the application. IT looks like the point he is requesting is about 5270 N and 2326W. Is that close to what you are using?

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: Ireland, Leslie [KDA]
Sent: Thursday, January 18, 2018 8:32 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: File No. 49,687 change in PD location

Katie,

If TFO has someone going to the area of this right, 31-3-7E Marshall, aka, Marysville, do you want them to GPS the actual location of the proposed pumpsite? Or do you want me to just proceed with the application as received?

Leslie Ireland, Environmental Scientist II
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

49,007

Louis Holle

Nearby Landowners within 1/2 mile:

- 1) KJP Farms LLC
Kendall Peeks
511 N 18th St
Marysville KS 66508
- 2) Kurt Larson
447 Sunflower Rd
Waterville KS 66548
- 3) Blue River Farms LLC
Alan Bruna
405 E North
Hanover KS 66945

④ #4SEY4 30-357E
Also
Blue River Farms LLC

WATER RESOURCES RECEIVED

AUG 11 2016

WATER RESOURCES RECEIVED
 JUL 13 2017
 INACCEPTABLE FOR PRIORITY
 SCANNED
 KS DEPT OF AGRICULTURE
 KS DEPT OF AGRICULTURE



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 8, 2017

ADDRESS LIST

RE: Application for Change
Appropriation of Water, File No. 49,687

Dear Sir or Madam:

This is to advise you that Louis Holle has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion authorized for irrigation use under the referenced appropriation.

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- from: one (1) pumpsite located in the Northeast Quarter of the Southeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 31, more particularly described as being near a point 3,398 feet North and 3,148 feet East of the Southeast corner of said section,
- to: one (1) pumpsite located near the center of the North Half of the North Half of (N $\frac{1}{2}$ N $\frac{1}{2}$) of Section 31, more particularly described as being near a point 4,400 feet North and 2,500 feet East of the Southeast corner of said section,

both in Township 3 South, Range 7 East, Marshall County, Kansas.

The map submitted with the application has been enclosed.

You are being notified of the proposed change so that you may furnish this office written comments or other information you may desire to submit. Such written comments or other information must be received in this office within 15 days from the date of this letter.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure
pc: Topeka Field Office
Louis Holle

FILE COPY

Applications for Change
Appropriation of Water, File No. 49,687
Nearby land owners

1. KJP Farms LLC
Kendall Peeks
511 N 18th ST
Marysville, KS 66508
2. Kurt Larson
447 Sunflower Rd
Waterville, KS 66548
3. Blue River Farms LLC
Alan Bruna
405 E North
Hanover, KS 66945
4. Bradley J. & Julia M. Hammett
13505 Jennice CT
Wamego, KS 66547

FILE COPY

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Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 8, 2017

KJP FARMS LLC
KENDALL PEEKS
511 N 18TH ST
MARYSVILLE KS 66508

FILE COPY

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Topeka Field Office
Louis Holle

SCANNED

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Manhattan, Kansas 66502
(785) 564-6700



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Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 8, 2017

KURT LARSON
447 SUNFLOWER RD
WATERVILLE KS 66548

RE: Application for Change
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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Topeka Field Office
Louis Holle

SCANNED

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 8, 2017

BLUE RIVER FARMS LLC
ALAN BRUNA
405 E NORTH
HANOVER KS 66945

RE: Application for Change
Appropriation of Water, File No. 49,687

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Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure

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Louis Holle

SCANNED

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Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

December 8, 2017

BRADLEY J. & JULIA M. HAMMETT
13505 JENNICE CT
WAMEGO KS 66547

RE: Application for Change
Appropriation of Water, File No. 49,687

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Sincerely,

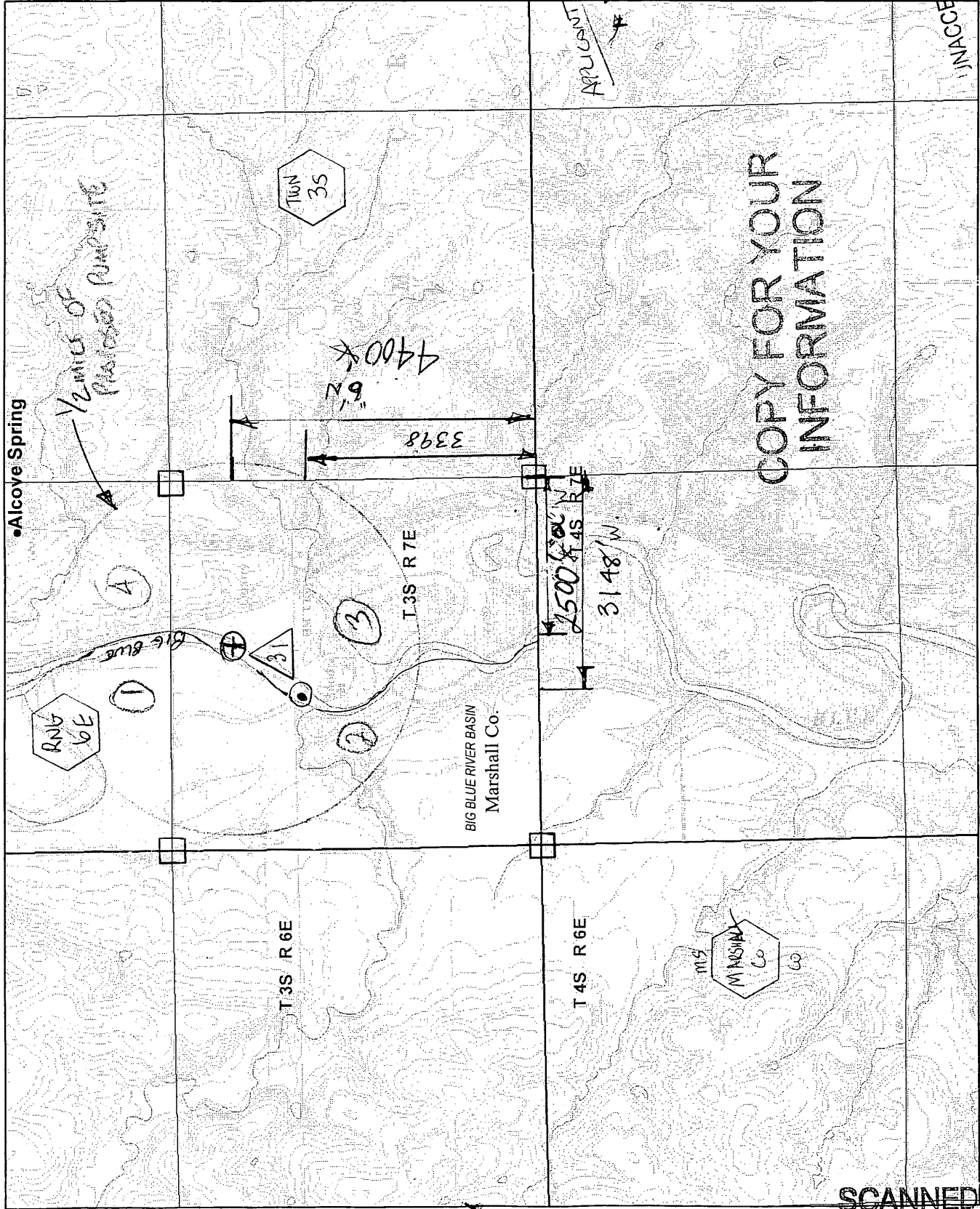
Leslie Ireland
Environmental Scientist
Water Appropriation Program

Enclosure

pc: Topeka Field Office
Louis Holle

SCANNED

Appropriation of Water File No. 49687 Change in Point of Diversion

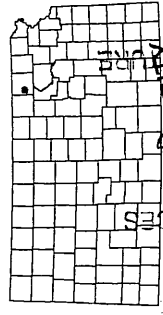


COPY FOR YOUR INFORMATION

WATER RESOURCES
 JUL 11 2017
 S_IRR ASSESSED
 S-144 PROPOSED

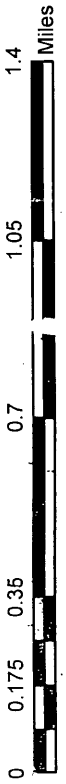
SCANNED
 PUMPSITE
 MUST BE
 COMPLETED
 WITHIN 300
 OF PROPOSED
 POINT OF DIVERSION
 SEC 31, T3S, R6E
 MARSHALL COUNTY

SIGNATURE OF APPLICANT
 LAND OWNERS
 UP STREAM
 DOWN STREAM
 IF PROPOSED PD - HAVE BEEN SHOWN -



WATER RESOURCES
 JUN 27 2017
 RECEIVED
 KANSAS DEPT OF AGRICULTURE

INACCEPTABLE FOR PRIORITY



This map was created by Lireland in WIMAS on 3/10/2017.
 * LE/OW/L 12/7/17

SCANNED



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

LOUIS HOLLE
LOUIS HOLLE
892 6TH RD
MARYSVILLE, KS 66508

July 14, 2017

FILE COPY

RE: File No 49687

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 PD
- 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.

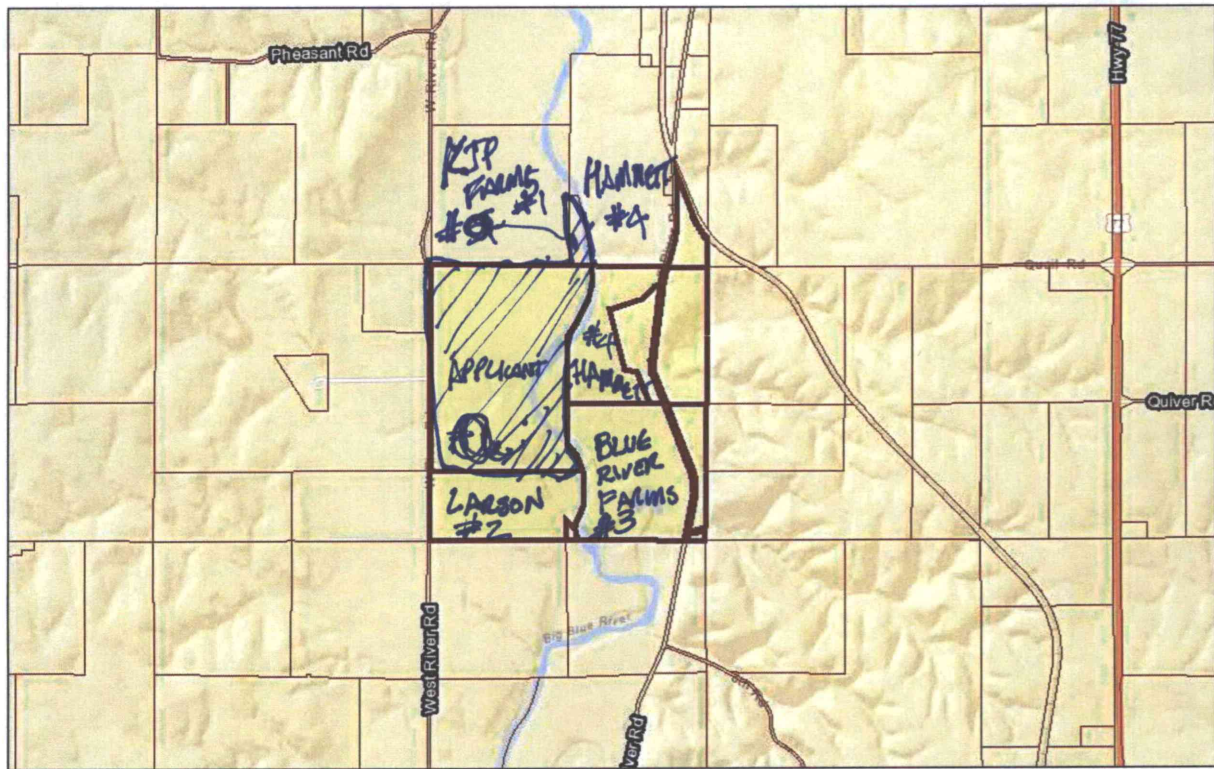
If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT: DLW
pc: TOPEKA Field Office GMD

.000|0581493100000002000|0581493100000001000|0581493100000003000|05814931000000090



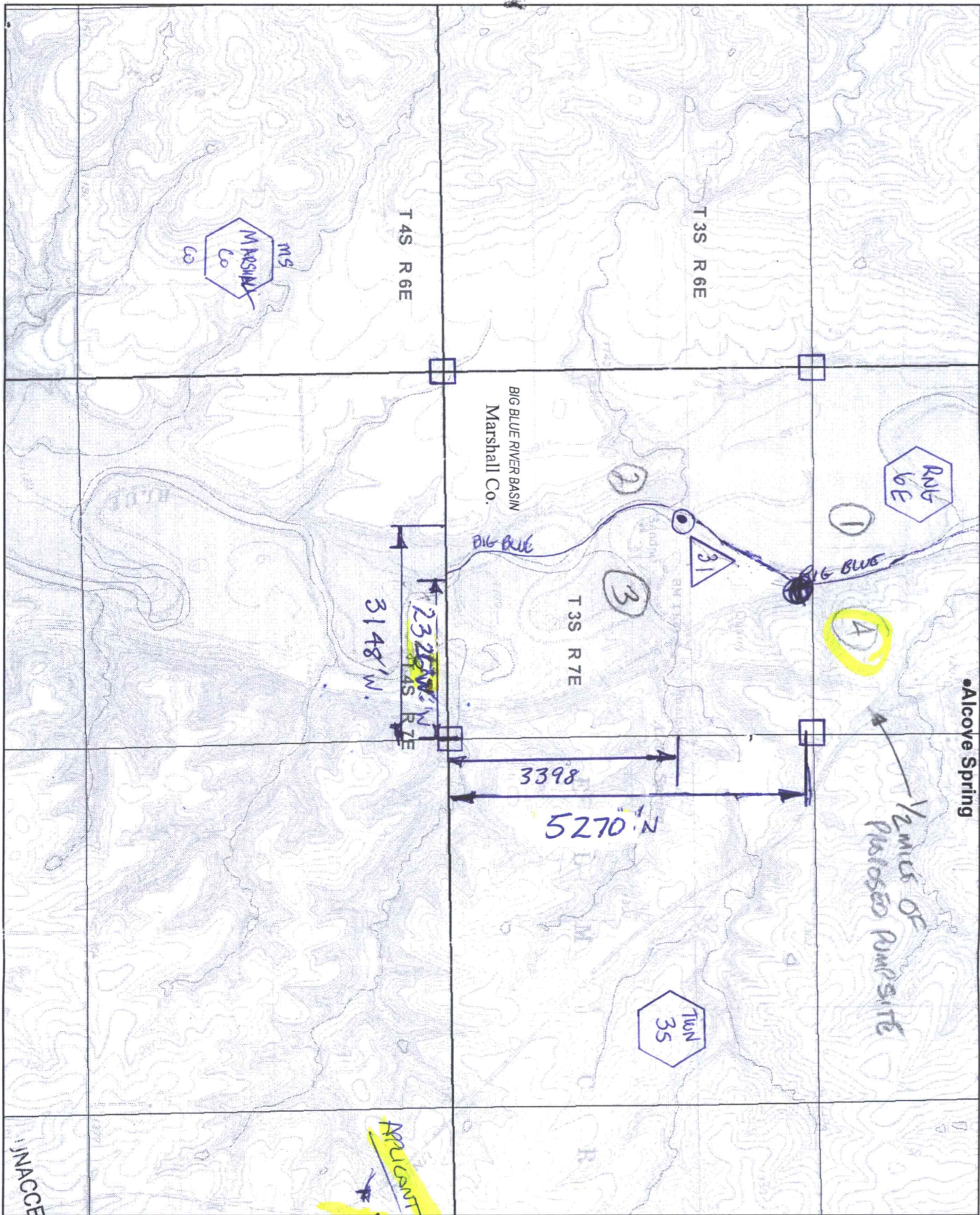
December 7, 17

- Parcels
- Parcels 36112

1:36,112
0 1,650 3,300 6,600 ft
0 500 1,000 2,000 m
All Kansas coordinates: KDOR
Kansas counties: KDOR

###

Appropriation of Water File No. 49687 Change in Point of Diversion



Alcove Spring

1/2 miles of proposed pump site

3148' W.

2325' W.

3398

5270' N

This map was created by L.Ireland in WIMAS on 3/10/2017.

* LI/Out 12/1/17
* LI/Out 2/12/18 from Emma's

- Legend**
- S_UMW
 - S_IRR Approved
 - S-Irr Proposed

WATER RESOURCES RECEIVED
JUL 1 2017

SCANNED KS DEPT OF AGRICULTURE

PUMP SITE MUST BE COMPLETED WITHIN 300 OF PROPOSED POINT OF DIVERSION
SEC 31, T4S, R6E
MARSHALL COUNTY

APPLICANT
SIGNATURE OF APPLICANT
LAND OWNERS
UP STREAM
DOWN STREAM
IF PROPOSED PD HAVE BEEN SIGNED
Index Map
INACCEPTABLE FOR PRIORITY



WATER RESOURCES RECEIVED
KS DEPT OF AGRICULTURE

applicant's map - listan



Roehr's Machinery Inc.

1512 N 6th Street
Beatrice, NE 68310
402-228-3319 1-888-476-3477

Roehr's Machinery
"Helping You Grow"

Grower: Edington Family Trust

Date: 08/08/2016

Farm: System Design 1 : 8/8/2016

Field Name: Full Circle : 8/8/2016

Field Area: 87.48 acres

System Model: E2065

System Length: 881.00 ft

Total Irr. Area: 62.98 acres

Number of Spans: 5



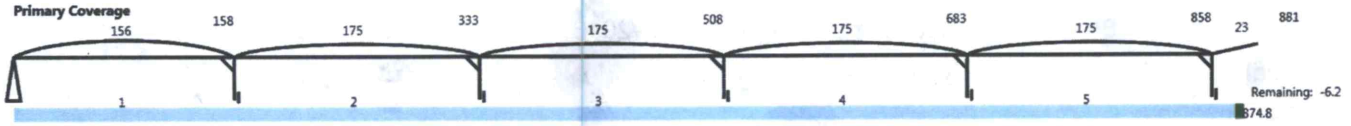
System Length 881.00 Total Spans: 5
 Pivot Center Lat/Long: 39 45' 8.67"N / 96 41' 21.05" W

1st/2nd Endgun Throw: 100
 Degree of Sweep: 360.00

Total Irrigated Acres: 62.98
 SAC/SSAC Acres:

Pivot Acres: 55.98
 Wrap Span Acres:

1st/2nd Endgun Areas: 7.00
 Drop Span Acres:



Span Information						
Span No.	1	2	3	4	5	End Boom
Model:	E2065	E2065	E2065	E2065	E2065	23'
Length:	156'	175'	175'	175'	175'	
Dist - Twr.	158.00 ft'	333.00 ft'	508.00 ft'	683.00 ft'	858.00 ft'	
Pipe Size:	6_5/8	6_5/8	6_5/8	6_5/8	6_5/8	N/A
Outlet Sp:	57"	57"	57"	57"	57"	57"

Primary (1st) Endgun Areas by Location							
SR100 (feet)	Degree from North		Degree from Pivot Start		Latitude / Longitude in Degrees		Area Acres
	Start	Stop	Start	Stop	Start	Stop	
Area 1	23.6	130.2	23.6	130.2	39 45' 17.45"N 96 41' 15.73" W	39 45' 2.23"N 96 41' 11.66" W	3.98 acres
Area 2	251.9	332.9	251.9	332.9	39 45' 5.89"N 96 41' 33.08" W	39 45' 17.41"N 96 41' 26.47" W	3.02 acres

FARM BUREAU[®] DAY

THE FARMERS AND RANCHERS OF KANSAS FARM BUREAU[®]

*Approximately
 1700 ft.
 Northeast up the river*