

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

1. File Number: 47525	2. Status Change Date: 4/4/2019	3. Change Num: C2	4. Field Office: 01	5. GMD:
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 18-JAN-2019
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8a. Applicant(s) New to system Person ID **61131**
 Add Seq# **1**

JOE & KRISTI LALLEMAND
138 S 130TH ST
GIRARD KS 66743

8d. Landowner(s) New to system Person ID **66562**
 Add Seq# **1**

RONALD W WEBB
509 W 3RD ST
FRANKLIN KS 66735

8b. Landowner(s) New to system Person ID **61131**
 Add Seq# **1**

JOE & KRISTI LALLEMAND
138 S 130TH ST
GIRARD KS 66743

8e. Landowner(s) New to system Person ID **66560**
 Add Seq# **1**

KENNETH L & CAROL S BIANCARELLI
510 E 590TH AVE
PITTSBURG KS 66762

8c. Landowner(s) New to system Person ID **66561**
 Add Seq# **1**

JOHN JOSEPH & DOROTHY COLLEEN NEPOTE
613 W LEIGHTON ST
FRONTENAC KS 66763

8f. WUC New to system Person ID _____
 Add Seq# _____

8A NO CHANGE

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2020** N & P Date to Comply: _____

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

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

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

Date Prepared: **4/03/19** By: **RAK**
 Date Entered: **4/9/2019** By: **LLM**

File No. **47525** 11. County: **CR** Basin: **SPRING RIVER** Stream: **FIRST COW CREEK TRIB 4 (SPRING)** Formation Code: Special Use:
3541

12. Points of Diversion											Rate and Quantity								
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate	Quantity	Rate	Quantity	Overlap PD Files			
ENT												gpm/cfs	af/mgy	gpm/cfs	af/mgy				
✓				77319 SE¼SE¼SE¼	13	29	24E	1	290	223	STRUCTURE PERMIT #DCR-0107	1710	gpm	82	AF	1710 g.p.m.	82	AF	50200

13. Storage: Rate 0 NF Quantity 201 AF ac/ft Additional Rate 0 NF Additional Quantity 201 AF ac/ft

14. Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ gpm (_____ cfs) when combined with file number(s) _____

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

16. Place of Use				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files					
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
	MOD			64924	13	29	24E	1				40.00									40.00			37.00	117.00	8B	YES	50200
	ENT			69273	13	29	24E	2			40.00					11.00				3.00	40.00	6.00		100.00	8E	NO	50200	
	MOD			61028	18	29	25E	1		5.00	27.00		40.00	40.00	40.00	40.00	40.00	38.00	22.00	31.00		39.00		362.00	8B	YES	50200	
	ENT			69274	18	29	25E	2														36.00		36.00	8C	NO	50200	
	ENT			69275	18	29	25E	3		5.00														5.00	8D	NO	50200	

Base Acres: Year: Minimum Reasonable Quantity:
 Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 3, 2019

FROM: Richelle A. Krueger

RE: Water Right
File No. 47,525

Leonard Joseph and Kristi L. Lallelemand, water right owners, filed an application for approval to change the authorized place of use for File No. 47,525, authorized surface water. The referenced change application was filed in conjunction with Application, File No. 50,200 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.

File No. 47,525 is authorized 82 acre-feet of direct use and 201 acre-feet of storage from a dam located 290 feet North and 223 feet West of the Southeast corner of Section 13, Township 29 South, Range 24 East, Crawford County, for irrigation of 210 acres in Section 13 and in Section 18, Township 29 South, Range 25 East, Crawford County. The referenced change application proposes to create a complete overlap in the point of diversion and place of use with Application, File No. 50,200, adding new acreage in Sections 13 and 18 for a total of 620 acres to be irrigated. The proposed place of use adds more owners to the water rights as identified on the application, and it appears the proposed place of use includes a creek, a number of trees, a homestead and ponds.

The total limited quantity under File Nos. 47,525 and 50,200, 620 acre-feet (limited 654 acre-feet storage), can irrigate the proposed 620 acres with 1.0 acre-feet per acre, which appears reasonable since the maximum acre-feet per acre allowed in Crawford County is 1.0 acre-feet per acre. The additional quantity acquired by File No. 50,200 should be sufficient to cover any increase in consumptive use.

On February 20, 2019, Doug notified one downstream landowner located within one-half (½) mile of the property boundaries, informing them of the new application and the referenced change application. No response was received.

The same local source of supply will not change.

Katherine Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the application in an April 2, 2018 e-mail.

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

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



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

Mike Beam, Acting Secretary

Laura Kelly, Governor

JOE & KRISTI LALLEMAND
138 S 130TH ST
GIRARD KS 66743

April 12, 2019 **FILE COPY**

RE: Water Right, File No. 47,525

Dear Mr. and Mrs. Lallemand:


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.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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

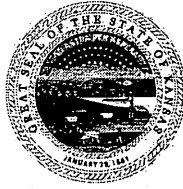
Sincerely,


Brent A. Turney, F.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT:rak

pc: Topeka Field Office
Ronald Webb
Kenneth & Carol Biancarelli
John & Dorothy Nepote

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Acting Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 47,525

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Leonard Joseph and Kristi L. Lallemand, 138 South 130th Street, Girard, Kansas 66743, Kenneth L. and Carol S. Biancarelli, 510 East 590th Avenue, Pittsburg, Kansas 66762, John Joseph and Dorothy Colleen Nepote, 613 West Leighton Street, Frontenac, Kansas 66763, and Ronald W. Webb, 509 West 3rd Street, Franklin, Kansas 66735, received in this office on January 18, 2019, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
13	29S	24E			40.00	40.00					11.00				3.00	40.00	40.00	6.00	37.00	217.00	
18	29S	25E		10.00	27.00		40.00	40.00	40.00	40.00	40.00	38.00	22.00	31.00			39.00	36.00			403.00

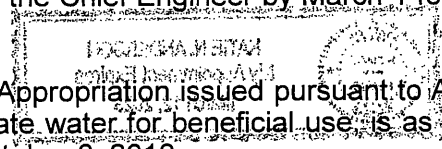
a total of 620.00 acres in Crawford County, Kansas,

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

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 47,525, for permit to appropriate water for beneficial use is as stated and set forth in the Certificate of Appropriation dated October 3, 2018.



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 4th day of April, 2019, in Manhattan, Riley 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 4th day of April, 2019 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 2nd day of April, 2019, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 47,525, dated April 4th, 2019 was mailed postage prepaid, first class, US mail to the following:

JOE & KRISTI LALLEMAND
138 S 130TH ST
GIRARD KS 66743

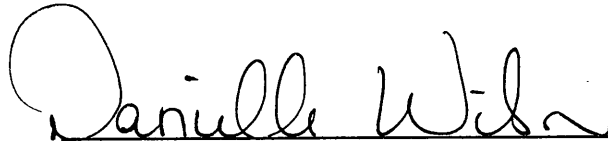
With photocopies to:

KENNETH L & CAROL S BIANCARELLI
510 E 590TH AVE
PITTSBURG KS 66762

JOHN JOSEPH & DOROTHY COLLEEN NEPOTE
613 W LEIGHTON ST
FRONTENAC KS 66763

RONALD W WEBB
509 W 3RD ST
FRANKLIN KS 66735

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

JAN 18 2019
12:24
KS Dept Of Agriculture

File No. 47525

2. Name of applicant: Joe Lallemand

Address: 138 S 130th St

City, State and Zip: Girard, KS 66743

Phone Number: (620)249-8882

E-mail address: _____

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

Name of water use correspondent: Joe Lallemand

Address: 138 S 130th St

City, State and Zip: Girard, KS 66743

Phone Number: (620)249-8882

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): Irrigation projects have expanded over the years, and there are plans to expand irrigated acres even more. Need to include additional acres to the place of use. A new application to appropriate water is being filed concurrently with this change. The files will share a complete overlap in point of diversion and place of use.

The change(s) will be completed by upon approval

(Date)

For Office Use Only:

F.O. 1 GMD D Meets K.A.R. 5-5-1 (YES / NO) Use RR Source G.S County CR By DAW Date 1/18/19
Code CRJ Fee \$ 200 TR # _____ Receipt Date 1/18/19 Check # 0583

APPLICATION RECEIVED

3/12/19
RAK

4. The presently authorized place of use is:

Owner of Land — NAME: Joe & Kristi Lallemand

ADDRESS: 138 S 130th St, Girard, KS 66743

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
13	29S	24E																	21			3	24
18	29S	25E			2		20	13	28	38	25	25	5	5			25						186
																			210				

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 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: _____

See attached irrigation use supplemental sheet.

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. _____

Water Resources

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

JAN 18 2019

- 6. The presently authorized point(s) of diversion is One dam
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) No change in point of diversion
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SE Quarter of the SE Quarter of the SE Quarter of Section 13, Township 29 South, Range 24 EAST, in Crawford County, Kansas, 290 feet North 223 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 _____ (EW), 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 _____ (EW), 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 _____ (EW), 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 _____ (EW), 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 _____ (EW), 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. N/A

Water Resources

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

JAN 18 2019

12. The presently authorized use of water is for Irrigation purposes.

It is proposed that the use be changed to No change in UMW purposes.

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

Consumptive use will be increased, but a new application for permit to appropriate water is being filed concurrently to account for the increased use and increased acres.

(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.

Concurrently filed new application for permit to appropriate water will ensure no impairment.

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.

Meets all applicable rules and regs

Water Resources

Received

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

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IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Joe Lallemand

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: Joe & Kristi Lallemand

ADDRESS: 138 S 130th St, Girard, KS 66743

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
13	29S	24E				40											40				37	117
18	29S	25E		5	27		40	40	40	40	40	38	22	31				39				362
																					479	

Landowner of Record NAME: Kenneth L & Carol S Biancarelli

ADDRESS: 510 E 590th Ave, Pittsburg, KS 66762

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
13	29S	24E			40								11			3		40	6		100

Landowner of Record NAME: John Joseph & Dorothy Colleen Nepote

ADDRESS: 613 W Leighton St, Frontenac, KS 66763

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
18	29S	25E																		36	36

Landowner of Record NAME: Ronald W Webb

ADDRESS: 509 W 3rd St, Franklin, KS 66735

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
18	29S	25E		5																	5	
																					Grand Total	620

JAN 18 2019

SCANNED

KS Dept Of Agriculture

IRRIGATION USE SUPPLEMENTAL SHEET

File No. _____

Name of Applicant (Please Print): Joe Lallemand

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: Joe & Kristi Lallemand

ADDRESS: 138 S 130th St, Girard, KS 66743

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
13	29S	24E				40											40			37	117
18	29S	25E		5	27		40	40	40	40	40	38	22	31				39			362
																					479

Landowner of Record NAME: Kenneth L & Carol S Biancarelli

ADDRESS: 510 E 590th Ave, Pittsburg, KS 66762

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
13	29S	24E			40					11			3			40	6				100

Landowner of Record NAME: John Joseph & Dorothy Colleen Nepote

ADDRESS: 613 W Leighton St, Frontenac, KS 66763

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
18	29S	25E															36				36

Landowner of Record NAME: Ronald W Webb

ADDRESS: 509 W 3rd St, Franklin, KS 66735

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
18	29S	25E		5																	5

Water Resources
Received

JAN 18 2019

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 Arma, Kansas, this 17 day of JANUARY, 2019.

Leonard Joseph Lallemand
(Owner)

Kristi L. Lallemand
(Spouse)

LEONARD JOSEPH LALLEMAND
(Please Print)

KRISTI L. LALLEMAND
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of CRAWFORD } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me, this 17th day of JANUARY, 2019.

My Commission Expires 5-17-21

NOTARY PUBLIC - State of Kansas
Vickie Logiudici
My Appt Exp. 5-17-2021

Vickie Logiudici
Notary Public

FEE SCHEDULE

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

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

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

Water Resources
Received

JAN 18 2019

KS Dept Of Agriculture
SCANNED

Property Details for PID: 0191261300000030000

QuickRef ID : R6095

Owner Name : LALLEMAND, JOE & KRISTI (Bought all CuKjati Trust Land)

Location: 171 N 210TH STREET, Franklin, KS 66735

Abbreviated Boundary Description: S13, T29, R24, ACRES 120.2, SE1/4 NE1/4 AND E1/2 SE1/4, LESS ROW.

Owner Information:

Owner LALLEMAND, JOE & KRISTI

Mailing Address 138 S 130TH ST GIRARD, KS 66743

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 070

Neighborhood Code 001.0

Secondary Address Details

Address 171 N 210TH STREET, Girard, KS 66743

Market Land Details:

Actual Width: 0

Property Details for PID: 0191141800000001000

QuickRef ID : R4948

Owner Name : LALLEMAND, JOE & KRISTI - (Bought all Cukjati Trust Land)

Location: 00000 E HWY 47, Franklin, KS 66735

Abbreviated
Boundary
Description: S18, T29, R25, ACRES 370.1, BEG 72.63' N SW
COR, TH N 5,198' (S), E 2,750' (S), S 1940' (S), E
725' (S), SELY ALONG HWY ROW 1,170 '(S), SLY
1,440' (S), W 1340' (S), S 671' (S), W 2073' (S),
NWLY 31.3', W 142.41', TO POB, LESS W 467' OF
N 467' OF E1/2 GOVT LOT 4

Owner Information:

Owner LALLEMAND, JOE & KRISTI

Mailing Address 138 S 130TH ST GIRARD, KS 66743

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 070

Neighborhood
Code 001.0

No Secondary Address Details found

Market Land Details:

Krueger, Richelle [KDA]

From: Tietsort, Katie [KDA]
Sent: Tuesday, April 2, 2019 12:18 PM
To: Krueger, Richelle [KDA]
Cc: Bunger, Brett [KDA]; Turney, Brent [KDA]
Subject: RE: Request for Recommendation Change in PU File No. 47525 Joe Lallemand etal

Hi Richelle,

This looks great- thanks for working it up to go along with the new app.

What's new? Anything? Same thing here.



Katie

Katie Tietsort

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

From: Krueger, Richelle [KDA]
Sent: Tuesday, April 2, 2019 12:07 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett [KDA] <Brett.Bunger@ks.gov>; Turney, Brent [KDA] <Brent.Turney@ks.gov>
Subject: Request for Recommendation Change in PU File No. 47525 Joe Lallemand etal

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

Thanks,
Richelle

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

JOE LALLEMAND
138 S 130TH ST
GIRARD, KS 66743

January 18, 2019

RE: File No 47525

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

SCANNED

File No. 47525

Place of Use Change Application

1:12,000



Currently Authorized Place of Use

Proposed Place of Use

13 - 29S - 24E

18 - 29S - 25E

KS Dept Of Agriculture
Water Resources
Received
JAN 18 2010
ADWED