

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

Document Signature LPL

1. File Number: CY 004	2. Status Change Date: 6/10/2019	3. Change Num: 2	4. Field Office: 01	5. GMD: 05
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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: 6/22/18
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8a. Applicant(s) Person ID **2934**
 New to system Add Seq# _____

**CITY OF CLAY CENTER
 PUBLIC UTILITIES COMMISSION
 PO BOX 117
 427 CT ST
 CLAY CENTER KS 67432**

8c. Landowner(s) Person ID _____
 New to system Add Seq# _____

8b. Landowner(s) Person ID _____
 New to system Add Seq# _____

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

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

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: **MUNICIPAL** To: **MUNICIPAL / RECREATIONAL**

Date Prepared: **5/16/19** By: **BAT**
 Date Entered: **6/11/2019** By: **UM**

File No. **CY 004** 11. County: Basin: Stream: Formation Code: Special Use:

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

MOD 13874	LOT 6	✓	7	8	3 E	2	2,162 2,162	153	WELL 8 (PRIMARY)	NONE
MOD 18022	Lot 1 BLK 68	✓	8	8	3 E	2	1,702 1,650	3,172 3,250	WELL 2 (PRIMARY) LOT 1 BLK 68, O.T. CITY OF CLAY CENTER	NONE
MOD 49426	Lot 4	✓	7	8	3 E	12	3,464	2,095	WELL 11 (STANDBY)	NONE

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

14. Limitation: **20 MGY** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **CY 12 FOR REC USE**
 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 T 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						
CHK	21178	7	8	3E	1	✓	City of Clay Center																			8a NO	CY 12, 36,060; 38,381; 39,577
CHK	65678	7	8	3E	7	✓	WITHIN CITY LIMITS OF CITY OF MORGANVILLE & IMMEDIATE VICINITY																			8a NO	CY 12, 36,060; 38,381; 39,577
CHK	65679	7	8	3E	8	✓	WITHIN BOUNDARIES OF CLAY CO RWD #1 & IMMEDIATE VICINITY																			8a NO	CY 12, 36,060; 38,381; 39,577
CHK	65680	7	8	3E	9	✓	ALL SECTIONS OF T7S R2E CLAY CO KS																			8a NO	CY 12, 36,060; 38,381; 39,577
CHK	65681	7	8	3E	10	✓	SECTIONS 6, 7, 18, 19, 30 & 31 T7S R3E CLAY CO KS																			8a NO	CY 12, 36,060; 38,381; 39,577
ENT	9528	7	8	3E	3	✓	FLUSHING HUNTRESS CREEK OLD CHANNEL & CLEANING UTILITY PARK																			8a NO	CY 12 REC USE

Comments:

**KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources**

M E M O R A N D U M

TO: Files

DATE: June 3, 2019

FROM: Brent A. Turney

RE: Vested Right
File No. CY 004

Scott Glaves on behalf of the City of Clay Center Public Utilities Commission, owner of the referenced water right, has filed an application for approval to change the point of diversion, place of use and use made of water under the above referenced water right for municipal use. The referenced files are located in the Republican River Basin. The referenced file does not appear to be abandoned as per K.S.A. 82a-718.

File No. CY 004 is currently authorized four (4) primary wells and one (1) standby well all authorized for municipal use. The water right owner is proposing to change one of the primary wells (well 11) to a standby well while the existing standby well (well 2) will become a primary well for municipal use. No new wells will be drilled as the result of the change approval.

The referenced change is being processed in conjunction with new Application, File No. 50,029 for municipal use. Notification of the proposed change was given at the same time as File No. 50,029, no response was received.

The change in the use made of water will convert one of the municipal wells (well 5) to recreational use for flushing the old channel of Huntress Creek and cleaning of Utility Park in the city of Clay Center. The recreational place of use will overlap with Vested Right, File No. CY 012.

Based K.A.R. 5-5-8, 20 million gallons converted to recreational use is no more consumptive than the original municipal use, therefore, there is no loss of water for consumptive use. Because overlapping CY 012 is already authorized 20 million gallons for recreational use, no further justification is needed for the requested 20 million gallons for recreational use. The vested right will be further limited to 20 million gallons when combined with Vested Right, File No. CY 012 for recreational use.

In an email of today's date, Katie Tietsort, Water Commissioner of the Topeka Field Office, indicated that she is not opposed to approval of the application.

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

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

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, Secretary

Laura Kelly, Governor

June 11, 2019

CITY OF CLAY CENTER
PUBLIC UTILITIES COMMISSION
PO BOX 117
427 CT ST
CLAY CENTER KS 67432

Re: Vested Right, File No. CY 004

FILE COPY

Dear Sir or Madam

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 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 number. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since this 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 wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

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

BAT
Enclosures
pc: Topeka Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE POINT OF DIVERSION AND USE MADE OF WATER VESTED RIGHT FILE NO. CY 004

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Scott Glaves, on behalf of the City of Clay Center Public Utilities Commission, P.O. Box 117, 427 Court Street, Clay Center, Kansas, 67432-0117, received in this office on June 22, 2018, for approval of a change in the location of the place of use, point of diversion and use made of water under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 624, Clay County, now identified as Vested Right, File No. CY 004, as modified and amended by the Orders of the Chief Engineer dated July 31, 1959 and November 19, 1982, approving applications to change the point of diversion, by the Findings and Order of the Chief Engineer dated December 12, 1986, reducing the authorized quantity, by the Order of the Chief Engineer dated January 17, 1995, approving the application to change the point of diversion, by the Correctional Order of the Chief Engineer dated April 22, 1997, correcting an error in the description of the location of one of the authorized points of diversion, and by the Order of the Chief Engineer dated March 11, 2014, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order effectively limits the quantity of water as set forth under the vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. CY 004, issued June 28, 1954, as follows:

That the quantity of water for recreational use under this water right is further limited to the quantity of water which when combined with Vested Right, File No. CY 012, will provide a total quantity of water not to exceed 20.0 million gallons (61.38 AF) at the recreational place of use described herein.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which portion retained for municipal use shall be authorized from three (3) primary wells and one (1) standby well located as follows:

one (1) Primary well (Well 8) located in Lot 6 of Section 7, more particularly described as being located near a point 2,612 feet North and 153 feet West of the Southeast corner of said Section, and

one (1) Primary well (Well 2) located in Lot 1, Block 68 Original Town of Clay Center, Section 8, more particularly described as being located near a point 1,650 feet North and 3,250 feet West of the Southeast corner of said Section, and

one (1) Primary well (Well 4) located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 8, more particularly described as being located near a point 3,162 feet North and 3,791 feet West of the Southeast corner of said Section, and

one (1) Standby well (Well 11) located in Lot 4 of Section 7, more particularly described as being located near a point 3,464 feet North and 2,095 feet West of the Southeast corner of said Section,

all in Township 8 South, Range 3 East, Clay County, Kansas, and

the authorized use made of water and place of use shall be:

Municipal use within the city limits of Clay Center, Kansas and immediate vicinity; within the city limits of Morganville, Kansas and immediate vicinity; within the boundaries of Clay County Rural Water District No. 1 and immediate vicinity; all sections of Township 7 South, Range 2 East, Clay County, Kansas; and Sections 6,7,18,19,30 and 31, Township 7 South, Range 3 East, Clay County, Kansas, in a quantity not to exceed 150 million gallons per calendar year, and

that portion changed to recreational use shall be authorized from one (1) well located as follows:

one (1) well (Well 5) located in Lot 5 of Section 7, more particularly described as being located near a point 3,104 feet North and 260 feet West of the Southeast corner of said Section, and

the authorized use made of water and place of use shall be:

Recreational Use for flushing the old channel of Huntress Creek for aseptic purposes and for use in the cleaning of Utility Park in the City of Clay Center, Kansas, in a quantity not to exceed 20 million gallons (61.38 AF) per calendar year,

located substantially as shown on the map accompanying the application to change the place of use, point of diversion and use made of water.

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.

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 vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. CY 004, is as stated and set forth in the vested right order executed by the Chief Engineer on June 28, 1954, as modified and amended by the aforementioned orders.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

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:

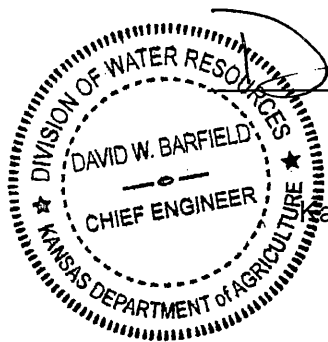
- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

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, Kansas 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, Kansas 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.

Dated at Manhattan, Kansas, this 10th day of June, 2019.



David W. Barfield
 David W. Barfield, P.E.
 Chief Engineer
 Division of Water Resources
 Kansas Department of Agriculture

State of Kansas)
) SS
 County of Riley)

The foregoing instrument was acknowledged before me this 10th day of June, 2019, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
 Notary Public

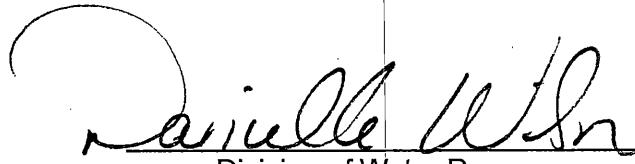
CERTIFICATE OF SERVICE

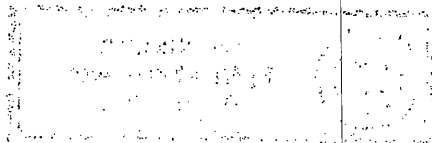
On this 1st day of June, 2019, I hereby certify that the attached Approval of Application for the Change in Place of Use, Point of Diversion and Use Made of Water, File No. CY 004, dated June 10th, 2019, was mailed postage prepaid, first class, US mail to the following:

CITY OF CLAY CENTER
PUBLIC UTILITIES COMMISSION
ATTN SCOTT GLAVES
PO BOX 117 427 CT ST
CLAY CENTER KS 67432-0117

With photocopies sent to:

Topeka Field Office


Division of Water Resources



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

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



State of Kansas

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

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

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
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JUN 22 2018
 12:53
 KS DEPT OF AGRICULTURE

File No. CY-04

2. Name of applicant: CITY OF CLAY CENTER PUBLIC UTILITIES COMMISSION

Address: PO BOX 117 427 COURT ST

City, State and Zip: CLAY CENTER KS 67432-0117

Phone Number: (785)632-2137

E-mail address: sglaves@ccpuc.net

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

Name of water use correspondent: SAME AS OWNER

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): Authorizing Well #5 for recreational purposes to recreational place of use as this well is the only current well plumbed directly to provide water for REC use. Currently the water right authorizes only MUN use. Additionally, change the standby well designation from Well #2 to Well #11.

The change(s) (was) (will be) completed by upon approval

(Date)

For Office Use Only:							
F.O. Code	<u>1</u>	GMD	<u>C-3</u>	Meets K.A.R. 5-5-1 (YES/NO)	<u>(YES)</u>	Use	<u>MUN</u>
Source	<u>(G)</u>	S	County	<u>CY</u>	By	<u>AW</u>	Date
Fee	<u>\$900</u>	TR #		Receipt Date	<u>6/22/18</u>	Check #	<u>996</u>

Refund \$500

SCANNED

6/27/18 DAW

- 6. The presently authorized point(s) of diversion (is) (are) 4 primary wells (Wells 4, 5, 8 & 11) and 1 standby well (Well 2)
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) 4 primary wells (Wells 2, 4, 5 & 8) and 1 standby well (Well 11)
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion: WELL #2 STANDBY WELL**

One in the SE Quarter of the NE Quarter of the SW Quarter of Section 8, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 1650 feet North 3250 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. 2 GPS 1702 feet North 3172 feet West)
 This point will not be changed This point will be changed as follows: PRIMARY WELL and GPS UPDATE
Proposed point of diversion: (Complete only if change is requested) Well #2*
 One in the SE Quarter of the NE Quarter of the SW Quarter of Section 8, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 1702 feet North 3172 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 CY-12

9. **Presently authorized point of diversion: Well #4 PRIMARY WELL**

One in the SW Quarter of the SE Quarter of the NW Quarter of Section 8, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 3100 feet North 3800 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. 1 GPS 3162 feet North 3791 feet West)
 This point will not be changed This point will be changed as follows: ONLY GPS UPDATE
Proposed point of diversion: (Complete only if change is requested) Well #4*
 One in the SW Quarter of the SE Quarter of the NE Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 3162 feet North 3791 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 None

10. **Presently authorized point of diversion: Well #5 PRIMARY WELL**

One in the Lot 5 SE Quarter of the SE Quarter of the NE Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 2750 feet North 500 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. 1 GPS 3104 feet North 260 feet West)
 This point will not be changed This point will be changed as follows: ONLY GPS UPDATE #5*
Proposed point of diversion: (Complete only if change is requested) PER PROCEDURAL GUIDELINE RIVER LOT
 One in the Lot 5 Quarter of the _____ Quarter of the _____ Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 3104 feet North 260 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 None

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. No wells are being eliminated.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

*x DW P
4-9-19*

WATER RESOURCES

JUN 22 2018

SCANNED

KS DEPT OF AGRICULTURE

Presently authorized point of diversion: Well #8 PRIMARY WELL

One in the Lot 6 NE Quarter of the NE Quarter of the SE Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 2200 feet North 350 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____

(DWR use only: Computer ID No. 2 GPS 2612 feet North 153 feet West)

This point will not be changed This point will be changed as follows: **ONLY GPS UPDATE**

Proposed point of diversion: (Complete only if change is requested) PER PROCEDURAL GUIDELINE RIVER LOTS

One in the Lot 6 Quarter of the _____ Quarter of the _____ Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 2612 feet North 153 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 None

Well #

Presently authorized point of diversion: Well #11 PRIMARY WELL

One in the NC Quarter of the SW Quarter of the NE Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 3300 feet North 2100 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____

(DWR use only: Computer ID No. 12 GPS 3464 feet North 2095 feet West)

This point will not be changed This point will be changed as follows: **STANDBY WELL and GPS UPDATE**

Proposed point of diversion: (Complete only if change is requested)

One in the Lot 4 Quarter of the _____ Quarter of the _____ Quarter of Section 7, Township 8 South, Range 3 East (E/W), in Clay County, Kansas, 3464 feet North 2095 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 None

Well #

**BAT/DWR
4-9-19*

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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

WATER RESOURCES
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KS DEPT OF AGRICULTURE

SCANNED

4. The presently authorized place of use is: SEE ATTACHED MAP

MUN USE- PLACE OF USE: within the city limits of Clay Center, Kansas, and immediate vicinity;
 within the city limits of Morganville, Kansas and immediate vicinity;
 within the boundaries of Clay County Rural Water District No. 1 and immediate vicinity;
 all Sections of Township 7 South, Range 2 East, Clay County, Kansas;
 and Sections 6, 7, 18, 19, 30 and 31, Township 7 South, Range 3 East, Clay County, Kansas.

PROPOSED PLACE OF USE:

MUN USE NO CHANGE REQUESTED-

PLACE OF USE: within the city limits of Clay Center, Kansas, and immediate vicinity;
 within the city limits of Morganville, Kansas and immediate vicinity;
 within the boundaries of Clay County Rural Water District No. 1 and immediate vicinity;
 all Sections of Township 7 South, Range 2 East, Clay County, Kansas;
 and Sections 6, 7, 18, 19, 30 and 31, Township 7 South, Range 3 East, Clay County, Kansas. NO CHANGE

RECREATIONAL USE- PLACE OF USE PROPOSED

PLACE OF USE- within the Clay Center Public Utility Park located within the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and within the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) and the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) and in Lots 4, 5, and 6 of Section 7, Township 8 South, Range 3 East, Clay County, Kansas.

As depicted on the attached map.

** Flushing old channel of HOUTRESS CREEK + FOR USE IN THE CLEANING OF UTILITY PARK IN THE CITY OF CLAY CENTER, KANSAS.*

** BAY/BWD
4-9-19*

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	

WATER RESOURCES RECEIVED

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

JUN 22 2018

(If there are more than two landowners, attach additional sheets as necessary.)

Well #2 - Nearby Well Owners				
Well Owner Name	Well Owner Address	City	State	Zip
Farmers Union Coop Association	625 W Court St	Clay Center	KS	67432
MW-3D - KDHE	1000 SW Jackson, Suite 410	Topeka	KS	66642
MW-3S - KDHE	1000 SW Jackson, Suite 410	Topeka	KS	66642
KDHE Monitoring Well	1000 SW Jackson, Suite 410	Topeka	KS	66643

Well 11 - Nearby Well Owners				
Well Owner Name	Well Owner Address	City	State	Zip
KDHE Monitoring Well	1000 SW Jackson, Suite 410	Topeka	KS	66643

Well #5 - Nearby Well Owners				
Well Owner Name	Well Owner Address	City	State	Zip
Monitoring Wells	330 Grant Street	Clay Center	KS	67432
Valley Fertilizer - Monitoring Wells	118 W. Court	Beloit	KS	67420

Well #8 - Nearby Well Owners				
Well Owner Name	Well Owner Address	City	State	Zip
Monitoring Wells	330 Grant Street	Clay Center	KS	67432
Valley Fertilizer - Monitoring Wells	118 W. Court	Beloit	KS	67420

Well #4 - Nearby Well Owners				
Well Owner Name	Well Owner Address	City	State	Zip
Monitoring Wells	330 Grant Street	Clay Center	KS	67432
Monitoring Wells	823 South 6th Street	Clay Center	KS	67432
Farmers Union Coop Association	625 W Court St	Clay Center	KS	67432

WATER RESOURCES
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JUN 22 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 Clay Center, Kansas, this 5th day of June, 20 18.

Clay Center Public Utility Commission
(Owner)

(Spouse)

(Please Print)

(Please Print)

[Signature]

(Owner)

(Spouse)

Scott Glaves Supt. of Utilities
(Please Print)

(Please Print)

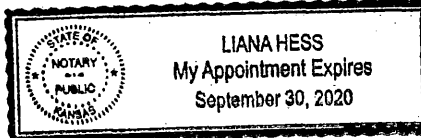
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Clay } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5th day of June, 20 18.

Liana Hess
Notary Public

My Commission Expires September 30, 2020

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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KS DEPT OF AGRICULTURE

SCANNED

BURNS MCDONNELL

May 9, 2018

David Barfield
Chief Engineer
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

WATER RESOURCES
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JUN 22 2018

KS DEPT OF AGRICULTURE

Re: Change in Point of Diversion, Place of Use, and Use Made of Water Application
Vested Clay County Water Right No. 4

Dear Mr. Barfield:

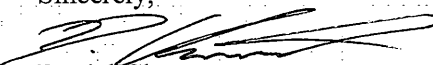
On behalf of the City of Clay Center Public Utilities Commission (CCPUC), enclosed you will find an application to Change the Point of Diversion, Place of Use, and use Made of Water for Vested Clay County Water Right No. 4 (CY-04). CY-04 currently authorizes up to 170 million gallons per year (MGY) from four primary public water supply wells (PWS Wells 4, 5, 8, and 11) and one standby public water supply well (Well No. 2).

The enclosed change applications propose the following modifications to CY-04:

1. Change in Point of Diversion – Change Well No. 2 from a standby to primary public water supply well.
2. Change in Point of Diversion – Change Well No. 11 from a primary public water supply well to a standby public water supply well.
3. Change in Use Made of Water – Allocates up to 20 million gallons per year (MGY) for recreational use from Well No. 5 at the CCPUC Park and Zoo, forming an overlap with the quantity allocated under CY-12.
4. Change in Place of Use – Includes the CCPUC Park and Zoo as the place of use for the proposed recreational use of water.

The change in use made of water is intended to allow the annual withdrawal of up to 170 MGY of groundwater when the municipal and recreational use made of water are combined under CY-04. Given the location of the existing and proposed wells within Clay Center City limits, the number of potential surrounding domestic wells exceeds that of practical identification and listing. Within the enclosed change application documents Burns & McDonnell and CCPUC have identified known wells within 660 feet of the proposed points of diversion as registered with the Kansas Department of Health and Environment water well completion database. To more effectively notify surrounding well owners of the change application, the CCPUC recommends utilizing a public notice in the local newspaper of record.

Sincerely,


Daniel Clement
Hydrogeologist
DWC/dwc

Attachments: Change Application CY-04

Turney, Brent [KDA]

From: Tietsort, Katie [KDA]
Sent: Monday, June 3, 2019 2:09 PM
To: Turney, Brent [KDA]
Subject: RE: CY 4

Hello Brent,

TFO has no objections to the approval of the application for change described. This will allow the City to better assign UMW to individual wells nad to operate and meter more effectively and efficiently. We agree with your recommendation for approval as the change appears to meet applicable provisions of the KWAA. As a side note, File No. 50029 is for recreational use and is not technically linked to this package, but it is fine to move them forward together.

Thanks for working this file, 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: Turney, Brent [KDA]
Sent: Monday, June 3, 2019 1:51 PM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: CY 4

Katie,
Please review and give me a recommendation.
Thanks
Brent

Turney, Brent [KDA]

From: Tietsort, Katie [KDA]
Sent: Thursday, February 21, 2019 8:09 AM
To: Turney, Brent [KDA]
Cc: Schemm, Doug [KDA]; Hemphill, Lloyd [KDA]
Subject: Clay Center

Doug has the new application File No. 50,029 ready. We are moving it forward.

It really isn't part of the package you are working. His was to authorize the lemur exhibit REC use water from the single 5AF exemption Boettcher well.

Your package is to clean up with one UMW per well so they can have the metering corrected. I can't even remember if they filed all the changes they needed to I don't see they filed on CY-12 which I thought was the main problem. I will have to get Lloyd to look into this. I can't remember anymore it has simply been too long.

Katie Tietsort

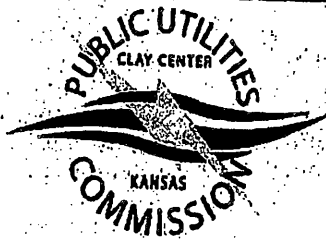
Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS
COUNTY OF CLAY

ss.

Alicia D. Morgison, being first duly sworn, deposes and says: That she is Advertising Director of the Clay Center Dispatch, a daily, newspaper printed in the State of Kansas, and published in and of general circulation in Clay County, Kansas, with a general paid circulation on a daily, weekly, monthly or yearly basis in Clay County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.



PUBLIC NOTICE
File No. 50,029 and CY-4

The City of Clay Center has filed new application, File No. 50,029 for permit to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. The application proposes the appropriation of 5 acre-feet of groundwater to be diverted at the rate of 800 gallons per minute from a battery of two wells. The geographic center of the proposed well battery will be located in Lot 5, of Section 7, Township 8 South, Range 3 East, Clay County, Kansas.

The City of Clay Center Public Utilities Commission has filed an application to change the place of use, the point of diversion, and the use made of water under Vested Water Right, CY-04. The changes will allow for recreational use at the Clay Center Park and Zoo.

Anyone with existing wells in the immediate vicinity of these proposed points of diversion is invited to submit written comments regarding new Application, File No. 50,029 and changes to Vested Water Right, CY-04. Persons submitting comments should specifically indicate their interest in the proposed appropriation of water. Comments regarding these applications will be accepted through October 26, 2018.

Written comments or questions regarding the applications may be directed to the Office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502. If you wish more information concerning these applications, you may also contact Douglas Schemm, Environmental Scientist, in the Topeka Field Office of the Water Appropriation Program at (785) 296-495.

926,103,10

a daily published at least weekly 50 times a year; has continuously and uninterruptedly in said county and state more than five years prior to the first publication of said newspaper admitted at the post office of Clay Center in said County.

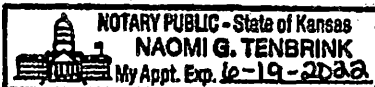
notice is a true copy thereof and was published in the issue of said newspaper for 3 consecutive the first publication thereof being made as aforesaid on of September, 2018, with subsequent publications following date:

3, 2018 _____, 2018
10, 2018 _____, 2018
_____, 2018 _____, 2018
_____, 2018 _____, 2018

Alicia D. Morgison

Alicia D. Morgison, Advertising Director - The Clay Center Dispatch

Subscribed and sworn to before me this 10th day of October, 2018.



Naomi Tenbrink

Naomi G. Tenbrink - Notary Public

My commission expires: 10-19-2022 -Printer's fee \$ 201.60

Additional copies \$ _____

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS
COUNTY OF CLAY

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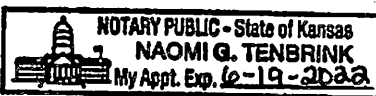
Said newspaper is a daily published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Clay Center in said County as periodical matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 3 consecutive time(s) / week(s), the first publication thereof being made as aforesaid on the 26th day of September, 2018, with subsequent publications being made on the following date:

- October 3, 2018 _____, 2018
- October 10, 2018 _____, 2018
- _____, 2018 _____, 2018
- _____, 2018 _____, 2018

Alicia D. Morgison
Alicia D. Morgison, Advertising Director - The Clay Center Dispatch

Subscribed and sworn to before me this 10th day of October, 2018.



Naomi Tenbrink
Naomi G. Tenbrink - Notary Public

My commission expires: 6-19-2022 -Printer's fee \$ 201.60
Additional copies \$ _____

Advertisement

out whether he wrote the message, he said he needed to talk to his attorney and then call the phone.

In recent months, Kalny served on the board of directors for the Kansas Barbecue Society, said the director Carolyn Weidner. But that ended Monday of the same time as the message about David's resignation. The barbecue society said Kalny resigned for personal reasons.

C.J. Grover, a spokesman for the society, denounced Kalny's resignation. "Kevin (Yoder) does not give this type of rhetoric appropriate at all. It's inappropriate," Grover said.

The City of Clay Center has served on the board of directors for the Kansas Barbecue Society, said the director Carolyn Weidner. But that ended Monday of the same time as the message about David's resignation. The barbecue society said Kalny resigned for personal reasons.

C.J. Grover, a spokesman for the society, denounced Kalny's resignation. "Kevin (Yoder) does not give this type of rhetoric appropriate at all. It's inappropriate," Grover said.

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

It is proposed that the use be changed to MUNICIPAL AND RECREATIONAL purposes.

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

Place of use for MUNICIPAL USE will not be changed. Since the Vested Right is fully consumptive, no increase in consumptive use will occur as a result of authorizing recreational use under this right. The proposed quantity for Recreational use is 20 Million Gallons per Year (MGY) matching the authorized recreational use under CY-12

(Please show any calculations here.)

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

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

No increase in authorized quantity or rate will occur.

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.

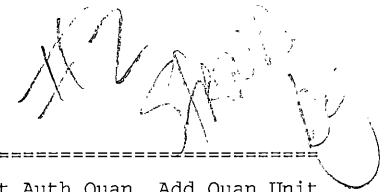
WATER RESOURCES
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SCANNED

Water Rights and Points of Diversion Within 2.00 miles of point defined as:
 1650 ft N and 3250 ft W of the SE Corner of Section 8, T 8S, R 3E
 Located at: 97.120917 West Longitude and 39.370466 North Latitude
 GROUNDWATER ONLY



File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 5943 00	IRR	NK	G	7522	--	NW	NW	SE	2600	2600	6	8	3E	1		103.50	103.50	AF
A__ 5955 00	IRR	NK	G	9096	--	SE	NE	NW	4430	2720	6	8	3E	6		163.00	163.00	AF
A__ 9067 00	IRR	NK	G	2174	--	CN	NW	NE	-----	-----	17	8	3E	1		90.00	90.00	AF
A__ 17246 00	IRR	NK	G	10225	--	NW	NW	NE	4900	2550	12	8	2E	3		98.00	98.00	AF
A__ 19379 00	IRR	NK	G	9075	--	SE	SW	NE	3038	1812	20	8	3E	1		232.00	232.00	AF
A__ 23462 00	IRR	NK	G	5143	--	SW	SW	NW	3133	4776	16	8	3E	2		59.00	59.00	AF
A__ 29575 00	IRR	NK	G	4392	--	--	--	--	2338	3933	17	8	3E	2		201.00	201.00	AF
A__ 31337 00	IRR	NK	G	9952	--	NW	SW	NE	3531	2600	12	8	2E	4		73.00	73.00	AF
Same				8512	--	SW	NE	NE	4445	897	12	8	2E	11		75.00	75.00	AF
A__ 31730 00	MUN	NK	G	9587	--	SE	SE	NE	2800	150	19	8	3E	1		.97	.97	AF
A__ 32511 00	IRR	NK	G	7595	--	SW	NE	NW	4400	3850	20	8	3E	4		19.00	19.00	AF
A__ 32512 00	IRR	NK	G	6292	--	--	--	--	418	3866	17	8	3E	5		23.00	23.00	AF
A__ 34835 00	IRR	NK	G	10524	CW	E2	W2	SE	1300	1950	31	7	3E	3		37.00	37.00	AF
A__ 36060 00	MUN	NK	G	6295	--	--	--	--	4400	3800	7	8	3E	8		368.20	368.20	AF
A__ 38239 00	IRR	NK	G	6292	--	--	--	--	418	3866	17	8	3E	5		11.00	11.00	AF
A__ 38240 00	IRR	NK	G	7595	--	SW	NE	NW	4400	3850	20	8	3E	4		13.00	13.00	AF
A__ 38381 00	MUN	NK	G	661	--	--	--	--	1315	2680	8	8	3E	4		316.82	.00	AF
A__ 39343 00	IRR	NK	G	9361	--	--	NC	NW	3935	4020	21	8	3E	8		117.00	117.00	AF
A__ 39344 00	IRR	NK	G	8935	--	NW	SW	NW	3861	5230	21	8	3E	5		95.00	95.00	AF
A__ 39577 00	MUN	LR	G	6109	NC	N2	NE	NW	5000	3300	7	8	3E	10		368.27	.00	AF
A__ 42703 00	IRR	NK	G	9449	--	NE	SW	NW	3500	4500	6	8	3E	5*		15.00	15.00	AF
A__ 46481 00	MUN	LO	G	6499	--	SE	SE	SW	115	3270	4	8	3E	1 G	2	12.28	12.28	AF
Same				6505	--	SE	SE	SW	100	3250	4	8	3E	2 B	2			
Same				6492	--	SE	SE	SW	130	3290	4	8	3E	3 B	2			
A__ 50029 00	REC	AY	G	2677	--	SE	SE	NE	2750	500	7	8	3E	1		5.00	5.00	AF
Same				2685	--	--	--	--	3277	296	7	8	3E	19				
Same				2804	--	--	--	--	3450	332	7	8	3E	20				
T__ 949192 00	CON	GY	G	4369	--	NW	NE	NE	4800	1250	7	8	3E	11		161.00	161.00	AF
T__ 20169048 00	CON	GY	G	4369	--	NW	NE	NE	4800	1250	7	8	3E	11		161.30	161.30	AF
VCY 4 00	MUN	AA	G*	2677	--	SE	SE	NE	2750	500	7	8	3E	1		521.71	521.71	AF
Same				2413	--	NE	NE	SE	2200	350	7	8	3E	2				
Same				4355	--	NC	SW	NE	3300	2100	7	8	3E	12				
Same				1545	--	SW	SE	NW	3100	3800	8	8	3E	1				
Same				2	--	SE	NE	SW	1650	3250	8	8	3E	2				
VCY 12 00	IND	AA	G	2	--	SE	NE	SW	1650	3250	8	8	3E	2		1074.11	1074.11	AF
Same				2035	--	--	--	--	2700	5000	8	8	3E	3				
Same				2193	--	SW	SW	NW	2740	5160	8	8	3E	5				
VCY 12 00	MUN	AA	G	2	--	SE	NE	SW	1650	3250	8	8	3E	2		767.22	767.22	AF
Same				2035	--	--	--	--	2700	5000	8	8	3E	3				
Same				2193	--	SW	SW	NW	2740	5160	8	8	3E	5				
VCY 12 00	REC	AA	G	2	--	SE	NE	SW	1650	3250	8	8	3E	2		61.38	61.38	AF
Same				2035	--	--	--	--	2700	5000	8	8	3E	3				
Same				2193	--	SW	SW	NW	2740	5160	8	8	3E	5				

=====
 Total Net Quantities Authorized: Direct Storage
 Total Requested Amount (AF) = 5.00 .00

Total Permitted Amount (AF) =	322.30	.00
Total Inspected Amount (AF) =	12.28	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1793.67	.00
Total Vested Amount (AF) =	2424.42	.00
TOTAL AMOUNT (AF) =	4557.67	.00

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.120917 West Longitude and 39.370466 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

=====
File Number Use ST SR

A__ 5943 00 IRR NK G

> ROBERT J & DEBORAH A WIETHARN TRUSTS
> ROBERT WIETHARN TRUSTEE
> 1925 KIOWA RD
> CLAY CENTER KS 67432

A__ 5955 00 IRR NK G

> MICHAEL R & JUDY LIPPE
>
> 1803 POGUE RD
> CLAY CENTER KS 67432

A__ 9067 00 IRR NK G

> MULLEN BROTHERS
> WILLIAM F WRIGHT
> 11575 SE 59TH AVE
> MILWAUKIE OR 97222

A__ 17246 00 IRR NK G

> TIMOTHY & ROXANNA MARTIN
>
> 1420 QUAIL RD
> CLAY CENTER KS 67432

A__ 19379 00 IRR NK G

> STEVEN V & JANICE PETERSON
>
> 1931 4TH ST
> CLAY CENTER KS 67432

A__ 23462 00 IRR NK G

> RON L BENSON
>
> 1869 19TH RD
> CLAY CENTER KS 67432

>-----
A__ 29575 00 IRR NK G
> RON L BENSON
>
> 1869 19TH RD
> CLAY CENTER KS 67432
>-----

A__ 31337 00 IRR NK G
> BROUGHTON LAND CO LLC
> TIMOTHY MARTIN
> 1420 QUAIL RD
> CLAY CENTER KS 67432
>-----

A__ 31730 00 MUN NK G
> EMMANUEL INDEPENDENT BAPTIST CHURCH INC
> 1557 NAVAJO RD
> PO BOX 413
> CLAY CENTER KS 67432
>-----

A__ 32511 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432
>-----

A__ 32512 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432
>-----

A__ 34835 00 IRR NK G
> TOBY BRUNA
> GERRIETS GROUP
> 1931 ZENITH RD
> HANOVER KS 66945
>-----

A__ 36060 00 MUN NK G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432
>-----

A__ 38239 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432
>-----

A__ 38240 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>

> PO BOX 282
> CLAY CENTER KS 67432
>-----
A__ 38381 00 MUN NK G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432
>-----
A__ 39343 00 IRR NK G
> BERNICE A LEIDIG TRUST
>
> 627 PROSPECT ST
> CLAY CENTER KS 67432
>-----
A__ 39344 00 IRR NK G
> BERNICE A LEIDIG TRUST
>
> 627 PROSPECT ST
> CLAY CENTER KS 67432
>-----
A__ 39577 00 MUN LR G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432
>-----
A__ 42703 00 IRR NK G
> ROBERT J & DEBORAH A WIETHARN TRUSTS
> ROBERT WIETHARN TRUSTEE
> 1925 KIOWA RD
> CLAY CENTER KS 67432
>-----
A__ 46481 00 MUN LO G
> HAWKS LANDING MOBILE HOME PARK
>
> 1535 18TH RD APT 18
> CLAY CENTER KS 67432
>-----
A__ 50029 00 REC AY G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432
>-----
T__ 949192 00 CON GY G
> BOETTCHER ENTERPRISES INC
>
> PO BOX 486
> BELOIT KS 67420
>-----
T__ 20169048 00 CON GY G

> BOETTCHEER ENTERPRISES INC
>
> PO BOX 486
> BELOIT KS 67420

VCY 4 00 MUN AA G

> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

VCY 12 00 IND AA G

> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

VCY 12 00 MUN AA G

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> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
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VCY 12 00 REC AA G

> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

=====

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

3300 ft N and 2100 ft W of the SE Corner of Section 7, T 8S, R 3E

Located at: 97.135587 West Longitude and 39.374127 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit	
A__ 905	00	IRR	NK	G	9189	--	SW	NE	NE	4137	835	11	8	2E	19	89.00	89.00	AF	
A__ 2790	00	IRR	NK	G*	7044	--	NE	SW	NE	3500	1540	1	8	2E	6	85.00	85.00	AF	
A__ 4379	00	IRR	NK	G	8486	--	--	NC	S2	-----	-----	31	7	3E	1	70.00	70.00	AF	
A__ 5943	00	IRR	NK	G	4617	--	NW	NW	SE	2600	2600	6	8	3E	1	103.50	103.50	AF	
A__ 5955	00	IRR	NK	G	6450	--	SE	NE	NW	4430	2720	6	8	3E	6	163.00	163.00	AF	
A__ 9067	00	IRR	NK	G	6238	--	CN	NW	NE	-----	-----	17	8	3E	1	90.00	90.00	AF	
A__ 15017	00	IRR	NK	G	6441	--	NW	NE	SW	2635	3359	12	8	2E	2	179.00	179.00	AF	
A__ 16401	00	IRR	NK	G	6538	--	SW	NW	SE	1480	2630	1	8	2E	2	129.00	129.00	AF	
A__ 17246	00	IRR	NK	G	5869	--	NW	NW	NE	4900	2550	12	8	2E	3	98.00	98.00	AF	
A__ 23462	00	IRR	NK	G	9264	--	SW	SW	NW	3133	4776	16	8	3E	2	59.00	59.00	AF	
A__ 29575	00	IRR	NK	G	6684	--	--	--	--	2338	3933	17	8	3E	2	201.00	201.00	AF	
A__ 30077	00	IRR	NK	G	8182	NC	E2	NW	SW	1965	4248	1	8	2E	4	97.00	97.00	AF	
Same					9511	--	SE	NW	NW	4221	4308	1	8	2E	7	95.00	95.00	AF	
A__ 31337	00	IRR	NK	G	5671	--	NW	SW	NE	3531	2600	12	8	2E	4	73.00	73.00	AF	
Same					7547	--	NC	SW	NW	3213	4488	12	8	2E	6	131.00	131.00	AF	
Same					4156	--	SW	NE	NE	4445	897	12	8	2E	11	75.00	75.00	AF	
A__ 32511	00	IRR	NK	G	9629	--	SW	NE	NW	4400	3850	20	8	3E	4	19.00	19.00	AF	
A__ 32512	00	IRR	NK	G	8405	--	--	--	--	418	3866	17	8	3E	5	23.00	23.00	AF	
A__ 34834	00	IRR	NK	G	8599	--	CW	E2	SW	1300	3800	31	7	3E	2	62.00	62.00	AF	
A__ 34835	00	IRR	NK	G	8459	CW	E2	W2	SE	1300	1950	31	7	3E	3	37.00	37.00	AF	
A__ 36060	00	MUN	NK	G	1982	--	--	--	--	4400	3800	7	8	3E	8	368.20	368.20	AF	
A__ 38239	00	IRR	NK	G	8405	--	--	--	--	418	3866	17	8	3E	5	11.00	11.00	AF	
A__ 38240	00	IRR	NK	G	9629	--	SW	NE	NW	4400	3850	20	8	3E	4	13.00	13.00	AF	
A__ 38381	00	MUN	NK	G	5004	--	--	--	--	1315	2680	8	8	3E	4	316.82	.00	AF	
A__ 38534	00	IRR	NK	G*	8465	--	NE	NW	NE	5250	1470	1	8	2E	5	9.00	9.00	AF	
A__ 38924	00	IRR	NK	G	8527	--	NE	SE	NE	3740	205	11	8	2E	6	320.00	299.00	AF	
A__ 39577	00	MUN	LR	G	2042	NC	N2	NE	NW	5000	3300	7	8	3E	10	368.27	.00	AF	
A__ 40064	00	IRR	NK	G*	7044	--	NE	SW	NE	3500	1540	1	8	2E	6	97.00	97.00	AF	
A__ 42703	00	IRR	NK	G	5988	--	NE	SW	NW	3500	4500	6	8	3E	5*	15.00	15.00	AF	
A__ 46481	00	MUN	LO	G	9652	--	SE	SE	SW	115	3270	4	8	3E	1 G 2	12.28	12.28	AF	
Same					9667	--	SE	SE	SW	100	3250	4	8	3E	2 B 2				
Same					9637	--	SE	SE	SW	130	3290	4	8	3E	3 B 2				
A__ 50029	00	REC	AY	G	1680	--	SE	SE	NE	2750	500	7	8	3E	1	5.00	5.00	AF	
Same					1804	--	--	--	--	3277	296	7	8	3E	19				
Same					1774	--	--	--	--	3450	332	7	8	3E	20				
T__ 949192	00	CON	GY	G	1768	--	NW	NE	NE	4800	1250	7	8	3E	11	161.00	161.00	AF	
T__ 20169048	00	CON	GY	G	1768	--	NW	NE	NE	4800	1250	7	8	3E	11	161.30	161.30	AF	
VCY	4	00	MUN	AA	G*	1680	--	SE	SE	NE	2750	500	7	8	3E	1	521.71	521.71	AF
Same					2049	--	NE	NE	SE	2200	350	7	8	3E	2				
Same					12	--	NC	SW	NE	3300	2100	7	8	3E	12				
Same					3599	--	SW	SE	NW	3100	3800	8	8	3E	1				
Same					4357	--	SE	NE	SW	1650	3250	8	8	3E	2				
VCY	12	00	IND	AA	G	4357	--	SE	NE	SW	1650	3250	8	8	3E	2	1074.11	1074.11	AF
Same					2416	--	--	--	--	2700	5000	8	8	3E	3				
Same					2252	--	SW	SW	NW	2740	5160	8	8	3E	5				
VCY	12	00	MUN	AA	G	4357	--	SE	NE	SW	1650	3250	8	8	3E	2	767.22	767.22	AF

Same		2416	-- -- -- --	2700	5000	8	8	3E	3
Same		2252	-- SW SW NW	2740	5160	8	8	3E	5
VCY	12 00 REC AA G	4357	-- SE NE SW	1650	3250	8	8	3E	2
Same		2416	-- -- -- --	2700	5000	8	8	3E	3
Same		2252	-- SW SW NW	2740	5160	8	8	3E	5

61.38 61.38 AF

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Total Net Quantities Authorized:  Direct      Storage
Total Requested Amount (AF) =      5.00          .00
Total Permitted Amount (AF) =     322.30          .00
Total Inspected Amount (AF) =      12.28          .00
Total Pro_Cert Amount (AF) =         .00          .00
Total Certified Amount (AF) =     2690.70          .00
Total Vested Amount (AF) =      2424.42          .00
TOTAL AMOUNT (AF) =      5454.70          .00
    
```

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

97.135587 West Longitude and 39.374127 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

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=====
File Number      Use ST SR
    
```

A__ 905 00 IRR NK G

> LORENZE KARMANN

>

> 425 ANTHONY

> CLAY CENTER KS 67432

>-----

A__ 2790 00 IRR NK G

> ROBERT J & DEBORAH A WIETHARN TRUSTS

> ROBERT WIETHARN TRUSTEE

> 1925 KIOWA RD

> CLAY CENTER KS 67432

>-----

A__ 4379 00 IRR NK G

> TOBY BRUNA

> GERRIETS GROUP

> 1931 ZENITH RD

> HANOVER KS 66945

>-----

A__ 5943 00 IRR NK G

> ROBERT J & DEBORAH A WIETHARN TRUSTS

> ROBERT WIETHARN TRUSTEE

> 1925 KIOWA RD

> CLAY CENTER KS 67432

>-----

A__ 5955 00 IRR NK G

> MICHAEL R & JUDY LIPPE

>

> 1803 POGUE RD
> CLAY CENTER KS 67432

A__ 9067 00 IRR NK G
> MULLEN BROTHERS
> WILLIAM F WRIGHT
> 11575 SE 59TH AVE
> MILWAUKIE OR 97222

A__ 15017 00 IRR NK G
> TIMOTHY & ROXANNA MARTIN
>
> 1420 QUAIL RD
> CLAY CENTER KS 67432

A__ 16401 00 IRR NK G
> MICHAEL N & GALE ANN MCMAHAN
>
> 1979 KIOWA RD
> CLAY CENTER KS 67432

A__ 17246 00 IRR NK G
> TIMOTHY & ROXANNA MARTIN
>
> 1420 QUAIL RD
> CLAY CENTER KS 67432

A__ 23462 00 IRR NK G
> RON L BENSON
>
> 1869 19TH RD
> CLAY CENTER KS 67432

A__ 29575 00 IRR NK G
> RON L BENSON
>
> 1869 19TH RD
> CLAY CENTER KS 67432

A__ 30077 00 IRR NK G
> LONGFORD MILL PRODUCTS INC
>
> PO BOX 2
> CLAY CENTER KS 67432

A__ 31337 00 IRR NK G
> BROUGHTON LAND CO LLC
> TIMOTHY MARTIN
> 1420 QUAIL RD
> CLAY CENTER KS 67432

A__ 32511 00 IRR NK G

> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432

A__ 32512 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432

A__ 34834 00 IRR NK G
> TOBY BRUNA
> GERRIETS GROUP
> 1931 ZENITH RD
> HANOVER KS 66945

A__ 34835 00 IRR NK G
> TOBY BRUNA
> GERRIETS GROUP
> 1931 ZENITH RD
> HANOVER KS 66945

A__ 36060 00 MUN NK G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

A__ 38239 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432

A__ 38240 00 IRR NK G
> CLAY CENTER COUNTRY CLUB INC
>
> PO BOX 282
> CLAY CENTER KS 67432

A__ 38381 00 MUN NK G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

A__ 38534 00 IRR NK G
> ROBERT J & DEBORAH A WIETHARN TRUSTS
> ROBERT WIETHARN TRUSTEE
> 1925 KIOWA RD
> CLAY CENTER KS 67432

>-----
A__ 38924 00 IRR NK G
> LORENZE KARMANN
>
> 425 ANTHONY
> CLAY CENTER KS 67432
>-----
A__ 39577 00 MUN LR G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432
>-----
A__ 40064 00 IRR NK G
> ROBERT J & DEBORAH A WIETHARN TRUSTS
> ROBERT WIETHARN TRUSTEE
> 1925 KIOWA RD
> CLAY CENTER KS 67432
>-----
A__ 42703 00 IRR NK G
> ROBERT J & DEBORAH A WIETHARN TRUSTS
> ROBERT WIETHARN TRUSTEE
> 1925 KIOWA RD
> CLAY CENTER KS 67432
>-----
A__ 46481 00 MUN LO G
> HAWKS LANDING MOBILE HOME PARK
>
> 1535 18TH RD APT 18
> CLAY CENTER KS 67432
>-----
A__ 50029 00 REC AY G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432
>-----
T__ 949192 00 CON GY G
> BOETTCHER ENTERPRISES INC
>
> PO BOX 486
> BELOIT KS 67420
>-----
T__ 20169048 00 CON GY G
> BOETTCHER ENTERPRISES INC
>
> PO BOX 486
> BELOIT KS 67420
>-----
VCY 4 00 MUN AA G
> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI

> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

VCY 12 00 IND AA G

> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

VCY 12 00 MUN AA G

> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

VCY 12 00 REC AA G

> CITY OF CLAY CENTER
> PUBLIC UTILITIES COMMISSI
> PO BOX 117 427 CT ST
> CLAY CENTER KS 67432

=====

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

PUBLIC UTILITIES COMMISSION
PO BOX 117
CLAY CENTER, KS 67432

June 26, 2018

RE: File No CY-04

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/PD/UMW
- 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.

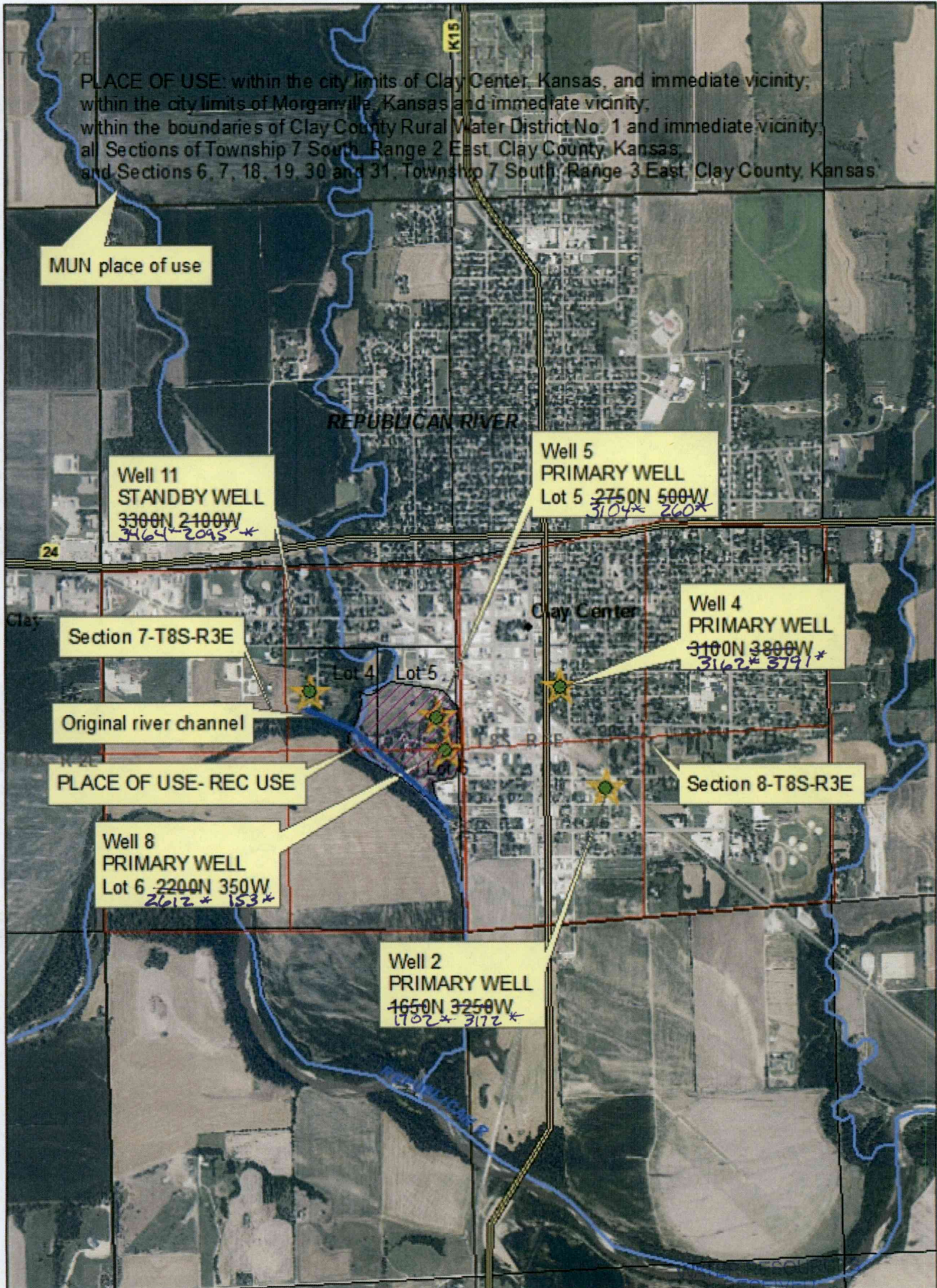
Sincerely,

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

BAT: DLW
pc: TOPEKA Field Office GMD

SCANNED

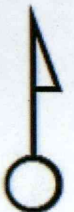
CY-04 Proposed



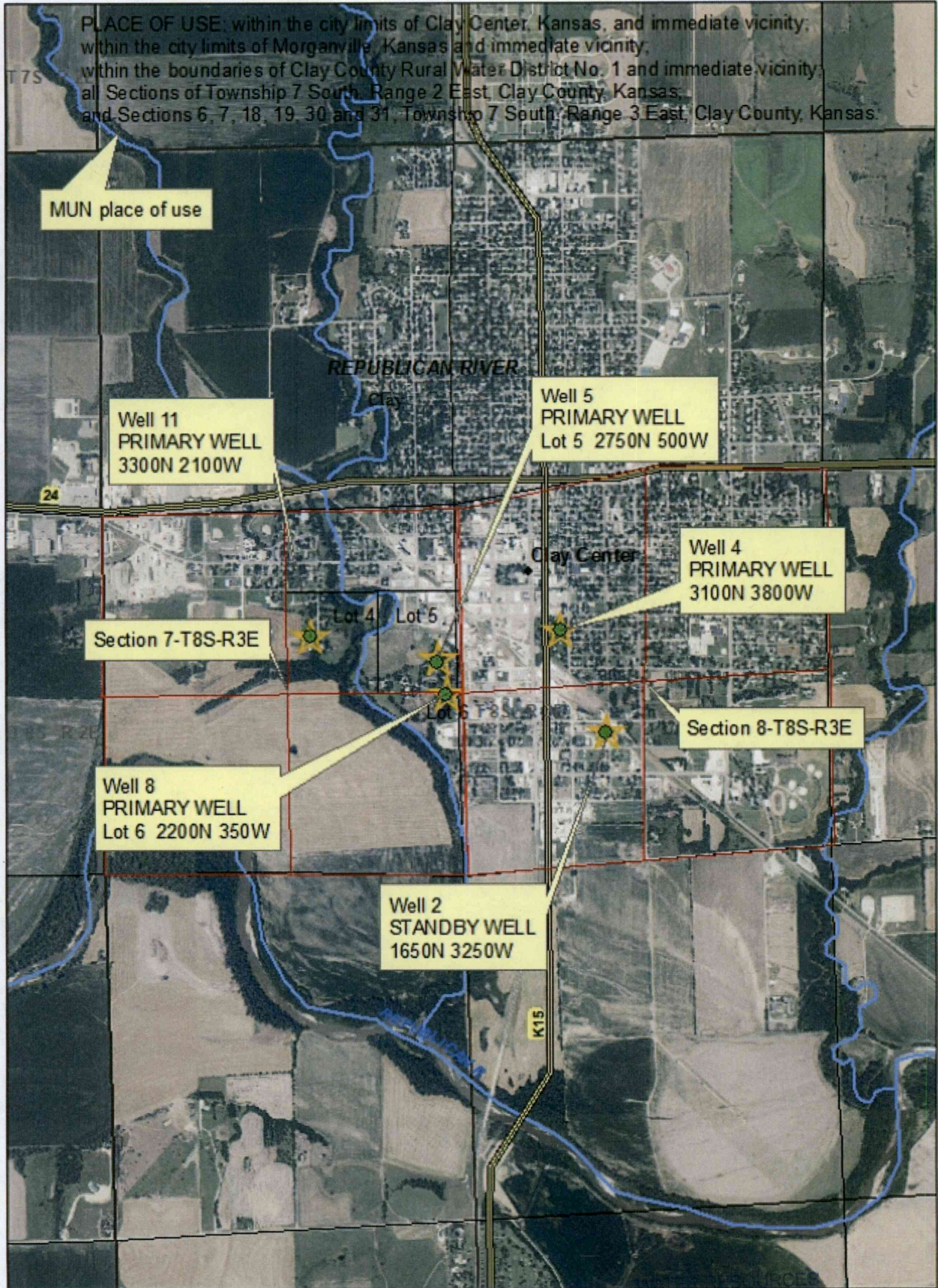
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JUN 22 2018

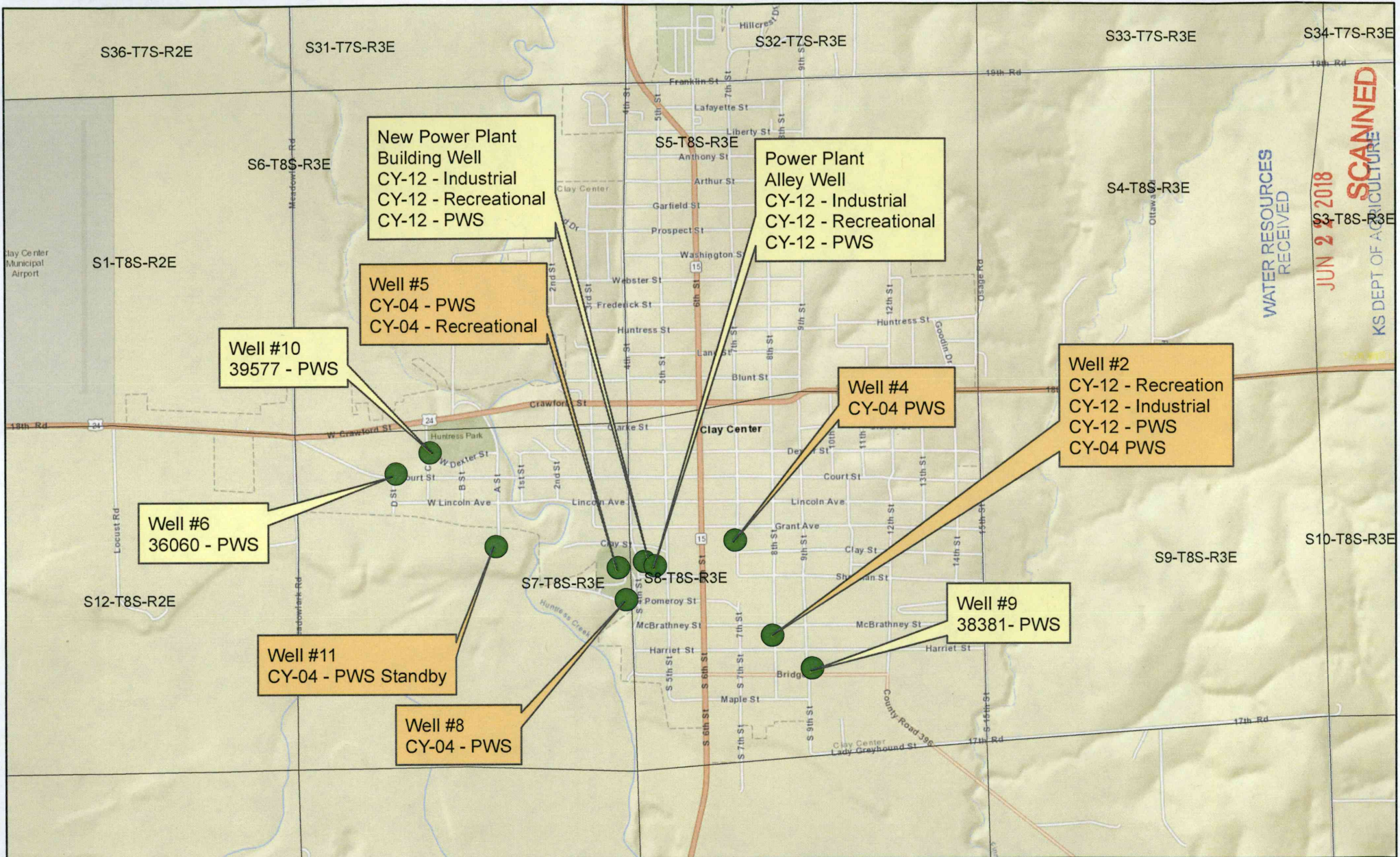
KS DEPT OF AGRICULTURE
 SCANNED



CY-04 Currently Authorized



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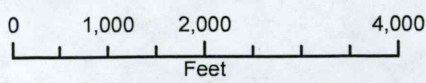
WATER RESOURCES RECEIVED
 JUN 27 2018
 SCANNED
 KANSAS DEPT OF AGRICULTURE

Legend

- Clay Center Public Utilities Wells
- Public Land Survey System Sections



1:24,000



Change Application CY-4
 Proposed Water Rights Arrangement
 and Well Locations