

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

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Received
MAY 18 2020
11:37
KS Dept Of Agriculture

File No. 33,092

2. Name of applicant: CITY OF FRONTENAC

Address: 313 E MCKAY, PO BOX 1012

City, State and Zip: FRONTENAC, KS 66762

Phone Number: (620) 231-9210 E-mail address: _____

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

Name of water use correspondent: SAME AS ABOVE

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

REDRILL OF 1 WELL IN THE BATTERY (NORTH WELL).

The change(s) (was) (will be) completed by FALL 2019

(Date)

For Office Use Only:

F.O. 1 GMD Meets K.A.R. 5-5-1 (YES/NO) Use MUN Source G/S County CR By BMM Date 5/20/20
Code CLT Fee \$ 1000 TR # _____ Receipt Date 5/18/20 Check # 4651

6. The presently authorized point(s) of diversion (is) (are) BATTERY OF 2 WELLS
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) BATTERY OF 2 WELLS
(Provide description and number of points)

List all presently authorized point(s) of diversion:

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8. **Presently authorized point of diversion: WELL 1 – BATT 1 OF 2**

One in the NE Quarter of the NW Quarter of the NW Quarter of Section 9, Township 30 South, Range 25 EAST, in CRAWFORD County, Kansas, 5157 feet North 4662 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) BETTER DESCRIBED

One in the NE Quarter of the NW Quarter of the NW Quarter of Section 9, Township 30 South, Range 25 EAST, in CRAWFORD County, Kansas, 5157 feet North 4662 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 CR-7 AND NEW APP

9. **Presently authorized point of diversion: WELL 2 – BATT 1 OF 2**

One in the NW Quarter of the NW Quarter of the NW Quarter of Section 9, Township 30 South, Range 25 EAST, in CRAWFORD County, Kansas, 5223 feet North 4662 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 NE Quarter of the NW Quarter of the NW Quarter of Section 9, Township 30 South, Range 25 EAST, in _____ County, Kansas, 5232 feet North 4615 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 CR-7 AND NEW APP

10. **Presently authorized point of diversion: GEO-CENTER**

One in the NW Quarter of the NW Quarter of the NW Quarter of Section 9, Township 30 South, Range 25 EAST, in CRAWFORD County, Kansas, 5190 feet North 4662 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 NW Quarter of the NW Quarter of the NW Quarter of Section 9, Township 30 South, Range 25 EAST, in CRAWFORD County, Kansas, 5195 feet North 4639 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 CR-7 AND NEW APP

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

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

N/A

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(Please show any calculations here.)

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

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

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). 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.

REDRILL OF WELL IN OZARK AQUIFER. NO CHANGE IN LOCAL SOURCE OF SUPPLY.

NEW WELL IS ONLY 50 FEET FROM EXISTING WELL.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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 Frontenac, Kansas, this 26 day of March, 2020.

[Signature]

(Owner)
John Zafuta

(Please Print)

(Spouse)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(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 20th day of March, 2020.

My Commission Expires 10/29/2023 [Signature] Notary Public
Jayme L. Mjelde
NOTARY PUBLIC
State of Kansas
My Appt. Exp. 10/29/2023

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.**

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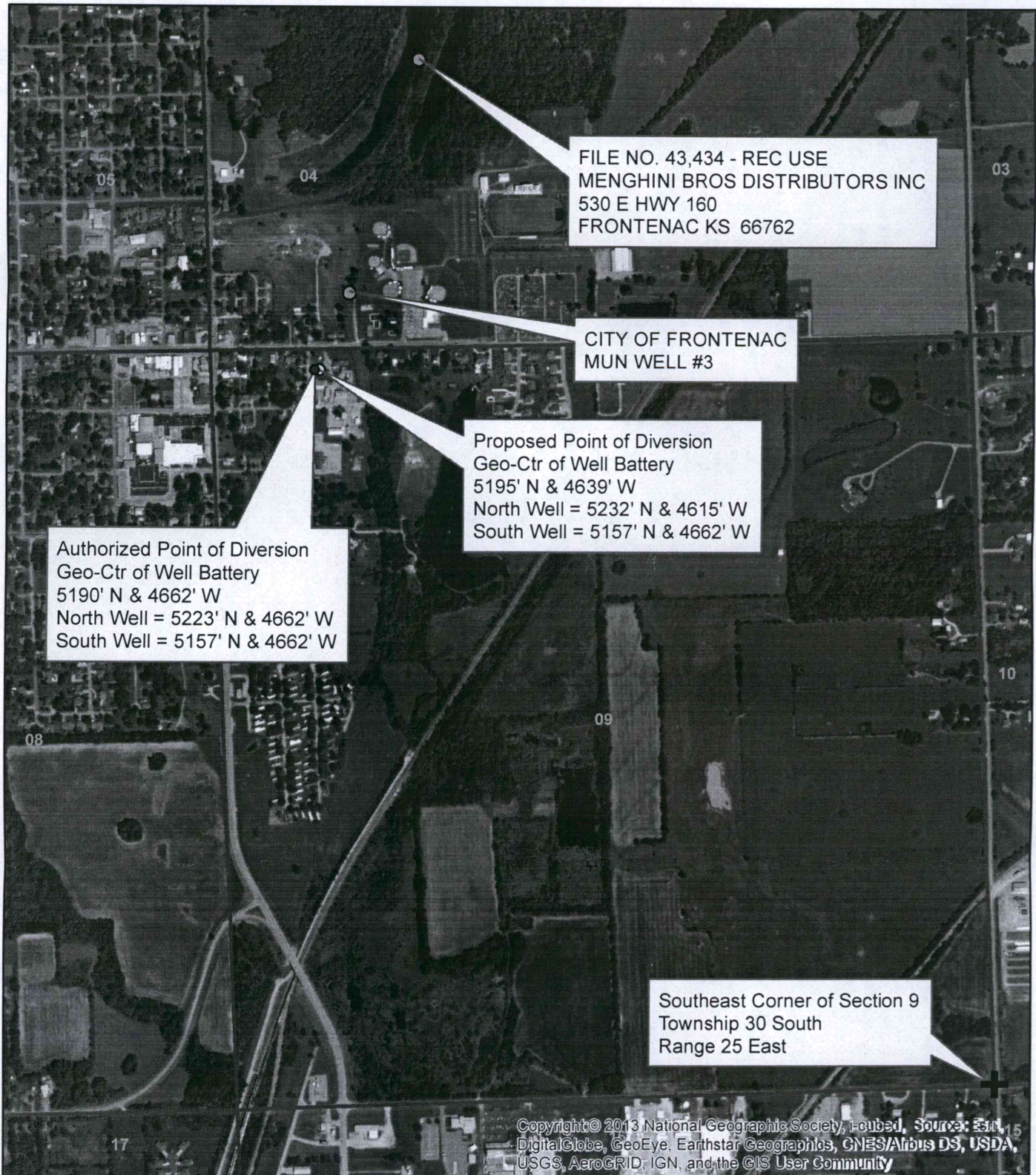
MAY 18 2020

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CITY OF FRONTENAC - CHANGE APPLICATION
FILE NOS. CR-7 & 33,092
SEC. 9, T30S, R25E

MAY 18 2020

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1:12,000

- Proposed Point of Diversion
- Authorized Point of Diversion

All known wells within 1/2 mile of the proposed point of diversion have been identified on this map.



KRAMER CONSULTING, LLC

ENGINEERS • PLANNERS • SURVEYORS

2335 S.E. TECUMSEH ROAD • TECUMSEH, KANSAS 66542

(785) 234-6600 • CONTACT@KRAMERLLC.NET

May 13, 2020

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

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MAY 18 2020

Re: City of Frontenac, Kansas
File No. 33,092 & CR-7

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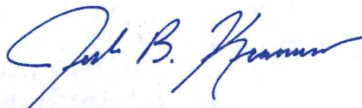
Dear Chief Engineer,

The City of Frontenac, Kansas has a non-operational well in their battery of wells, which pertain to File No. 33,092 and CR-7. It is proposed to re-drill the well and remain within the battery for a Point of Diversion.

Accompanying this letter are Application's for the Point of Diversion to re-drill one well in the battery of wells for the referenced file numbers, along with a check in the amount of \$200.00 for filing fees.

If you have any questions or concerns regarding this submittal, please do not hesitate to contact me.

Respectfully Submitted,
KRAMER CONSULTING, LLC



Josh B. Kramer, P.E.
Project Engineer

Enc.: Application for Approval to Change the Point of Diversion for File No. 33,092 & CR-7
Check in the amount of \$200.00 for filing fees