

THE STATE



OF KANSAS

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KANSAS DEPARTMENT OF AGRICULTURE

Alice A. Devine, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer

**CERTIFICATE OF APPROPRIATION
FOR BENEFICIAL USE OF WATER**

WATER RIGHT, File No. 29,348

PRIORITY DATE March 16, 1977

RECEIVED

SEP 05 1997

Field Office
Division of Water Resources
Stockton

WHEREAS, It has been determined by the undersigned that construction of the appropriation diversion works has been completed, that water has been used for beneficial purposes and that the appropriation right has been perfected, all in conformity with the conditions of approval of the application pursuant to the water right referred to above and in conformity with the laws of the State of Kansas.

NOW, THEREFORE, Be It Known that DAVID L. POPE, the duly appointed, qualified and acting Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture, by authority of the laws of the State of Kansas, and particularly K.S.A. 82a-714, does hereby certify that, subject to vested rights and prior appropriation rights, the appropriator is entitled to make use of all natural flows of Spring Creek (identified in the office of the Chief Engineer as Spring Creek, Republican) to be diverted at a point located in the Southeast Quarter of the Northwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 29, more particularly described as being near a point 4,490 feet North and 4,390 feet West of the Southeast corner of said section, in Township 1 South, Range 5 West, Republic County, Kansas, at a diversion rate not in excess of 555 gallons per minute (1.24 c.f.s.) and a quantity not to exceed 30 acre-feet of water per calendar year, for irrigation use on the following described property:

- 24 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 3 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 35 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 40 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),

a total of 102 acres in Section 29, Township 1 South, Range 5 West, Republic County, Kansas.

The maximum authorized acres that were lawfully irrigated in any one calendar year during the perfection period were 20 acres.

This appropriation right is further limited to a quantity of water which when combined with the water right set forth in the Certificate of Appropriation issued pursuant to File Nos. 385 and 4,673 (Bostwick Irr. Dist.) will provide

a total quantity not to exceed 153 acre-feet of water per calendar year for irrigation use on the land described herein.

DUPLICATE COPY

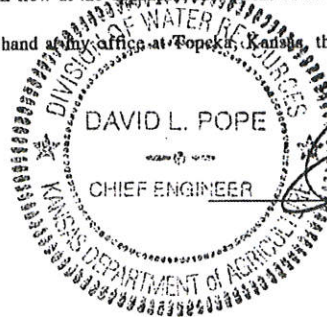
The appropriator shall maintain in an operating condition, satisfactory to the Chief Engineer, all check valves installed for preventing chemical or other foreign substance likely to cause pollution of the water supply.

The appropriator shall maintain records from which the quantity of water actually diverted during each calendar year may be readily determined. Such records shall be furnished to the Chief Engineer by March 1 following the end of the previous calendar year.

The appropriation right shall be deemed abandoned and shall terminate when without due and sufficient cause no lawful beneficial use is made of water under this appropriation for three (3) successive years.

The right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the stream flow at the appropriator's point of diversion.

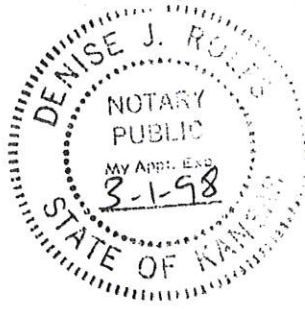
IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Topeka, Kansas, this 2nd day of September, 1997



[Signature]
David L. Pope, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

STATE OF KANSAS, Shawnee COUNTY, ss.

The foregoing instrument was acknowledged before me this 2nd day of Sept, 1997, by David L. Pope, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Signature: *[Signature]*
Notary Public

(Record in the Office of Register of Deeds in the county or counties wherein the point of diversion is located)

CERTIFICATE OF APPROPRIATION
FOR BENEFICIAL USE OF WATER

STATE OF KANSAS

Water Right, File No. 29, 348

STATE OF KANSAS,

_____, COUNTY, ss.

Filed for record this _____ day of _____,

at _____, 19____,

at _____ o'clock _____ m. and _____

recorded in Book _____ Page _____

Fee \$ _____

Register of Deeds.