

REQUEST TO SECURE WATER

To: Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
(or his or her authorized agent)

February 6, 2023
(Date)

1. I am presenting the following information as the basis for action on my request to secure water:

That pursuant to K.S.A. 82a-701 et. seq., a water right, identified as follows, has been established:

a. Vested Right
File No. County Source
Quantity Rate
b. Appropriation Right
File No. 7571 Priority Date August 15, 1957
Status Certified
Rattlesnake Creek Source 14,632 Quantity 300 cfs Rate

2. That the authorized place of use for the water right is: Quivira National Wildlife Refuge

3. A. That the appurtenant to the water right described in paragraphs 1 and 2 is owned by:

U.S. Dept. of the Interior - U.S. Fish and Wildlife Service Name P.O. Box 25486, Denver Federal Center, Mailstop 60189, Denver, CO 80225 Address

Name Address

B. That the land described in paragraph 2 is owned by:
(If different than owner of water right)

same as above Name Address

Name Address

4. That the undersigned, (if not the owner) has an interest in the above-described land and water right as follows:

Agent (tenant, lessee, buyer, contract or other)

5. That during this calendar year 0 acre-feet of water has been used under this right.

6. That the undersigned has need for 14,632 acre-feet of water at a rate of See attached ^ g.p.m. for Recreational purposes at locations described as follows:

Fish and Wildlife Habitat, Forage

No. of Acres: 22,135 Kind of Crop: N/A

7. That I am prepared to, and will, in the exercise of my water right described above, apply to beneficial use all water available to me at a rate of 14,632 ac-ft/year g.p.m. or less, commencing at 12 o'clock A.M. on February 7, 2023.
8. That I have been informed that water is available from the source of supply in the amount of:

<u>Date</u>	<u>Estimated Flow</u>	<u>Location</u>
<u>1974 - current</u>	<u>Variable</u>	<u>Rattlesnake Creek, Zenith Gage</u>
_____	_____	_____

9. That I have been informed that water is, or was, being diverted from the source of supply as follows:

<u>Date</u>	<u>Water Right</u>	<u>Name</u>	<u>Estimated Rate of Diversion</u>
<u>1974 - current</u>	<u>Multiple</u>	<u>Junior Appropriators</u>	<u>30,000 - 60,000 AF per year depletions to Rattlesnake Creek</u>
_____	_____	_____	_____

10. That I have advised the persons listed below of my need for water and my intention to exercise my water right:

<u>Name of Person</u>	<u>Date</u>	<u>Agreeable - Yes Or No</u>
<u>Big Bend GMD No. 5</u>	<u>01/05/2022 and 10/12/2022</u>	<u>No</u>
_____	_____	_____
_____	_____	_____

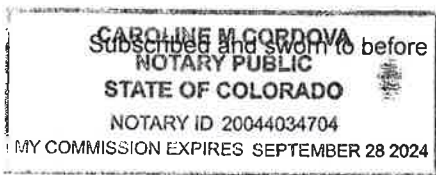
I request in accordance with the provisions of K.S.A. 82a-706b, that the Chief Engineer or his or her authorized agent open, close, adjust or regulate the headgates, valves, or other controlling works of any ditch, canal, conduit, pipe, well, or structure as may be necessary to secure water to which I am entitled:

Brian S. Caruso  
Signature

State of Colorado )  
County of Jefferson ) SS

Brian S. Caruso by me being duly sworn, declare that the information is true and correct to the best of his or her knowledge and belief.

Brian S. Caruso  
Affiant's Signature



Subscribed and sworn to before me this 6<sup>th</sup> day of February, 2023

Caroline M. Cordova  
Notary Public  
135 Quitman Street  
Denver CO 80219

My Commission Expires September 28, 2024