

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502-5000
<http://agriculture.ks.gov/dwr>

REQUEST TO EXTEND THE PERFECTION PERIOD



State of Kansas

STATUTORY FILING FEE OF \$100.00 PER FILE NO. MUST ACCOMPANY THIS APPLICATION
(Make check payable to the Kansas Department of Agriculture)

Appropriation of Water, File Nos. _____

Please note the filing fee is per File No.

It is requested that the time period allowed for the perfection (development) of Appropriation of Water, **File No(s)**. _____ by the actual quantity of water physically and legally diverted and applied for beneficial use of water, be extended to **December 31, 20**_____.

1. Describe the progress that has been made to date in perfecting the appropriation.

2. Describe the reason(s) why the appropriation has not been perfected.

3. Specify and justify the requested number of years that will be needed to fully perfect the water right.

Number of Years: _____

Justification:

4. If for **irrigation use**, indicate the maximum number of acres of land to which water has been applied during any one calendar year of the perfection period: _____ **acres** or **N/A**

Phone Number

Signature

Date

Address

Print Name

City

State

Zip

Business Name (if applicable)

For Office Use Only: Code EX2 **Fee \$** _____ **TR #** _____ **Receipt Date** _____ **Check #** _____

Explanation and Instructions

- A.** Permit Condition No. 6 of the permit identifies the specific period of time the owner has to actually use water in order to develop (perfect) the water right. This period of time is called the "perfection period". The water right which is finally developed will depend on the extent of water use within the "perfection period" in accordance with the terms of the permit.
- B.** The extent of the water right will be based on actual use of water during the perfection period. An evaluation will be made to determine the peak year of use reported. If there are good reasons why you think a peak year of use has not occurred, you may ask for additional time in which to develop the water right. K.A.R. 5-3-7 requires that such a request be in writing and received by the Division of Water Resources **before** the time period expires. You must answer the four (4) questions on the form in order for it to be considered complete.

For non-municipal uses K.A.R. 5-8-7(d)(2)

- More than one year can be requested until a total of 10 years after the calendar year the diversion works were required to be completed.
- After 10 years, if extenuating circumstances exist as described by K.A.R. 5-8-7(b), extensions of time can only be requested in one-year increments.

For municipal use K.A.R. 5-8-7(e)

- Can be extended in 5-year increments or less after the original 20-year time period to perfect.
- The total time cannot exceed 40 years past the year the permit was approved.

For industrial sand & gravel pits K.S.A. 82a-734(e)(2)

- Can be extended in 10-year increments after the original 20-year time period to perfect.
- The total time cannot exceed a total of 80 years past the year the permit was approved.

- C.** Evaluate your water use carefully. One of the reasons you may wish to extend the perfection period is that a peak year of use has not yet occurred. If this water right is one of several water rights providing water to a common place of use, the total water provided to the place of use will be limited to the maximum applied by all of the water rights during any one year of the perfection period.
- D.** Pursuant to K.S.A. 82a-714(e), you are required to submit **\$100.00 for each file number** for which you request an extension of time to perfect. Even if two or more file numbers authorize the same point(s) of diversion or place(s) of use, a \$100.00 filing fee is required for **each** file number. This filing fee shall be payable to the Kansas Department of Agriculture. To pay via credit card, please call 785-564-6638.
- E.** The individual submitting the extension request is not required to be an owner of the water right. If you wish to request more time to perfect your water right(s), you must complete this form and send it, with the \$100.00 filing fee per file number, **before** your perfection period expires, to this address:

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

For assistance, please call 785-564-6638 or contact your local field office.