

Explanation

K.A.R. 5-1-1(y), defines diversion works as "all well(s), pump(s), power unit(s), power source(s), dam(s) and all other devices necessary to bring water under control for delivery to a distribution system by which the water will be distributed to the proposed use and any other equipment required . . . such as a check valve, water level measurement tube, meter or other measuring device."

K.A.R. 5-8-4(c) provides that if the total time allowed to construct the diversion works has been more than 16 months and fewer than 24 months, an extension of time shall be granted by the chief engineer only if the applicant can meet certain criteria which includes (1) Demonstrates good cause, (2) provides a copy of a contract with the well driller or other information substantiating the intent to proceed to complete the construction of the diversion works in an expeditious manner, (3) files the request for extension pursuant to the requirements of K.A.R. 5-3-7; and (4) submits the statutorily required filing fee.

1. The approval of application and permit to proceed, identifies a December 31 deadline for completing the diversion works. Failure to notify the Chief Engineer of the completion of the diversion works prior to this deadline can result in dismissal of the application and associated priority date.
2. If, for good reason, the diversion works are not going to be completed by the stated deadline, an extension of time should be requested. Use the form on the reverse of this explanation. Things that should be addressed in your plea for an extension are:
 - A. The progress that has been made to date.
 - B. The reason the diversion works will not be completed by the deadline date.
 - C. The amount of time before diversion works will be completed.
3. Pursuant to K.S.A. 82a-714(e) a **\$100.00 fee** is required for **each** file number for which you request an extension of time to complete diversion works. If you wish to request an extension of time, please complete the form on the reverse of this explanation and send it, with \$100.00 for each file number involved (payable to the Kansas Department of Agriculture) to the address noted on the upper left of the form before the deadline to complete expires. Note on the form that a change in point of diversion does not require this fee.
4. Further instructions:
 - A. Use extra pages as required.
 - B. Attach any supporting information for your request.
 - C. Be sure to sign and date your request

If you have any questions, please contact the field office in your area:

Topeka
6531 SE Forbes Ave., Ste B
Topeka, KS 66619

Stafford
300 South Main St.
Stafford, KS 67578

Stockton
820 South Walnut
Stockton, KS 67669

Garden City
2508 Johns Street
Garden City, KS 67846

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(620) 234-5311

(785) 425-6787

(620) 276-2901