



WATER-RIGHT DOCKET

Fort Larned National Historic Site

Docket No: 2

WELLS

State Water Rights Documentation

03-09-1995: Record of phone call to engineer tech from NPS regarding state appropriative right, file no. 8819

REPORT OF TELEPHONE CONVERSATION

Park/Project: FOLS/Not an active project, response to state correspondence on a water right that includes FOLS lands

Date: 03/09/95

Time:

Who Initiated Call: NPS

NPS-WRD Party: Jeff Albright

Other Party: Cliff Irwin, Engineer Tech., Water Rights Section

Organization: Division of Water Resources, Kansas

Phone No: 913-296-3717

Address: Topeka, KS

Re: State Appropriative Right, File No. 8819

Background:

State has recently sent FOLS a draft copy of a Certificate for this "permit" (not sure of Kansas nomenclature for appropriations that have yet to be certificated). The park then forwarded this correspondence to us. Permit/certificate includes acreage at FOLS--these are lands that were irrigated before being acquired by the U.S., but are not currently irrigated.

There is a short comment period before the certificate will become final. The park's question is whether issuance of the certificate will impact or compromise the United States' ownership interest in this water right.

The certificate references 8819 as being combined with vested right PN-011 (U.S. is sole owner of 011), saying that the combined use cannot exceed 1,116 AF/yr.

Telephone Discussion:

Cliff said that the draft certificate does not omit any of the 744 acres presently covered under the permit (ie, the certificate doesn't remove any NPS lands). However, the amount of water associated with the right will be reduced from 1488 AF/yr (permit) to 930 AF/yr (certificate). The 930 AF/yr figure is based on irrigated acreage from annual water use reports. Since NPS hasn't been submitting annual water use reports, the AF/yr reduction reflects lack of current irrigation of NPS acreage.

Questions:

- 1) Certificate lists 309 acres of U.S. lands, previous info (1988 letter from State Engr) showed 230 acres of U.S. lands under File No. 8819. Did FOLS acquire the 79 acres subsequent to 1988?

Talked to George Elmore at FOLS. No acquisitions since 1984

and the particular 79 acres in question was acquired even earlier than that. Not sure what is going on with this acreage.

- 2) The combined total may be off slightly. NPS allowed use under PN-011 is 260 AF/yr. When added to the 930 AF/yr, this equals 1190 not 1116.
- 3) SOL-- is the United States' ownership interest in 8819 being reduced or compromised in any way? FOLS would like to retain some ownership as a bargaining tool in negotiating a (scenic?) easement with the adjoining landowner that has much of the remainder of the water right.

What about the reduction from 1488 to 930 AF/yr (presumably this is based on lack of reported use by NPS). Does this reduce the value of our property interest?

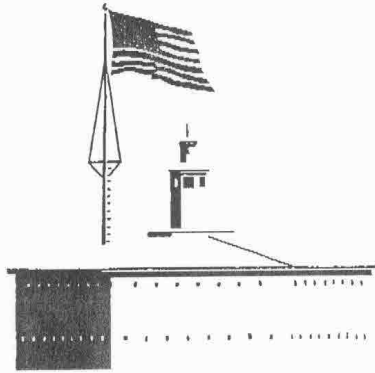
Once this right is certificated, will it be any easier for other rightholders to declare the United States share of ownership as being abandoned?

Talked to Ralph Canaday at SOL. We would not be in a strong position if state ever decided to declare our portion of the water right as abandoned--particularly since it is from a well and we can't claim to be using the water for other purposes (eg, instream flow or interpretation of historic scene). If park is able to cut a deal with co-owner of right (dropping our acreage in exchange for some other tangible asset) then that would be great.

MAR-03-1995 11:45

FT LARNED NAT'L HIST SITE

316 285 3571 P.01



FORT LARNED
NATIONAL HISTORIC SITE



Telefax Transmittal

DATE: 3/3/95

TO: Jeff Albright
Water Resources Division

FROM: Steve Linderer

SUBJECT: Fort Larned Water Rights

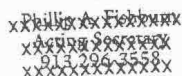
NUMBER OF PAGES TO FOLLOW: 6

SPECIAL INSTRUCTIONS: I'll call you next week
to discuss this.

Steve

If there is a problem please call voice: (316) 285-6911
Fax: (316) 285-3571

Fort Larned NHS
Route 3
Larned, Kansas 67550



DIVISION OF WATER

David L. Pope, Chief Engineer-Director
901 S. Kansas Avenue, Second Floor
Topeka, Kansas 66612-1283
(913) 296-3717 Fax (913) 296-1176

February 28, 1995

REBECCA H LEWIS REVOCABLE TRUST
ROUTE 3 BOX 48
LARNED KS 67550

RE: Appropriation of Water
File No. 8,819

Dear Madam:

Dear Madam:

Upon review of the above referenced file it appears that a Certificate of Appropriation can be issued. There is enclosed for your consideration and comments a draft Certificate of Appropriation. We request that you examine it carefully as to legal descriptions and content. If there are any corrections needed, please note them on the draft Certificate of Appropriation and submit it with comments for our review.

According to information on file in this office we understand there are multiple owners of the land appurtenant to this water right. These owners are shown in the following paragraph. We have identified you as primary correspondent responsible for coordinating future actions regarding this file. We will consider comments submitted by any individual receiving a copy of this letter. Please note that other owners identified in our records are being sent a copy of this letter.

Information on file in this office indicates that the land shown on the enclosed draft copy of the proposed certificate is owned as follows:

30 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
 30 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
 40 acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
 30 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
 30 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
 40 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
 30 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
 30 acres in the Southwest Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$),
 32 acres in the Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$),
 26 acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$),
 8 acres in the Northwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
 13 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),

NOT
INDICATED
AS PART
OF 8819
in state
Encls 10/88 letter

a total of 309 acres in Section 32, Township 21 South,
owned by the United States Government,

40 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),

Compliance, Enforcement,
Water Use and Certification 296-3495

Legal 296-4623
Technical Services 296-6081

Office Services	296-2658
Water Structures	296-2933

Water Appropriation Permits
and Changes 296-2709

MAR-03-1995 11:46

FT LARNED NAT'L HIST SITE

316 285 3571 P.03

REBECCA H LEWIS REVOCABLE TRUST

Page 2

File No. 8,819

February 28, 1995

8 acres in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$),
14 acres in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$),
80 acres in the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$),
40 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),
32 acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$),
27 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
10 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 251 acres in Section 32, Township 21 South,
owned by the Rebecca H. Lewis Revocable Trust,

20 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
40 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),

a total of 60 acres in Section 33, Township 21 South,
owned by Virginia L. Frizell,

10 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ 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 50 acres in Section 33, Township 21 South,

34 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
40 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
a total of 74 acres in Section 4, Township 22 South,

owned by Virginia M. Keast,

all in Range 17 West, Pawnee County, Kansas.

We understand that all future correspondence pertinent to the above referenced file will be directed to you and water use report forms to Robert W. and Rebecca H. Lewis. If the above mentioned information is incorrect, please notify this office.

As a matter of information, a Certificate of Appropriation must set forth the rate of diversion developed, quantity of water actually applied and place of use actually irrigated, not to exceed the limits of the approval of the application.

Please be advised that Kansas Administration Regulation 5-3-5c states in part, "All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply." Please also be aware, that the Kansas Chemigation Safety Law, administered by the Division of Plant Health, Kansas State Board of Agriculture, requires that any user of the

MAR-03-1995 11:47

FT LARNED NAT'L HIST SITE

316 285 3571 P.04

REBECCA H LEWIS REVOCABLE TRUST

Page 3

File No. 8,819

February 28, 1995

chemigation process shall register and obtain a Chemigation User's Permit before using the process. "Chemigation" means any process whereby pesticides, fertilizers, or other chemicals are added to irrigation water applied to land or crops, or both, through an irrigation distribution system.

If we do not hear from you before March 28, 1995, we will issue the certificate as enclosed. If the proposed certificate is acceptable and you wish to expedite its issuance, you may notify this office in writing prior to the end of the normal thirty (30) day waiting period. If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely



Cliff Irwin
Engineer Technician
Water Rights Section

CI:jt

Enc.

pc: Stafford Field Office
United States Government
Virginia L. Frizell
Virginia M. Keast

MAR-03-1995 11:47

FT LARNED NAT'L HIST SITE

316 285 3571 P.05

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE
 XXXXXXXXXXXXXXXXXXXXXXXX
 Alice Devine, Secretary

DIVISION OF WATER RESOURCES
 David L. Pope, Chief Engineer

CERTIFICATE OF APPROPRIATION
 FOR BENEFICIAL USE OF WATER

WATER RIGHT, File No. 8,819

PRIORITY DATE October 25, 1961

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 State Board 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 groundwater in the drainage basin of the Pawnee River to be withdrawn by means of a well located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 32, more particularly described as being near a point 100 feet North and 2,930 feet West of the Southeast corner of said section, in Township 21 South, Range 17 West, Pawnee County, Kansas, with a diversion rate not in excess of 1,370 gallons per minute (3.05 c.f.s.) and a quantity not to exceed 930 acre-feet per calendar year,

for irrigation use on the following described property:

230 FOLS
acres
previously
under
8819

- 30 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
- 30 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
- 30 acres in the South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$),
- 30 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 30 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 30 acres in the Northwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 40 acres in the Southwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 30 acres in the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$),
- 160 acres in the Southwest Quarter (SW $\frac{1}{4}$),
- 80 acres in the North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$),
- 40 acres in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),

Re: File No. 8,819

DRAFT COPY

Page 2

10 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$),
a total of 560 acres in Section 32, Township 21 South,

10 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
20 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
80 acres in the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$),

a total of 110 acres in Section 33, Township 21 South,

34 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
40 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),

a total of 74 acres in Section 4, Township 22 South,

all in Range 17 West, Pawnee County, Kansas.

This appropriation right is further limited to a quantity which when combined with the water right set forth in the order of the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture, dated February 15, 1956, (identified as Vested Right, File No. PN 011), will provide a quantity not to exceed 1,116 acre-feet per calendar year for irrigation use on the land described herein.

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 of each year following.

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

The appropriation right as perfected is appurtenant to and severable from the land herein described.

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.

MAR-03-1995 11:48

FT LARNED NAT'L HIST SITE

316 285 3571 P.07

COPY Page 3

Re: File No. 8,819

IN WITNESS WHEREOF, I have hereunto set my hand at my office at Topeka,
 Kansas, this _____ day of _____, 199 .

 David L. Pope, P.E.
 Chief Engineer
 Division of Water Resources
 Kansas State Board of Agriculture

State of Kansas)
) SS
 County of Shawnee)

The foregoing instrument was acknowledged before me this _____ day of
 _____, 199 , by David L. Pope, P.E., Chief Engineer, Division
 of Water Resources, Kansas State Board of Agriculture.

 Notary Public

My appointment expires:

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

WATER APPROPRIATION
 CERTIFICATE

No. _____

STATE OF KANSAS

Water Right, File No. _____

STATE OF KANSAS,

COUNTY, ss. _____

Filed for record this _____ day of _____

19 _____

at _____ o'clock _____ m. and _____

recorded in Book _____ Page _____

Fee \$ _____

Register of Deeds.

TOTAL P.07



KANSAS STATE BOARD OF AGRICULTURE

Sam Brownback, Secretary

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer-Director
901 S. Kansas Avenue, Second Floor
Topeka, Kansas 66612-1283
(913) 296-3717 Fax (913) 296-1176

November 9, 1992

REBECCA H LEWIS
RT 3 BOX 48
LARNED KS 67550

RE: Appropriation of Water
File No. 8,819 & 18,065

Dear Ms. Lewis:

In response to the request you made November 2, 1992, the Chief Engineer has extended until January 20, 1993, the time in which to return said application for approval of change in the place of use and point of diversion under the referenced file number accompanied by the requested additional information.

If the application is not returned by January 20, 1993, or any authorized extension of time thereof, it will be dismissed.

Should you have any questions, you may contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Eugene J. Morgenthaler
Hydrologist
Water Rights Section

EJM:dfh

pc: Stafford Field Office
Groundwater Management District No. 5
U. S. Department of Interior (National Park Service)

COPY
FOR YOUR INFORMATION

Compliance, Enforcement,
Water Use and Certificates 296-3495

Legal 296-4623
Technical Services 296-6081

Office Services 296-2658
Water Structures 296-2933

Water Appropriation Permits
and Changes 296-2709

REPORT OF TELEPHONE CONVERSATION

DATE 10/28/92 TIME 0830 (AM/PM)PROJECT FOLS - State Approp WRNPS PERSON ON CALL Jeff Albright ☐ I CALLED ☒ S/HE CALLED

PERSON Eugene Morgenthaler
 ORGANIZATION Water Rights Section, Kansas Div of Water Resources
 ADDRESS Topeka, KS
 TELEPHONE NUMBER 913-296-3717

DISCUSSION I called 1st, Gene then returned my call
Discussed 2 change applics. referenced by attached
letter (8819, 18065) ← Original File Nos, as well as referencing
change applications. This letter was sent to FOLS as a cc.

NPS appears to have part ownership (230 acres) of WR
under appropriation 8819 (not a certified right yet).
Change applic. proposed to remove NPS lands, since WR
tied to land this would require United States approval.
FOLS does not currently use any water from this well.
Well is located outside of park boundary.

744
8819 is presently for 1488 ac-ft/yr, not to exceed
1488 ac-ft/yr when combined w/ any other rights
(overlaps with 18065 and VPN all vested right lands)
same 86

Water use reports required since 1988. These show
8819 as used 1988-91, appears not to have been used
for some time prior to 1988?

3 consecutive yrs of non-use constitutes cause for
abandonment. Even if put back into use after 3-yr
period [New state reg.] Pre-1988 non-use is
probably not ~~exten~~ allowed as cause under new
regulation.

Gene
will
send
documentation
to
NPS-WRD

18065 may be associated with a different well
than 8819, but involves some or all of same
irrigated area. No NPS lands thought to be associated
with this. Allows 684 ac-ft/yr, 900 ac-ft when
combined with any other. Change applic would go from
416 ac to 387 ac. irrigated. Approx, not ~~over~~ a WR.

adjacent
simplest location
← at least

10 12:22 NPS FT LARNED

P. 82



KANSAS STATE BOARD OF AGRICULTURE

Sam Brownback, Secretary

DIVISION OF WATER RESOURCES
 David L. Pope, Chief Engineer-Director
 901 S. Kansas Avenue, Second Floor
 Topeka, Kansas 66612-1283
 (913) 296-3717 Fax (913) 296-1176

October 20, 1992

ALAN W AND KENT D CONVERSE
 ROUTE 1 BOX 21
 GARFIELD KS 67529

RE: Appropriation of Water
 File Nos. 8,819 & 18,065

FOLIO OCT 2 1992		
TO	INIT	DATE
SUPT		
ADMIN		
MAINT		
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FILED		
ACTION TAKEN		

Dear Sirs:

Enclosed are two (2) applications for change that had been filed over 10 years ago and still are not resolved.

The change application pursuant to Appropriation of Water, File No. 8,819 must be signed by an authorized agent of the U. S. Department of the Interior. K.A.R. 5-5-5, Rules and Regulations, Kansas Water Appropriation Act states in part that, the signatures of all the landowners whose portion of the water right is involved in the change shall be required on the application. If you cannot obtain a signature from the U. S. Department of Interior to delete their land and still desire to have the land deleted in the Northwest Quarter (NW¼) of Section 4, Township 22 South, Range 17 West, please revise the application to show this desire and return it to this office.

The change application pursuant to Appropriation of Water, File No. 18,065 has been returned for your review to determine if these changes are still applicable. Depending on what you decide on change application, File No. 8,819 you may or may not also desire to revise Change Application, File No. 18,065.

The applications are being returned to you so that the above information may be furnished. In order that the applications will retain their priority of filing, they must be completed and returned to this office on or before November 20, 1992. According to law, default in the refiling of the completed applications as outlined above within the time allowed shall cause dismissal of the applications for change under the above referenced file numbers.

Should you have any questions, you may contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Eugene J. Morgenthaler
 Eugene J. Morgenthaler
 Hydrologist
 Water Rights Section

EJM:dfh
 Enclosure(s)

pc: Stafford Field Office
 Groundwater Management District No. 5
 US Department of Interior (National Park Service) ✓
 Virginia L. Frzell
 Donald R. Keast

COPY
 FOR YOUR INFORMATION

Compliance, Enforcement,
 Water Use and Certificates 296-3495

Legal
 Technical Services 296-4623
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Office Services 296-2658
 Water Structures 296-2933

Water Appropriation Permits
 and Changes 296-2709



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
DAVID L. PARK, Chief Engineer-Director
300 SW 4th Street, Suite 302
Topeka, Kansas 66612-1201
Tel 20-1717

SAM BROWNBACK
Secretary

October 26, 1988

Virginia L. Frizell
2223 Harrison
Great Bend, Kansas 67530

Re: Appropriation of Water
File No. 8.819

8,819
PRESENTLY
AUTHORIZED

Dear Madam:

We have been informed by the Pawnee County Register of Deeds that you are the owner of part of the land covered by the above referenced file number.

Based on this information our records will be changed to show the following as the owners of the land covered by this file number, namely:

- 40 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
- 160 acres in the Southwest Quarter (SW $\frac{1}{4}$),
- 40 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),
- 80 acres in the West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$),
- 10 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$).

a total of 330 acres in Section 32,
owned by Kent D. and Linda G. Converse, husband and wife, and
Alan W. and Naomi L. Converse, husband and wife,

- 10 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 14 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 64 acres in Section 33,
owned by Don R. and Virginia M. Keast, husband and wife,

- 20 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
- 26 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),

a total of 46 acres in Section 33,
owned by Virginia L. Frizell,

- 30 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
- 30 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),
- 40 acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
- 20 acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
- 30 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$).

The Division of Water Resources administers laws relating to water supply,
conservation, management and utilization of the water resources of
Kansas; flood safety, flood control, and drainage of the state.

ONE

NAME

you are
er.

following

1).

2).

3).

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11).

12).

Virginia L. Fritzell
page two
File No. 8,819
October 26, 1988

40 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
30 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),

a total of 230 acres in Section 32,
owned by the United States Government,

all in Township 21 South,

34 acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$),
40 acres in the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$),

a total of 74 acres in Section 4, Township 22 South,
owned by Don R. and Virginia M. Keast, husband and wife,

all in Range 17 West, Pawnee County, Kansas. *Total 474*

< A water right is a real property right appurtenant to the land on which it
is established and transfers with title to the land unless expressly withheld. >

If you wish our records to show that you acquired whatever water right
exists under this file number, you may furnish this office with a copy of the
recorded deed or other such document setting forth the transfer in ownership of
the land and water right.

All future correspondence and requests for Water Use Reports will be sent
to Kent D. and Alan W. Converse unless we are notified otherwise.

Should you have any questions, please feel free to write or call this
office.

Sincerely,

Douglas E. Bush

Douglas E. Bush
Hydrologist

DEB:jt
Enclosure
pc: Stafford Field Office
Groundwater Management District No. 5
Kent D. and Linda G. Converse
Alan W. and Naomi L. Converse
United States Government, Ft. Larned Park Manager

8,819 Land proposed under
change application

(If there are more than two landowners, attach additional sheets as necessary.)

4. It is proposed that the place of use be changed to:

Owner of Land—NAME: ALAN W. NAAMT L. & LINDA G. CONVERSE (undivided)
ADDRESS: GAREKLO, KANSAS 67529

Identify the

(Ch

To the Chi

L. Name

A

U

D

J

—



We

be

appr.

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 21s 17w				40					8	14	40	40	40	32	27	40	281

Owner of Land—NAME: VERONICA L. FAIZEN

ADDRESS: 2223 HARRISON, GREAT BEND, KANSAS

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
33 21s 17w							20	39									59
33 21 17W					10		37										47

(If there are more than two landowners, attach additional sheets as necessary.)

387

show both the location of the presently authorized point(s) of diversion and the location of the proposed point(s) of diversion. These locations should be shown by plotting the position accurately on the photograph and giving the distance and direction from a section corner or some permanent mark. If it

Presently authorized

18,065

A0000000 IRR G 02 PN 5 PAWNEE RIVER 059 04/16/71 12/31/78 12/31/80
 D D3 CONVERSE, ALAN W & KENT D, ROUTE 1 BOX 21, GARFIELD, KS, 67529
 03 21 83 CORRES & WUR FROM ROBERT R FRI 06 17 87 FIR CONT ESH REC'D
 03 13 84 VIRGINIA L FRIZELL, DONALD R K 06 17 87 INSP PEND PERF
 03 13 84 LAND OWNER CHG - ALAN W & NAOM 08 25 88 CORRES&WUR FROM VIRGINIA L FRI
 03 13 84 & ROBERT L & BEVERLY A BLACKWE 10/26/88 LAND OWNER CHG-PART -DONN & VI
 900AF/YR COM/W VR PN 11 & 8819 ON LAND LISTED IN APPLICATION AC 026999
 SE SW SE#32 21 17W 02 G 1258

RTE 001800.00 G
 QUA 000684.00 A
 ADR 000000.00 G
 ADQ 000000.00 A
 SIC

PD
 OWNER LOCATION ID NE PU 8819,25331,
 OWNERS Sect. Twp. Rng NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE TOTAL
 CONVERSE 32 21 17W*02# 08 14 40 40 40 32 27 35 236.0
 FRIZELL, 33 21 17W*01 20 26 046.0
 KEAST, D 33 21 17W*06 10 13 37 060.0
 KEAST, D 04 22 17W*01 34 40 074.0

ACRES
 PRESENTLY
 AUTHORIZED

416

18,065 LAND proposed under change application

4. It is proposed that the place of use be changed to:

Owner of Land—NAME: ALAN W. NAOMI L. LINDA G. CONVERSEADDRESS: GARFIELD, KANSAS

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32	21	17W				40					8	14	40	40	40	32	27	40	281
																			286

Owner of Land—NAME: VIRGINIA L. FRIZELLADDRESS: 2223 HARRISON, ST. BEND, KANSAS

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
33	21	17W					20	39											59
33	21	17W					10	37											47

(If there are more than two landowners, attach additional sheets as necessary.)

WE UNDERSTAND THAT SHOULD THIS CHANGE APPLICATION BE APPROVED
THE AUTHORIZED QUANTITY UNDER THIS APPROPRIATION RIGHT FILE
NO. 18065 WILL BE REDUCED TO 232 AC-FT PER YEAR.

Information must be shown on the aerial photograph.
authorized point(s) of diversion and the location of the proposed point(s) of diversion. The
should be shown by plotting the position accurately.



KANSAS STATE BOARD OF AGRICULTURE
Sam Brownback, Secretary

DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer-Director
901 S. Kansas Avenue, Second Floor
Topeka, Kansas 66612-1283
(913) 296-3717 Fax (913) 296-1176

September 1, 1992

FORT LARNED NATIONAL HISTORIC SITE
RT 3
LARNED KS 67550

RE: Vested Right
File No. PN 011

Dear Madam or Sir:

Reference is made to an application for approval of the Chief Engineer to change the place of use under the above referenced file number which was received in this office on September 14, 1982. Upon review of your application, we note that major modifications to the vested right have occurred.

As the Federal Government is now the sole owner of the land covered by the referenced file number, the application is being returned to you. As the application proposes to remove the land owned by the Federal Government, it is recommended that the application be dismissed.

The application is being returned to you so that the notarized signature of an authorized representative may be furnished. In order that the application will retain its priority of filing, it must be completed and returned to this office on or before September 16, 1992. According to law, default in the refiling of the completed application as outlined above within the time allowed shall cause dismissal of the application for change under the above referenced file number.

Should you have any questions, you may contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Douglas S. Helmke
Hydrologist
Water Appropriation
Permits and Changes

DSH:aru
Enclosure(s)
pc: Stafford Field Office

Compliance, Enforcement,
Water Use and Certificates 296-3495

Legal
Technical Services 296-4623
296-6081

Office Services 296-3658
Water Structures 296-3933

Water Appropriation Permits
and Changes 296-1709



KANSAS STATE BOARD OF AGRICULTURE

Sam Brownback, Secretary

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer-Director

901 S. Kansas Avenue, Second Floor

Topeka, Kansas 66612-1283

(913) 296-3717 Fax (913) 296-1176

September 15, 1992

FORT LARNED NATIONAL HISTORIC SITE
RT 3
LARNED KS 67550

RE: Vested Right
File No. PN 011

Dear Madam or Sir:

In accordance with Jeff Albright's request, the Chief Engineer has extended until October 14, 1992, the time in which to return the application for approval of the Chief Engineer to change the place of use under the referenced file number.

This letter is a reminder that the application must be in this office on or before October 14, 1992, in order to retain its priority of filing. If it is not returned by that date, the application will be dismissed.

Should you have any questions, you may contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Douglas S. Helmke
Hydrologist
Water Appropriation
Permits and Changes

DSH:dfh

pc: Stafford Field Office
Jeff Albright

COPY
FOR YOUR INFORMATION

Compliance, Enforcement,
Water Use and Certificates 296-3495

Legal 296-4623
Technical Services 296-6081

Office Services 296-2658
Water Structures 296-2933

Water Appropriation Permits
and Changes 296-2709

October 9, 1992

L54(479)
FOLS/Water Rights

Douglas Helmke
Division of Water Resources
Kansas State Board of Agriculture
901 S. Kansas Avenue
Topeka, Kansas 66612-1283

Dear Mr. Helmke,

On September 1, 1992, you transmitted correspondence to Fort Larned National Historic Site (FOLS) regarding Vested Water Right No. PN 011. Specifically, you notified FOLS that a 1982 change application regarding Right No. PN 011 would be dismissed if the United States did not refile the change application by September 14, 1992. On September 15, 1992, you provided a written extension of this deadline to October 14, 1992.

This letter does not serve to request a refiling of the change application. Rather, the purpose of this letter is to convey our understanding regarding conditions associated with dismissal of the 1982 change application. On October 9, 1992, you spoke with Jeff Albright of my staff on the telephone regarding this change application. In that conversation you indicated that the dismissal of the change application would not injure or in any way alter the United States' water rights as they presently exist under Vested Water Right PN 011. You also indicated that the change application addressed Vested Water PN 011 only; that it does not reference any other water rights in which the United States may have an interest.

If this representation of your statements is not correct, please contact me at (303) 493-1441 as soon as possible.

Alice Johns

Owen R. Williams
Chief, Water Rights Branch

FNP:JALBRIGHT:bb:(303)493-1441:10/09/92:A:\STATE



KANSAS STATE BOARD OF AGRICULTURE
Sam Brownback, Secretary

DIVISION OF WATER RESOURCES

David L. Pope, Chief Engineer-Director
901 S. Kansas Avenue, Second Floor
Topeka, Kansas 66612-1283
(913) 296-3717 Fax (913) 296-1176

October 22, 1992

NATIONAL PARK SERVICE
WATER RESOURCES DIVISION
301 S HOWES ST ROOM 353
FT COLLINS CO 80521

RE: Vested Right
File No. PN 011

L54 (479)
FOLS/Water Rights

Dear Madam or Sir:

Reference is made to the application for the approval of the Chief Engineer to change the place of use under the above referenced application which was received in this office on September 14, 1982.

On September 1, 1992, the application for the approval of the Chief Engineer to change the place of use was returned to you and, at that time, you were advised that the application was to be returned to this office, with the requested additional information, no later than September 16, 1992.

Our letter dated September 15, 1992, was to notify you that Chief Engineer extended the time in which to return the application to October 14, 1992.

Since the application with the requested additional information was not returned to this office by October 14, 1992, the application for the approval of the Chief Engineer to change the place of use under the above referenced application is herewith dismissed in accordance with the law.

Should you wish to proceed with this matter, then another application for change should be filed. If you have any questions, you may contact this office.

Sincerely,

Wayland J. Anderson
Wayland J. Anderson, P. E.
Assistant Chief Engineer

WJA:DSH:dfh

pc: Stafford Field Office
Fort Larned National Historic Site

Compliance, Enforcement,
Water Use and Certificates 296-3495

Legal
Technical Services 296-4623
296-6081

Office Services 296-2658
Water Structures 296-2933

Water Appropriation Permits
and Changes 296-2709

THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE
Harland E. Fiddle, *Secretary*

DIVISION OF WATER RESOURCES
David L. Pope, *Chief Engineer-Director*

**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**

A Filing Fee of \$25.00 Must Accompany The Application

Identify the water right which is the subject of this application

(Check one only) ☐ Vested Right
☒ Appropriation Right under Application No. 8819

To the Chief Engineer-Director of the Division of Water Resources, Kansas State Board of Agriculture:

1. Name of applicant(s) Robert R. Frizell and National Park Service under Warranty
Deed dated 14 October 1966 to the United States of America

2. Application is hereby made for approval of the Chief Engineer-Director to change

☐ Place of Use
☐ Point of Diversion
☒ Use Made of the Water

under the above-described water right in accordance with the particulars hereinafter described.

3. The presently authorized place of use is:Owner of Land—NAME: United States of AmericaADDRESS: Ft. Larned National Historic Site, Ft. Larned, KS 67550

Descr.
of most
of both
lands rather
than permitted
area of use?

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
	32	21S	17W	40	40	40	40	40	40	40	40	40				40	20		460
	31	21S	17W	35	30		20								20				105

Owner of Land—NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

(If there are more than two landowners, attach additional sheets as necessary.)

4. It is proposed that the place of use be changed to:

Owner of Land—NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Owner of Land—NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

(If there are more than two landowners, attach additional sheets as necessary.)

5. The presently authorized point(s) of diversion (is) (are) Two
(Give number)
wells
(wells, pumps, or other works for diversion of water) located as follows:
One in the NW quarter of the NE quarter of the NW quarter
of Section 32, Township 21S, Range 17W, in Pawnee
County, Kansas,
and one in the SE quarter of the SE quarter of the NW quarter
of Section 32, Township 21S, Range 17W, in Pawnee
County, Kansas.
(If more space is needed, attach additional sheets as necessary.)
6. The proposed location of the point(s) of diversion (is) (are) _____
(Give number)
_____ located as follows:
(wells, pumps, or other works for diversion of water)
One in the _____ quarter of the _____ quarter of the _____ quarter
of Section _____, Township _____, Range _____, in _____
County, Kansas,
and one in the _____ quarter of the _____ quarter of the _____ quarter
of Section _____, Township _____, Range _____, in _____
County, Kansas.
(If more space is needed, attach additional sheets as necessary.)
7. The works for diversion of water at the proposed location will consist of _____
(wells, pumps, etc.)
and (was) (with/ye) completed by/ in 1982 and 1967 _____
(date)
8. The presently authorized use of water is for irrigation purposes.
domestic and
It is proposed that the use be changed to municipal purposes.
9. The change(s) proposed herein are desired for the reason that Ft. Larned has had a need for
potable water to serve visitors to the Historic Site and to protect against
structural fire.
10. The application must be supplemented either by a detailed plat, topographic map or an aerial photograph. An aerial photograph, scale one inch equals 1320 feet, can be obtained from the Department of Agriculture, Western Laboratory, Salt Lake City, Utah, through the County ASCS Office of the Department of Agriculture in the county wherein the point of diversion is located. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Avenue "A", Campus West, University of Kansas, Lawrence, Kansas 66044. The following information must be shown on the aerial photograph, plat or map. If a change in the location of the point(s) of diversion is desired, show both the location of the presently authorized point(s) of diversion and the location of the proposed point(s) of diversion. These locations should be shown by plotting the position accurately on the photograph and giving the distance and direction from a section corner or some permanent point. If the source of supply is groundwater, then please show the location of existing water wells of any kind within ½ 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 ½ mile, please advise us. If a change in the place of use is desired, show the proposed place of use by crosshatching on the photograph. Identify the center of the section, the section lines or the section corners and show the appropriate section, township, and range numbers on the aerial photograph. Please be certain that the information shown on the aerial photograph agrees with the information shown in the application.

11. Furnish information to show:

- a. That the proposed change(s) will not impair existing water rights, and
- b. That the proposed change(s) relates to the same local source of supply as that to which the presently authorized water right relates.

(Attach statements, plats, geology reports, and other information as necessary.)

A very small portion of this existing water right appropriation 8819 will be diverted to potable water. The rest will remain for irrigation. We plan to ultimately use 10,000 gallons per day for potable uses.

I declare that I am a landowner as identified herein, or that I represent a landowner as identified herein and am authorized to make this application in his behalf, and declare further that the statements contained herein are true, correct, and complete.

Dated at _____, Kansas, this _____ day of _____, 19____.

(Applicant) (Spouse)

(Applicant) (Spouse)

(Applicant) (Spouse)

(Applicant) (Spouse)

State of Kansas

County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 19____.

Notary Public

My Commission Expires _____

NOTE: The application must be signed by each person and his or her spouse, if married, whose name appears as an applicant and all other owners of land covered by the water right. 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 appropriate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered as counterparts of the application.

If the application is signed on behalf of any landowner, by an agent, by one who has power of attorney, or by an executor, executrix, conservator, etc., it will be necessary to furnish with the application a copy of letters or court orders to support the representative capacity indicated.

If such instrument is dated more than six months previous to the date the application is received in the office of the Chief Engineer-Director, it must be accompanied by an instrument showing that the power of attorney, letters of conservatorship or administration (executor, executrix, etc.) are currently in full force and effect.

STATE OF KANSAS
DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT

PERMIT No. 17044

For Supplying Water to the Public for
Domestic Purposes

NON-COMMUNITY

In accordance with the provisions of Kansas Statutes Annotated 65-163

PERMISSION IS HEREBY GRANTED

Ft. Larned National Historic Site, Pawnee County,
Larned, Kansas

to

NAME OF MUNICIPALITY, INSTITUTION, DISTRICT, CORPORATION OR PERSON

to supply water to the public for domestic purposes, from an existing shallow well
(location: NW 1/4, NW 1/4, Sec. 32, T21S, R17W) new pump house, chlorination
facilities, a 65-gallon pressure tank and service piping for a Highway
Rest Stop Area

in conformity with plans and specifications approved by the Department of Health
and Environment, and the following-named conditions and requirements to wit:

- Provided, the water is of satisfactory bacteriological and chemical quality
as shown by representative samples submitted to KDHE, Division of
Laboratories or to a Certified private or municipal Laboratory.
Provided, further, that all water supplied to the public from this source
be subjected to continuous chlorination treatment.
Provided, further, that no sanitary sewers, wastewater facilities, feedlots,
buried tanks for the storage of petroleum products or toxic
chemicals, or similar potential pollution sources will be
permitted within 100 feet of the well.



Done at Topeka, this 16 day of November 19 82

SECRETARY, DEPARTMENT OF HEALTH & ENVIRONMENT

STATE OF KANSAS
DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF ENVIRONMENT

PERMIT No. 16170
**For Supplying Water to the Public for
Domestic Purposes**

In accordance with the provisions of Kansas Statutes Annotated 65-163

PERMISSION IS HEREBY GRANTED

Non-Community

to Fort Larned National Historic Site, Larned, Pawnee County, Kansas

NAME OF MUNICIPALITY, INSTITUTION, DISTRICT, CORPORATION OR PERSON

to supply water to the public for domestic purposes, from one shallow well, one 6,000
gallon storage tank, one 100,000 gallon below ground storage tank,
chlorination facilities, booster pump, pressure cells and piping system

in conformity with plans and specifications approved by the Department of Health
and Environment, and the following-named conditions and requirements to wit:

Provided, the water is of satisfactory bacteriological and chemical quality
as shown by representative samples submitted to the Environmental
Laboratories.

Provided, further, that all water supplied to the public from this source
be subjected to continuous chlorination treatment.

Provided, further, that no sanitary sewers, wastewater facilities, feedlots,
buried tanks for the storage of petroleum products or toxic
chemicals, or similar potential pollution sources will be
permitted within 100 feet of the well.



Done at Topeka, this 28 day of January 1981



SECRETARY, DEPARTMENT OF HEALTH & ENVIRONMENT



- C O P Y -

- C O P Y -

- C O P Y -

PERMIT
and
APPROVAL OF APPLICATION
(This Is Not a Certificate of Appropriation)

This is to certify that I have examined application No 8819 of the applicant Robert R. Frizell Route #3, Larned, Kansas for a permit to appropriate water to beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. The priority date assigned to such application is October 25, 1961.
2. The water sought to be appropriated shall be used for irrigation on the land described in the application.
3. The source from which the appropriation is made shall be from ground water in the drainage basin of the Pawnee River to be withdrawn by means of wells located in all of Section 32, and the Northwest Quarter (NW $\frac{1}{4}$) of Section 33, all in Township 21 South, Range 17 West in Pawnee County, Kansas.
4. The appropriation sought shall be limited to a maximum diversion rate not in excess of 2000 gallons per minute (4.46 c.f.s.) and to a quantity of not to exceed 1488 acre feet for any calendar year.
5. The appropriation shall be perfected on or before December 31, 1964, or within any authorized extension of time.
6. The applicant shall notify the Chief Engineer of the Division of Water Resources when construction of necessary works has been completed and water applied to the proposed use.
7. The applicant 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 as soon as practicable after the close of each calendar year.

- C O P Y -

- C O P Y -

- C O P Y -

- C O P Y -

- C O P Y -

- C O P Y -

8. The applicant shall not be deemed to have acquired a water application for a . . .

9. The right of the appropriator shall relate to a specific quantity of water and such right . . .

10. This permit does not constitute authority under Sections 82a-...

11. Failure without cause to comply with provisions of the permit and its terms . . .

12. The quantity of water approved under this application is further limited to that quantity which combined with any other water rights will provide a total of not to exceed 1488 acre feet per calendar year for use on that land listed under this application.

Dated this 29th day of November, 19 61

(signed) R.V. Smrha
Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture

- C O P Y -

- C O P Y -

- C O P Y -

STATE OF KANSAS
DIVISION OF WATER RESOURCES
STATE BOARD OF AGRICULTURE
TOPEKA

In the Matter of Application No. 5018
for the Appropriation of Water to Beneficial Use.

Copy

APPROVAL OF APPLICATION

(This is not a permit or certificate of appropriation)

This is to certify that I have examined application No. 5018 of the applicant _____

W. W. Frizell

Box 525, Larned, Kansas

for a permit or certificate to appropriate water to beneficial use, together with the maps, plans and other submitted data, and that the same are hereby approved and he is hereby authorized to proceed with steps required to perfect his proposed appropriation subject to the following terms, conditions and limitations:

1. The priority date assigned to such application is January 17, 1956
2. The water sought to be appropriated shall be used for irrigation purposes.
3. The source of the water appropriation sought shall be from Pawnee Creek in the SE $\frac{1}{4}$ of Section 29, Township 21 South, Range 17 West in Pawnee County, Kansas.
4. The appropriation sought shall be limited to being diverted at a rate not in excess of 1600 gallons per minute (3.56 cubic feet per second) and to a quantity of not to exceed 300 acre feet for any calendar year.
5. The application of water for the purpose sought shall be actually made on or before December 31, 1958, or within any authorized extension of time.
6. The applicant shall notify the Chief Engineer of the Division of Water Resources when he has completed construction of necessary works and has actually applied water to the proposed use. Such notice shall be filed not later than ten days after the date specified in paragraph 5 above or any authorized extension thereof. Failure to file the required notice within the time allowed will result in forfeiture of priority of the application.
7. The applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved here: nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year or the time limits specified or any authorized extension thereof.

Special rights of persons using water for domestic use shall be respected.

(CCEP)

NOTICE OF CONTENTS OF ORDER DETERMINING AND ESTABLISHING
VESTED RIGHTS TO CONTINUE THE BENEFICIAL USE OF WATER

TO E. D. Frizell & Son
Larned, Kansas

Copy

You are hereby notified that on the 15th day of February, 19 56, the
Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture, entered in the records
of his office in accordance with the provisions of section 82a-704 of the 1947 Supplement to the General Stat-
utes of Kansas, 1935, the following order, made by him, determining and establishing your vested right to con-
tinue the use of water for beneficial purposes from the Pawnee River at a point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 32, Township 21 South, Range 17 West, Pawnee County, Kansas.

ORDER

The extent of your vested right to continue the beneficial use of water from the source as stated has been
determined and established to be a maximum quantity of 2000 acre feet per year to be
diverted at a maximum rate of 6500 gallons per minute for

Irrigation use at or upon the following described property:

10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 10 acres in the
NE $\frac{1}{4}$ NW $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$, the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 5 acres
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; 15 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 25 acres
in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 21 South, Range 17 West; the N $\frac{1}{2}$, the
SW $\frac{1}{4}$, 25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 35 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5; the W $\frac{1}{2}$ NW $\frac{1}{4}$
of Section 4, Township 22 South, Range 17 West, Pawnee County, Kansas.
Any appeal from this order must be made to the district court of the county in which the point of
diversion is located within 60 days after posting and mailing of this notice.

Dated at Topeka, Kansas, this 15th day of February, 19 56

R. W. Simms
Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture

- C O P Y -

- C O P Y -

- C O P Y -

THE STATE OF KANSAS

Number 8819APPLICATION FOR PERMIT TO
APPROPRIATE WATER FOR BENEFICIAL USE

To the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture:

Comes now the applicant (~~Mr.~~
(~~Miss~~) Robert R. Frizell whose post office address is Rt #3 Larned, Kansas and makes application to the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture, for a permit to appropriate for beneficial use such unappropriated groundwater as may be available in Pawnee River drainage basin in the county of Pawnee, state of Kansas, to the extent and in accordance with the particulars hereinafter described:

1. The quantity of water desired is in the amount of 1488 per year to be diverted at a maximum rate of 2000 g.p.m.

2. The location of the proposed wells or other works for diversion of water is in the _____ quarter of the S $\frac{1}{2}$ ~~quarter~~ of section 32, township 21S, range 17W, in Pawnee County, Kansas.

3. The works for diversion and distribution of water will consist of Pumps, wells, ditches and syphon tubes, and will be completed and in operation by Feb. 1957.

4. The first actual application of water for the beneficial use proposed was or is estimated to be Feb, 1957.

5. The water is intended to be appropriated for :

	Amount
(a) Domestic use ()	_____
(b) Municipal use ()	_____
(c) Irrigation use (X)	<u>1488 *</u>
(d) Industrial use ()	_____
(e) Recreational use ()	_____
(f) Water Power use ()	_____

(check intended use or uses and show intended quantity for each use)

* Mostly Corn and Alfalfa acreage on a heavy clay soil with high water requirements.

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- C O P Y -

- C O P Y -

and water requirements of the city.

7. If for irrigation use list below or attach name and address of each landowner and the legal description of the lands to be irrigated by designating the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Owner of Land—NAME: Robert R. Frizell

ADDRESS: Rt #3 Larned, Kansas

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 21 17				40					40	40	40	40	40	40	40	10	330
4 22 17						34	40										74

Owner of Land—NAME: Vern R. Frizell & Robert R. Frizell (undivided interest)

ADDRESS: 519 We 4th Larned, Kansas

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
32 21 17	30	30	40		30	30	40	30									230

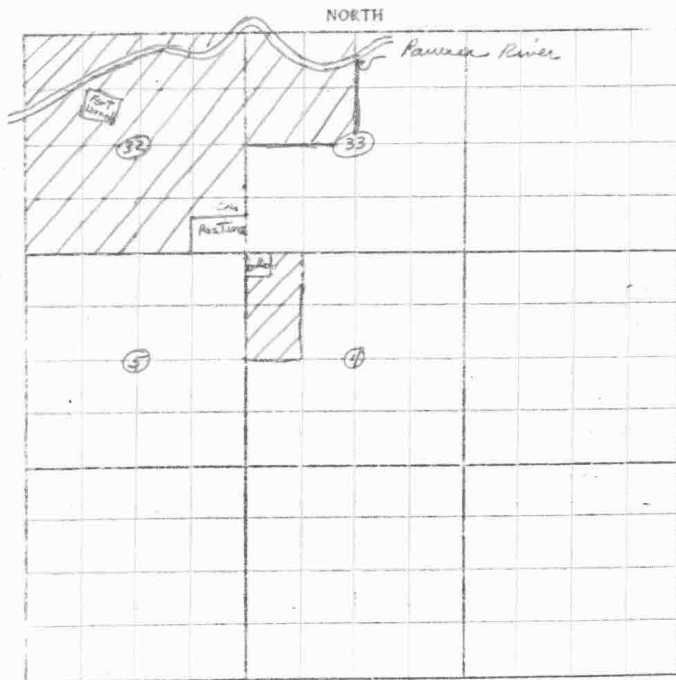
Owner of Land—NAME: W.W. Frizell & Robert R. Frizell (undivided interest)

ADDRESS: We 4th Larned, Ka.

Sec. Twp. Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Total
	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
33 21 17					10	20	40	40									110

Total acreage 744

List and describe other applications filed or vested rights held by applicant:
 V.R. from Pawnee Creek



9. The relation of the subscriber to this application if not the owner is that of _____ (Agent or otherwise) and he is authorized to make this application in behalf of the interest affected.

Dated at _____, Kansas, this 23 day of October, 1961

W. P. Biegel
(Signature)

By _____ (Agent or Officer)

NOTE: A fee of \$10.00 is required for each application. A fee of \$10.00 is required for each application. A fee of \$10.00 is required for each application. A fee of \$10.00 is required for each application.

- C O P Y -

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- C O P Y -

6211

6211 or
211

INFORMATION SUBMITTED TO AID IN THE
DETERMINATION OF VESTED RIGHT TO
BENEFICIAL USE OF WATER

This Statement is made by E. D. Frizell & Son of Larned, Kans. to
to aid the Chief Engineer of the Division of Water Resources of the Kansas
State Board of Agriculture in determination of vested rights of all part-
ies using water for beneficial purposes other than domestic. I herewith
assert and describe my claim to a vested right for the beneficial use of
water as follows:

1. Water has been actually applied from the Pawnee Creek for bene-
ficial use for Irrigation purposes, to the maximum extent of 2000 acre
feet of _____ million gallons for any period of one year between June
28, 1942, and June 28, 1945, at a maximum rate of 6500 G.P.M. cubic feet
per second or _____ million gallons per day. 14.5 cfs

2. Such use was first commenced About 1912.

3. Diversion works now in use were completed on About 1914 and
consist of small concrete dam, pump, stationary gas motor, weir box,
ditches, laterals.

4. Diversion works under construction on or prior to June 28, 1945,
were commenced on _____ and consist of _____.
Such works are expected to be completed by no later than _____,
and it is intended that water will be actually applied to beneficial use
by not later than _____.

5. _____ wells now in use. The diameter of each is _____
inches and the depth of each is _____ feet. (Add additional infor-
mation below if necessary)

- C O P Y -

- C O P Y -

- C O P Y -

- C O P Y -

- C O P Y -

- C O P Y -

NOTICE OF CONTENTS OF ORDER DETERMINING AND ESTABLISHING
VESTED RIGHTS TO CONTINUE THE BENEFICIAL USE OF WATER

TO E. D. Frizell & Son
Larned, Kansas

You are hereby notified that on the 15th day of February, 19 56, the Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture, entered in the records of his office in accordance with the provisions of Section 82a-704 of the 1947 Supplement to the General Statutes of Kansas, 1935, the following order, made by him, determining and establishing your vested right to continue the use of water for beneficial purposes from the Pawnee River at a point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of - Section 32, Township 21 South, Range 17 West, Pawnee County, Kansas.

ORDER

The extent of your vested right to continue the beneficial use of water from the source as stated has been determined and established to be a maximum quantity of 2000 acre feet per year to be diverted at a maximum rate of 6500 gallons per minute for irrigation use at or upon the following described property: 10 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, the S $\frac{1}{2}$ NE $\frac{1}{4}$, 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, the S $\frac{1}{2}$ NW $\frac{1}{4}$, the SW $\frac{1}{4}$, the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 25 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32; 25 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 21 South, Range 17 West; the N $\frac{1}{2}$, the SW $\frac{1}{4}$, 25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 35 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5; the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, Township 22 South, Range 17 West, Pawnee County, Kansas.

Any appeal from this order must be made to the district court of the county in which the point of diversion is located within 60 days after posting and mailing of this notice.

Dated at Topeka, Kansas, this 15th day of February, 19 56.

(signed) R.V. Smrha
Chief Engineer
Division of Water Resources
Kansas State Board of Agriculture

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- C O P Y -



KANSAS STATE BOARD OF AGRICULTURE

DIVISION OF WATER RESOURCES
R. V. SMRHA, Chief Engineer
1026-S STATE OFFICE BUILDING
TOPEKA, KANSAS 66612

ROY FREELAND
Secretary

March 13, 1972

Mr. & Mrs. Robert R. Frizell
519 W. 4th Street
Larned, Kansas 67550

United States Government
c/o Mr. Bryant
Fort Larned Park Manager
Larned, Kansas 67550

FORT LARNED N. H. S.	
TO	MAR 14 1972
✓	MGMT. ASST.
	SECRETARY
	MAINTENANCE
	HISTORIAN

Re: Vested Right, Code 6211,
Pawnee County, Kansas

Appropriation of Water
Application No. 8819

Dear Sirs and Madam:

We are in receipt of deeds which set forth that the United States Government have purchased from Robert R. and Virginia Lee Frizell (husband and wife) the North Half of the Northeast Quarter ($N\frac{1}{2} NE\frac{1}{4}$), the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$), and the Northwest Quarter ($NW\frac{1}{4}$) of Section 32, Township 21 South, Range 17 West, except parcels owned by the Kansas Highway Commission.

Our records under Vested Right, Code 6211, Pawnee County, show, among other land to be irrigated, a total of 145 acres in Section 32, Township 21 South, Range 17 West.

Based on the above information, we will change our records under Vested Right, Code 6211, Pawnee County, to show the following land to be owned by the United States Government:

- 10 acres in the Northeast Quarter of the Northeast Quarter ($NE\frac{1}{2} NE\frac{1}{4}$),
- 5 acres in the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{2} NE\frac{1}{4}$),
- 10 acres in the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{2} NW\frac{1}{4}$),
- 80 acres in the South Half of the Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4}$),
- 40 acres in the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} NE\frac{1}{4}$),

a total of 145 acres in Section 32, Township 21 South,
Range 17 West.

The remainder of the land to be irrigated under this vested right will be in the name of Robert R. and Virginia Lee Frizell.

Mr. & Mrs. Robert R. Frizell
United States Government

-2-

March 13, 1972

Our records under Application No. 8819 show, among other land to be irrigated, a total of 330 acres in Section 32, Township 21 South, Range 17 West.

Based on the above information, we will change our records under Application No. 8819 to show the following land to be owned by the United States Government:

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

a total of 230 acres in Section 32, Township 21 South, Range 17 West.

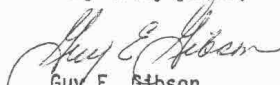
The remainder of the land to be irrigated under this application will be in the name of Robert R. and Virginia Lee Frizell.

Mr. Street of our Stafford Field Office informs us that Mr. Robert Frizell and Mr. Bryant have called at his office. The question was raised as to apparent errors in the land to which the vested right is appurtenant, and errors in the land proposed to be irrigated under Application No. 8819.

We understand that you are working with Mr. Street to have these errors taken care of, and upon information from you or Mr. Street's office the appropriate action will be taken to correct the errors.

Should you have any questions, please feel free to write or call us.

Very truly yours,


Guy E. Gibson
Engineer

GEG:crg

Deed 6

Tract #1

WARRANTY DEED

THIS INDENTURE made the 14th day of October, in the year 1966, between Verne Frizell, a widow, and Robert R. and Virginia Lee Frizell, husband and wife, the seller, and THE UNITED STATES OF AMERICA, the purchaser.

WITNESSETH

THAT the seller, for and in consideration of the sum of Two Hundred Thirty Thousand Dollars (\$230,000), lawful money of the United States of America, to it in hand paid, by the purchaser, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the purchaser and its assigns forever;

THAT parcel of land in the County of Pawnee, State of Kansas, described as follows:

The N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NW $\frac{1}{4}$ of Sec. 32, T. 21 S., R. 17 W. of the 6th Principal Meridian, except the following parcels owned by the State of Kansas, State Highway Division:

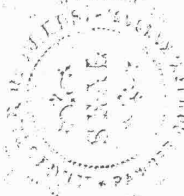
- (1) A tract of land in the N $\frac{1}{2}$ of Sec. 32, T. 21 S., R. 17 W., described as follows: Beginning at the northwest corner of Sec. 32; thence south 70.8 feet; thence easterly and parallel to the north line of said Sec. 32, 1965.4 feet; thence along the arc of a curve to the left, 5804.65 feet (the radius of which curve is 907.2 feet, more or less), to the point where said curve intersects said north line of Sec. 32; thence westerly along said section line, 2867.1 feet, more or less, to the point of beginning.
- (2) A tract of land in the N $\frac{1}{2}$ of Sec. 32, T. 21 S., R. 17 W., described as follows: Beginning at a point on the south right-of-way line of U.S. Highway 156, (formerly U.S. 50 N), 70.8 feet south and 1,700 feet east of the northwest corner of said Sec. 32; thence S 24° 47' W., 54.8 feet to a point 50 feet south of the south right-of-way line of U.S. Highway 156; thence east 400 feet; thence N 24° 47' E, 56.7 feet to the south right-of-way line of U.S. Highway 156; thence westerly along the south right-of-way of said highway 401.7 feet to the point of beginning.
- (3) A tract of land in the NW $\frac{1}{4}$ of Sec. 32, T. 21 S., R. 17 W., described as follows: Beginning at a point on the south right of way line of U.S. Highway 156, 1680 feet east and 120.8 feet south of the northwest corner of said NW $\frac{1}{4}$; thence southwesterly 327.8 feet to a point 120.3 feet west and 305 feet south of the point of beginning; thence northeasterly 602 feet to a point 175 feet southerly at right angles from said right-of-way line; thence northeasterly to a point on said south right-of-way line 2275.2 feet east and 62.5 feet south of the northwest corner; thence westerly along said right-of-way line to the point of beginning.

#1151

STATE OF Kansas { SS. Fee \$3.05
Pawnee County

This instrument was filed for record on the 18 day of Oct, 1966, at 11:50 o'clock A. M., and duly recorded in book 50 of Deeds, page 426

Maureen L. Schramm Registrar



Entered in Transfer Record in my office
this 18 day of Oct
A.D., 1966

Claude J. Spang
County Clerk

By _____ Deputy

D.C.

- (4) A tract of land in Sec. 32, T. 21 S., R. 17 W. described as follows: Beginning on the north line 1679.2 feet east of the northwest corner of said Sec. 32, said north line having an assumed bearing of N 90° 00' E; thence S 23° 34' W, 1171.7 feet; thence southerly along the arc of a curve to the left, with a radius of 623.69 feet, a distance of 285.4 feet (the chord of which arc bears S 10° 27' W, 283.3 feet); thence S 2° 41' E, 359.3 feet; thence S 21° 40' E, 155.8 feet; thence S. 22° 24' E, 45.4 feet; thence N 67° 36' E, 50 feet; thence N 22° 24' W, 58.8 feet; thence N 00° 36' E, 118.1 feet; thence N 01° 53' W, 359.3 feet; thence northerly along the arc of a curve to the right with a radius of 518.69 feet, a distance of 237.3 feet (the chord of which arc bears N 10° 27' E, 235.6 feet); thence N 23° 34' E, 1217.5 feet to the north line of said Sec. 32; thence west, 114.6 feet along said north line to the place of beginning.

The tract of land herein conveyed contains 267 acres, more or less.

The rights and title conveyed by this instrument are subject to the following reservations, provisions, and agreements:

- (1) The right of the seller and its employees to occupy and use for ranching and residential purposes;
 - a. The lands and facilities presently being used for ranching purposes until October 31, 1967.
 - (1) These include but are not necessarily limited to the use of north end of the Blacksmith's building for feed storage; the use of the east half of the East Enlisted Men's Barracks for an equipment storage shed.
 - b. Buildings known as the Commanding Officer's and the North Bachelor Officers' Quarters until October 31, 1971.
 - c. Subject to the following terms and conditions:
 - (1) Maintain the aforesaid improvements in good repair, not to suffer or commit waste thereof, nor to erect additional structures or substantially alter existing structures except with the written consent of the United States.
 - (2) Use ordinary care to prevent fires from originating on the premises, use their best efforts to have all such fires and fires originating on adjacent premises extinguished and to notify immediately the agent of the United States of the existence of such fires.

(3) Use said improvements in a manner consistent with the policies governing the National Park Service.

(4) The Seller shall carry insurance against losses by fire, public liability, employee liability and other hazards in a reasonable amount which is to be specified by the Secretary of the Interior, such insurance to be in the name of the Seller and Secretary of the Interior.

(2) The right of the seller to retain and remove the following:

a. The feed rolling mill, motors and scales in the north wing of the West Enlisted Men's Barracks.

b. The fuel pumps and storage tanks for gasoline, diesel and propane located at the northwest and northeast corners of the Quadrangle.

c. All feed bunks, bins and bases in feed lots.

d. Windmill and pump in northeast corner of feed lot.

e. All fencing in or around feed lots.

f. Gas heated water tanks in or about pastures.

(All the above described properties or any other personal properties not removed from the land by October 31, 1968, shall become the properties of the purchaser.)

(3) The right of the seller to remove the electrical light fixtures dropped from the center of the ceilings of the dining room, dinnette, kitchen, entrance hall and two bedrooms of the Commanding Officer's Quarters.

(4) The right of the seller to remove any sandstone, dimensional lumber or other material declared excess to the needs of the purchaser.

(5) The purchaser and the seller agree to cooperate fully with each other by using all resources available to them for the proper and fair use of water including the prevention of floods. The purchaser hereby acquires the right to water which is appurtenant to the land conveyed and title to all water diversion and distribution facilities thereon. Furthermore, the purchaser may relocate any of the said water facilities at no

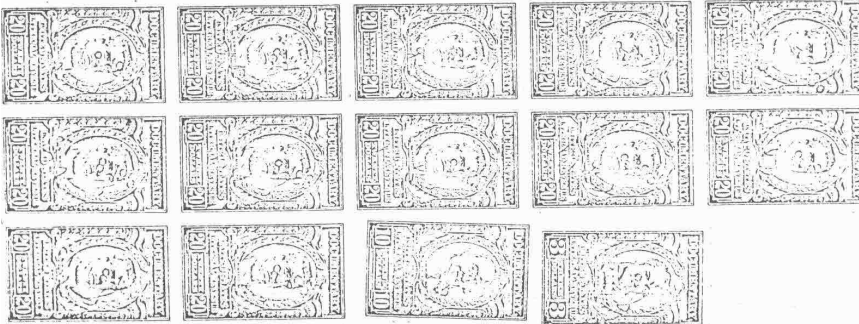
expense to the seller, providing that water to which the seller is legally entitled shall continue to be furnished at the same places on the parties' common boundary and in at least the same quantity as was supplied to the seller's adjacent land prior to this conveyance. The purchaser hereby agrees to allow the seller ingress to operate and maintain said water facilities for the seller's benefit on the adjacent land as long as the seller's activities under this provision are compatible with the purposes for which the land is being acquired by the purchaser.

TO HAVE and to HOLD, all and singular, the above mentioned and described premises, together with the appurtenances save those excluded in the above provisions unto the purchaser, and to its assigns forever. And the seller, and its assigns, the said premises, in the quiet and peaceable possession of the purchaser and its assigns, against the seller, and its assigns and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend,

IN WITNESS WHEREOF, the seller has executed these presents the day and year first above written.

IN WITNESS WHEREOF I have hereunto set my hand and seal.

Verne Frizell
Verne Frizell
Robert R. Frizell
Robert R. Frizell
Virginia Lee Frizell
Virginia Lee Frizell



Tract #3

WARRANTY DEED

THIS INDENTURE made the 14th day of October, in the year 1966,
between Robert R. Frizell and Virginia Lee Frizell, husband and wife, seller,
and THE UNITED STATES OF AMERICA, the purchaser,

WITNESSETH

THAT the seller for and in consideration of the sum of thirty one thousand, two hundred twenty dollars (\$31,220), lawful money of the United States of America, to it in hand paid, by the purchaser, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the purchaser and its assigns forever,

THOSE parcels of land in T. 21 S., R. 17 W. of the 6th P.M., County of Pawnee, State of Kansas, more particularly described as follows:

A. $N\frac{1}{2}SW\frac{1}{4}$ of Sec. 32 Except the following parcel: Beginning at the southwest corner of $NW\frac{1}{4}SW\frac{1}{4}$ of Sec. 32; thence north along the section line 98.7 feet; thence northeasterly 869.5 feet at an angle of 116° from the immediately previous line; thence easterly 684 feet at an angle of 154° from the immediately previous line; thence northeasterly 451.7 feet at an angle of 136.25° with the immediately previous line; thence 478.8 feet southeasterly at an angle of 72° with the immediately previous line; thence southward 357.8 feet at an angle of 218° with the immediately previous line; thence west along the south line of said $NW\frac{1}{4}SW\frac{1}{4}$ to the place of beginning.

B. Beginning at the southwest corner of the $NW\frac{1}{4}SE\frac{1}{4}$ of Sec. 32; thence north 1320 feet to the center of said Sec. 32; thence east 340 feet along the E-W center line of said Sec. 32; thence south by southwest 1326.7 feet; thence west 212.5 feet along the quarter quarter section line to the point of beginning.

C. That portion of the $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$ of Sec. 32 lying west of the following described line: Beginning at a point on the east line of the $SW\frac{1}{4}SE\frac{1}{4}$, 760 feet south of the northeast corner thereof; thence northwesterly 1062.5 feet to a point on the north line of said $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$ and the end of the line being described, said point being 743.2 feet east of the northeast corner of said $N\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$.

The land herein conveyed contains 80.10 acres, more or less.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the purchaser, and to its assigns forever. And the said seller, and its assigns, the said premises, in the quiet and peaceable possession of the said purchaser, its assigns, against the said seller, and its assigns and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend.

IN WITNESS WHEREOF, the said seller has executed these presents the day and year first above written.



Robert R. Frizell
Robert R. Frizell

Virginia Lee Frizell
Virginia Lee Frizell



State of Kansas)
) ss
 County of Pawnee)

Be it remembered, that on this 14th day of Oct., A. D. 1966,
 before me, the undersigned, a NOTARY PUBLIC, duly commissioned, in
 and for the county and state aforesaid, came _____
Robert R. Frizell and Virginia Lee Frizell, husband and wife

who are personally known to me to be the same persons who executed the within
 instrument of writing as grantors, and such persons duly acknowledged the
 execution of the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my _____

notarial seal the day and year last above written.



H. R. Rouse
 Notary Public in and for said

County of Pawnee

State of Kansas

My commission expires:

May 22 - 1970

1150

STATE OF Kansas (SS. Fee \$2.25)
 Pawnee County

This instrument was filed for record on
 the 18 day of Oct. 1966 at
11:50 o'clock A. M., and duly recorded in
 book 50 of Deeds page 424
Marianne Stromer register

Tract #1

WARRANTY DEED

THIS INDENTURE made the 14th day of October, in the year 1966, between Verne Frizell, a widow, and Robert R. and Virginia Lee Frizell, husband and wife, the seller, and THE UNITED STATES OF AMERICA, the purchaser.

WITNESSETH

THAT the seller, for and in consideration of the sum of Two Hundred Thirty Thousand Dollars (\$230,000), lawful money of the United States of America, to it in hand paid, by the purchaser, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the purchaser and its assigns forever;

THAT parcel of land in the County of Pawnee, State of Kansas, described as follows:

The N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the NW $\frac{1}{4}$ of Sec. 32, T. 21 S., R. 17 W. of the 6th Principal Meridian, except the following parcels owned by the State of Kansas, State Highway Division:

- (1) A tract of land in the N $\frac{1}{2}$ of Sec. 32, T. 21 S., R. 17 W., described as follows: Beginning at the northwest corner of Sec. 32; thence south 70.8 feet; thence easterly and parallel to the north line of said Sec. 32, 1965.4 feet; thence along the arc of a curve to the left, 5804.65 feet (the radius of which curve is 907.2 feet, more or less), to the point where said curve intersects said north line of Sec. 32; thence westerly along said section line, 2867.1 feet, more or less, to the point of beginning.
- (2) A tract of land in the N $\frac{1}{2}$ of Sec. 32, T. 21 S., R. 17 W., described as follows: Beginning at a point on the south right-of-way line of U.S. Highway 156, (formerly U.S. 50 N), 70.8 feet south and 1,700 feet east of the northwest corner of said Sec. 32; thence S 24° 47' W., 54.8 feet to a point 50 feet south of the south right-of-way line of U.S. Highway 156; thence east 400 feet; thence N 24° 47' E, 56.7 feet to the south right-of-way line of U.S. Highway 156; thence westerly along the south right-of-way of said highway 401.7 feet to the point of beginning.
- (3) A tract of land in the NW $\frac{1}{4}$ of Sec. 32, T. 21 S., R. 17 W. described as follows: Beginning at a point on the south right of way line of U.S. Highway 156, 1630 feet east and 120.8 feet south of the northwest corner of said NW $\frac{1}{4}$; thence southwesterly 327.8 feet to a point 120.3 feet west and 305 feet south of the point of beginning; thence northeasterly 602 feet to a point 175 feet southerly at right angles from said right-of-way line; thence northeasterly to a point on said south right-of-way line 2275.2 feet east and 62.5 feet south of the northwest corner; thence westerly along said right-of-way line to the point of beginning.

#1151
STATE OF Kansas { SS. Fee \$ 3.05.
Pawnee County
This instrument was filed for record on
the 18 day of Oct, 1966 at
11:50 o'clock A.M., and duly recorded in
book 22, page 426
Marianne L. Thomas Registrar



- (4) A tract of land in Sec. 32, T. 21 S., R. 17 W. described as follows: Beginning on the north line 1679.2 feet east of the northwest corner of said Sec. 32, said north line having an assumed bearing of N 90° 00' E; thence S 23° 34' W, 1171.7 feet; thence southerly along the arc of a curve to the left, with a radius of 623.69 feet, a distance of 285.4 feet (the chord of which arc bears S 10° 27' W, 283.3 feet); thence S 2° 41' E, 359.3 feet; thence S 21° 40' E, 155.8 feet; thence S. 22° 24' E, 45.4 feet; thence N 67° 36' E, 50 feet; thence N 22° 24' W, 58.8 feet; thence N 00° 36' E, 118.1 feet; thence N 01° 53' W, 359.3 feet; thence northerly along the arc of a curve to the right with a radius of 518.69 feet, a distance of 237.3 feet (the chord of which arc bears N 10° 27' E, 235.6 feet); thence N 23° 34' E, 1217.5 feet to the north line of said Sec. 32; thence west, 114.6 feet along said north line to the place of beginning.

The tract of land herein conveyed contains 267 acres, more or less.

The rights and title conveyed by this instrument are subject to the following reservations, provisions, and agreements:

- (1) The right of the seller and its employees to occupy and use for ranching and residential purposes;
- a. The lands and facilities presently being used for ranching purposes until October 31, 1967.
- (1) These include but are not necessarily limited to the use of north end of the Blacksmith's building for feed storage; the use of the east half of the East Enlisted Men's Barracks for an equipment storage shed.
- b. Buildings known as the Commanding Officer's and the North Bachelor Officers' Quarters until October 31, 1971.
- c. Subject to the following terms and conditions:
- (1) Maintain the aforesaid improvements in good repair, not to suffer or commit waste thereof, nor to erect additional structures or substantially alter existing structures except with the written consent of the United States.
- (2) Use ordinary care to prevent fires from originating on the premises, use their best efforts to have all such fires and fires originating on adjacent premises extinguished and to notify immediately the agent of the United States of the existence of such fires.

- (3) Use said improvements in a manner consistent with the policies governing the National Park Service.
 - (4) The Seller shall carry insurance against losses by fire, public liability, employee liability and other hazards in a reasonable amount which is to be specified by the Secretary of the Interior, such insurance to be in the name of the Seller and Secretary of the Interior.
 - (2) The right of the seller to retain and remove the following:
 - a. The feed rolling mill, motors and scales in the north wing of the West Enlisted Men's Barracks.
 - b. The fuel pumps and storage tanks for gasoline, diesel and propane located at the northwest and northeast corners of the Quadrangle.
 - c. All feed bunks, bins and bases in feed lots.
 - d. Windmill and pump in northeast corner of feed lot.
 - e. All fencing in or around feed lots.
 - f. Gas heated water tanks in or about pastures.
- (All the above described properties or any other personal properties not removed from the land by October 31, 1968, shall become the properties of the purchaser.)
- (3) The right of the seller to remove the electrical light fixtures dropped from the center of the ceilings of the dining room, dinnette, kitchen, entrance hall and two bedrooms of the Commanding Officer's Quarters.
 - (4) The right of the seller to remove any sandstone, dimensional lumber or other material declared excess to the needs of the purchaser.
 - (5) The purchaser and the seller agree to cooperate fully with each other by using all resources available to them for the proper and fair use of water including the prevention of floods. The purchaser hereby acquires the right to water which is appurtenant to the land conveyed and title to all water diversion and distribution facilities thereon. Furthermore, the purchaser may relocate any of the said water facilities at no

expense to the seller, providing that water to which the seller is legally entitled shall continue to be furnished at the same places on the parties' common boundary and in at least the same quantity as was supplied to the seller's adjacent land prior to this conveyance. The purchaser hereby agrees to allow the seller ingress to operate and maintain said water facilities for the seller's benefit on the adjacent land as long as the seller's activities under this provision are compatible with the purposes for which the land is being acquired by the purchaser.

TO HAVE and to HOLD, all and singular, the above mentioned and described premises, together with the appurtenances save those excluded in the above provisions unto the purchaser, and to its assigns forever. And the seller, and its assigns, the said premises, in the quiet and peaceable possession of the purchaser and its assigns, against the seller, and its assigns and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant, and by these presents forever defend.

IN WITNESS WHEREOF, the seller has executed these presents the day and year first above written.

Verne Frizell
Verne Frizell

Robert R. Frizell
Robert R. Frizell

Virginia Lee Frizell
Virginia Lee Frizell

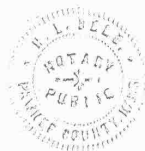


State of KANSAS)
) ss
County of Pawnee)

Be it remembered, that on this 14th day of Oct., A. D. 1966,
before me, the undersigned, a NOTARY PUBLIC, duly commissioned, in
and for the county and state aforesaid, came Vérne Frizell, a widow;
Robert R. Frizell and Virginia Lee Frizell, husband and wife

who are personally known to me to be the same persons who executed the within
instrument of writing as grantors, and such persons duly acknowledged the
execution of the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my _____
notarial seal the day and year last above written.



H. L. Bell
Notary Public in and for said

County of Pawnee

State of Kansas

My commission expires:

May 22 - 1970

Tract No. 3(a) & 7FORT LARNED NATIONAL HISTORIC SITE, KANSAS

STATE OF KANSAS)

COUNTY OF PAWNEE)

SCENIC EASEMENT DEED

This deed, made this 14th day of October, 1966, by and between Robert R. Frizell and Virginia Lee Frizell hereinafter called the Grantor, and the United States of America, hereinafter called the Grantee, WITNESSETH:

WHEREAS, Public Law 88-541, passed August 31, 1964, provided for the establishment of Fort Larned, in Pawnee County, Kansas, as a national historic site, and for other purposes, and authorized the Secretary of the Interior to acquire lands and interests therein; and

WHEREAS, the Grantor is owner in fee of the real property, hereinafter described, situate in Pawnee County, State of Kansas, over which the Secretary of the Interior has determined it to be necessary to acquire a scenic easement for the preservation of the Scenic values of the area described in said Act:

NOW, THEREFORE, in consideration of the premises and of the sum of Four Thousand Seven Hundred Eighty Dollars (\$4,780), in hand paid, the receipt of which is acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm, in perpetuity, subject to the considerations hereinafter set forth, unto the United States of America and its assigns, an estate, interest and scenic easement in said hereinafter described real property of the nature and to the extent hereinafter expressed, to be and to constitute a servitude upon said real property hereinafter described and do covenant on behalf of themselves, their heirs, successors and assigns (said covenant to run with the said land) with the Grantee, the United States of America and its assigns to do and refrain from doing, severally and collectively upon the said hereinafter described lands, the various acts hereinafter mentioned; it being hereby agreed and expressed that the doing of and the refraining from doing said acts, and each thereof, upon the said lands are and will be for the benefit of the United States of America through the preservation of the scenic and other natural values of objects of historic interest of the Fort Larned National Historic Site in accordance with Public Law 88-541 of August 31, 1964.

The restrictions hereby imposed upon the use of said lands of Grantor, and the acts which Grantor so covenant to refrain from doing upon the said hereinafter described lands are and shall be as follows:

1. Using the said lands for mining, commercial, or industrial activity or for any purpose whatsoever except for agricultural and ranching operations conducted in conformity with good husbandry practices, except as may be authorized in writing on such terms and conditions deemed appropriate by the Secretary of the Interior or his authorized representative.
2. Erecting or building any structures on said lands, except as may be authorized in writing by the Secretary of the Interior or his authorized representative.
3. Permitting any change in the character of the topography of said lands other than that caused by the forces of nature, except as may be authorized in writing by the Secretary of the Interior or his duly authorized representative.

1152-
STATE OF KANSAS } ss.
Pawnee County }
This instrument was filed for record on
the 18 day of Oct, 1966 at
11:50 a.m. and duly recorded in
Vol. 33 of Deeds, page 131
by Myra J. Starnes Register

4. Permitting the accumulation of any trash or foreign material which is unsightly or offensive.

5. Cutting or permitting to be cut, destroying or removing any timber or brush, except as may be authorized in writing by the Secretary of the Interior or his duly authorized representative. Provided, however, that seedling trees or seedling shrubbery may be grubbed up or cut down in accordance with good farm practice on lands now presently being cultivated. Cultivated crops may be pruned, sprayed, harvested and otherwise maintained in accordance with good farm practice.

6. Allowing a trailer to be placed or to remain on said lands for use as a residence, or otherwise, and no sign, billboard, or advertisement shall be displayed or placed upon the land, except that one sign not greater than 24 inches by 36 inches, in size, advertising the sale of products raised thereon or sale or lease of the lands may be displayed on appropriate occasions.

7. Planting, cultivating and growing of trees for the purpose of producing tree crops.

The lands hereinabove referred to and to which the provisions of this instrument apply are situated in the County of Pawnee, State of Kansas, and are more particularly described as follows:

DESCRIPTION

The scenic easement herein referred to covers those parcels of land in Sec. 32, T. 21 S., R. 17 W. of the 6th P. M., County of Pawnee, State of Kansas, more particularly described as follows:

A. Beginning at the southwest corner of NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 32; thence north along the section line 98.7 feet; thence northeasterly 869.5 feet at an angle of 116° from the immediately previous line; thence easterly 684 feet at an angle of 154° from the immediately previous line; thence northeasterly 451.7 feet at an angle of 136.25° with the immediately previous line; thence 478.8 feet southeasterly at an angle of 72° with the immediately previous line; thence southward 357.8 feet at an angle of 218° with the immediately previous line; thence west along the south line of the N $\frac{1}{2}$ SW $\frac{1}{4}$ of said Sec. 32 to the place of beginning.

B. Beginning 340 feet east on the half section line from center of Sec. 32; thence 980' east on the half section line; thence 1320' south on the quarter quarter section line; thence 1107.5 feet west on the quarter quarter section line; thence 1326.7 feet north by northeast to the point of beginning.

C. The SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 32.

D. That portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 32 lying east of the following described line: Beginning at a point on the east line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, 760 feet south of the northeast corner thereof; thence northwesterly 1062.5 feet to a point on the north line of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the end of the line being described, said point being 743.2 feet west of the northeast corner of said N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The above parcels contain 99.90 acres, more or less.

433

This conveyance is subject to any existing easements for public roads, highways and public utilities.

By acceptance of this deed, the Grantee, the United States of America, specifically agrees for the purpose of Grantor retaining his present means and rights of ingress or egress, that Grantor, his heirs, successors and assigns shall not be required to pay, when proceeding directly to and from such lands, park entrance or road fees.

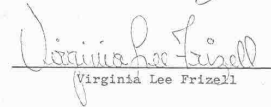
Grantor, for the consideration hereinabove set out, does further grant unto the United States of America and its duly authorized representatives the right of ingress and egress upon and across said lands for the purpose of effecting emergency action with regard to the control and suppression of fires and for emergency actions needed for visitor protection in relation to the operation of the Fort Larned National Historic Site as established by the Act hereinabove set out.

TO HAVE AND TO HOLD unto the United States of America and its assigns forever.

Grantors, for themselves and for their heirs, executors, administrators, and assigns, do covenant with the United States of America and its assigns that they (he) are (is) well seized in fee of the above described lands, and they have the right to sell and convey the estate, interest and scenic easement herein conveyed and will warrant and defend the United States of America and its assigns in the quiet and peaceable use and enjoyment of the above granted easement claiming or to claim the whole or any part thereof.

IN WITNESS WHEREOF the Grantor has hereunto set his hand on the day and year first above written.


Robert R. Frizell


Virginia Lee Frizell

State of Kansas)
) ss
County of Pawnee)

Be it remembered, that on this 14th day of Oct., A. D. 1966,
before me, the undersigned, a NOTARY PUBLIC, duly commissioned, in
and for the county and state aforesaid, came _____

Robert R. Frizell and Virginia Lee Frizell, his wife

who are personally known to me to be the same persons who executed the within
instrument of writing as grantors, and such persons duly acknowledged the
execution of the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my _____
notarial seal the day and year last above written.



H. L. Reed
Notary Public in and for said

County of Pawnee

State of Kansas

My commission expires:

May 2 1970

Southwest Region
P.O. Box 728
Santa Fe, New Mexico
87501

RECEIVED		
NPS Western Regional Office		
MAR 14 '66		
Reg. Dir.	Signature	Date
Asst. R.D. (AD)		
Asst. R.D. (OP)		
Asst. R.D. (CA)		
Asst. to R.D. (PA)		
Sp. Asst. (Dev)		
Sp. Asst. to R.D.		
R. S. Advisor		

154

MAR 11 1966

AIR MAIL

Memorandum

To: Regional Director, Midwest Region, National Park Service, 1709 Jackson St., Omaha, Nebraska 68102

From: Acting Regional Chief of Lands and Water Rights, Southwest Region

Subject: Acquisition of Water Rights, Fort Larned, Kansas

As you requested I spent the week of February 28 - March 5 at Fort Larned and vicinity studying the irrigation and water rights problems which will be encountered during acquisition. Following is a resume of what I learned along with my recommendations.

I have taken your Master Plan map and made some pencil sketches in red. These show the ditches, how the area is presently irrigated and need to be followed during the reading of this resume.

There are now two separate and distinct water rights which are defined by permits. The first one is PN 6211 which allows for 2,000 acre feet per year at a rate not to exceed 6500 gallons per minute. The diversion point for this right is at Point A on the attached map. The area to be irrigated from this right is described in the two appraisals done by Mr. K. R. Blodgett. The other water right is defined by Permit No. 8819 for 1488 acre feet per year at a rate not to exceed 2,000 gallons per minute. This water right is also amply described in the above mentioned appraisals.

The main point to remember is that there are two water rights, both of which apply to relatively the same acreage. For example, the 40 acres of irrigated land described as the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32 has 1.8 acre feet per year water right vested by Permit No. 6211 and also has 2 acre feet per year vested on the same land from Permit No. 8819. This applies to all of the land in Section 32 which we plan to purchase. The important legal point to remember in this acquisition is

that these permits allow water applied to a certain acreage from two different points of diversion. The one from Point A in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (a surface diversion) and the other from a well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 (an underground diversion). Point A is on land which we plan to purchase and will be within the boundaries of the Historic Site. The diversion from the well which applies to the same land is situated on land which we will not purchase. The appraisers completely missed this point, I think. The appraisal price quoted by both appraisers considered that the land we purchase from various land owners would be in fee. Under the Kansas State Law all water rights go with the land unless they are explicitly exempted and so noted on the deed. Therefore if we offer these property owners the price per acre, estimated to be a fair price by the appraisers for fee land, this means that they should deed in fee not only the land but the water rights under both permits which are applicable to the land purchased. A purchase of this type would allow us 1.8 acre feet per acre on the described lands in Section 32 from a point of diversion on Pawnee Creek, (or Point A on my map, and in addition would give us the right to two acre feet per acre to be diverted from the well on lands retained by Mr. R.R. Frizell. This approach could eliminate exorbitant demands by Mr. Frizell for ditch right-of-way and diversions on our land, I think. Our suggestion to him would be that we would trade him rights which we would have to Permit No. 8819 from the well on his property for the rights he intended to hold from Permit No. 6211 on our property. However, we are placing ourselves in the position where we are bargaining with something which we do not now own. Under any circumstances when the deed passes from the Frizell's to the United States there should be exempted all rights to Permit No. 8819 from the well because we will have no need for them. Some monetary saving should result.

Because Mr. Frizell and his neighbors and/or partners now own all of the water rights on the land there is a strong possibility they will not wish to bargain in the above manner. Prior to selling us the land they may want to insist on a diversion point from the Pawnee Creek to deliver water under Permit No. 6211 to all of the remaining acreage which they will have after we purchase the lands. Therefore the following analysis of ditches and irrigation is submitted for your information:

When the river water is available and the surface diversion pumps are utilized, water is pumped from the river at Point A into an earthen ditch. The water then flows to Points B, C, D, E, into Section 5, around to Point F, thence to Point G, H, I and J on the one leg and to Point K, L, M, N and O on the other leg. The take line for the Fort is shown on the map as a heavy black line. As far as Mr. Frizell is concerned after we purchase the lands he will still retain the right to

irrigate the 80 acres in the $S\frac{1}{2}SW\frac{1}{4}$ of Section 32 and approximately 50 acres in the $E\frac{1}{2}SE\frac{1}{4}$ of Section 32. In addition there are 5 acres in the $SW\frac{1}{4}SW\frac{1}{4}SE\frac{1}{4}$ of Section 32, 80 acres in the $NW\frac{1}{4}$ of Section 33 and 80 acres in the $NW\frac{1}{4}$ of Section 4. If we are requested to furnish surface water to Mr. Frizell from Pawnee Creek it would be my recommendation that we do it in the following manner:

Request from the State Engineer a change in point of diversion from Point A to any point in the $NW\frac{1}{4}$ of Section 33 where water could be pumped directly to the affected lands in that section. If our Service is not satisfied with the diversion point at A, the same sort of application could be made to the State Engineer for a change of point of diversion to Point F on the river and we could construct a ditch along the county road to his present ditch system. This would require an expenditure of less than \$1,000 to construct approximately 550' of new ditch from Point F to G. The water then would enter the existing ditch and he could irrigate as he does now around to Point F. From Point F we could construct either a pipeline or ditch (whichever he agrees to) approximately 1500' in length to Point L. This is shown as a blue line. Water from this point would then follow the ditch as it presently does and water could be placed as it now is in the $E\frac{1}{2}SE\frac{1}{4}$ of Section 32 and the $W\frac{1}{2}NW\frac{1}{4}$ of Section 4. This would allow Mr. Frizell to also utilize his well as he now does except in the $W\frac{1}{2}NW\frac{1}{4}$ of Section 33. The suggestion has previously been made that we tie this existing system into a new pipeline along the east section line between Sections 32 and 33. This would require an additional 4000' to 5000' of pipeline and I think an agreement could be reached whereby we eliminate this necessity. The water rights on Permit No. 8819 stipulate points of diversion from wells in Section 32 and in the $NW\frac{1}{4}$ of Section 33. At the present time, the well in Section 32 is the only one which exists. Therefore it would be preferable to offer Mr. Frizell damages in the amount of approximately \$3,000 (estimated cost of a well) so he might drill a well in Section 33 rather than construct a pipeline for almost a mile. Mr. Blodgett did not mention in this appraisal that access to the remaining lands will be obliterated. Some arrangement will have to be made with the county for access along the county road between Sections 31 and 32.

Mr. G. L. Frizell has 48.4 percent of the vested right in Permit No. 6211 on Section 5. This water right is not presently being used. Mr. J. Maurice Street, the Field Office Water Commissioner, located in Stafford, Kansas, stated this surface water right had not been used, to his knowledge, since 1955. Under the water laws of Kansas non-use for three consecutive years can cause the loss of a water right. Non-use must be

proved in court and no one has attempted this. It is my recommendation that we do not mention the water right at all in Section 5 in our negotiations. If Mr. George Frizell should bring it up at any time, then perhaps we could make him a small severance offer for his existing right rather than incur the costs of proving in court that he has lost them. I repeat, unless he brings it up, it would be best that our negotiators pretend that they do not exist.

This has been a lengthy explanation of the situation and perhaps not too clear. I will call you on March 15 and attempt to explain verbally the situation as I see it after you have the report and map in front of you.

I have attempted to make the following points:

1. When we purchase the land to the take line in Section 32, unless there is an exemption in the deed, we actually purchase two water rights one of which diverts from land we will own and the other from land which will be retained by Mr. R. R. Frizell. In the first phase of negotiations we should try to trade him our rights to Permit No. 8819 for his right to Permit No. 6211. If he would be agreeable to this type of negotiation this would eliminate any right-of-way or severance agreements.

2. Since he now owns all of these water rights (or portions thereof) and should he insist on retaining access to Pawnee Creek, then we should first lower our offering price because we do not need any water rights from Permit No. 8819. Perhaps this difference might offset most of the severance damages.

3. Should he still insist on retaining access to the Creek and insist on us paying for additional ditches and/or pipes, I think that an additional 2000' of ditch would suffice at a cost of approximately \$6,000.

Thank you for the opportunity of working on this project. I certainly enjoyed working with Willis Kriz and Fred Meyer and feel that they will be a definite asset to the National Park Service.

(SIGNED)

William E. Fields

Enclosure

cc: Supervisory Hydraulic Engineer, SSC, w/c enc. ✓
Director (2) w/c enc.

Willis Kriz w/c enc.

FORT LARNED, KANSAS L1425 MWR (OL)
Property of: Robert R. Frizell
and Verne R. Frizell
Larned, Kansas
Appraised by:
K. R. Blodgett, M. A. I.
217 East 1st, Hutchinson, Kansas

K. R. BLODGETT
REALTOR

217 EAST FIRST MOHAWK 2-0381
HUTCHINSON, KANSAS

December 31, 1965

United States
Department of the Interior
National Park Service
Midwest Region
1709 Jackson Street
Omaha, Nebraska, 68102

Gentlemen: Re: L1425 MWR (OL)

Pursuant to the appraisal contract dated November 6, 1965, I have made an appraisal of the properties of Robert R. Frizell and Verne R. Frizell, his mother.

It is my opinion that the fair market value of this ownership, appraised in fee simple title as of December 31, 1965 and covering:-

The North $\frac{1}{2}$ of Section 32, Township 21 South, Range 17 West, Pawnee County, Kansas; except the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a 5 acre tract in the NE $\frac{1}{4}$ thereof and containing 275 acres, more or less,

is \$225,200.00.

Rental value of the dwelling and grounds now occupied by Robert E. Frizzell as a home is estimated to be \$125.00 per month.

Rental Value of the irrigated bottom cropland assuming irrigation water from Pawnee Creek thru the present system of ditches is estimated to be \$20 per acre per year on a cash rent basis.

Respectfully submitted,

K. R. Blodgett
K. R. Blodgett, M. A. I.



MEMBER OF
AMERICAN INSTITUTE OF REAL ESTATE APPRAISERS
SOCIETY OF RESIDENTIAL APPRAISERS

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the fair market value of the historic site of Fort Larned with its remaining original structures, together with adjacent properties, to establish the values before the taking; the values after the taking; and damages to remainders resulting from the taking, if any.

"Fair Market Value" is considered to be the highest price in terms of money which a property will bring if exposed in the open market, allowing a reasonable time to find a buyer who buys with full knowledge of all the uses for which it is adaptable and capable of being used.

GENERAL AREA DATA

Fort Larned is located approximately seven miles West of the City of Larned, Pawnee County, Kansas, along the South side of U.S. Highway 156, and five miles East of the junction of that highway with U.S. 183. The location is roughly half way between Kansas City, Missouri and Denver, Colorado.

The latest traffic count by the State Highway Department shows 1,300 vehicles daily pass over highway U.S. 156, of which 310 are commercial. This count was taken at a point one mile East of the Fort entrance. The count on U.S. 183 just to the North of its junction with U. S. 156 shows 575 vehicles, of which 140 were commercial.

U. S. 156 highway is a bypass route of U.S. 56 and carries much of the traffic between Larned and Garden City, to the West.

A portion of Fort Larned including the quadrangle enclosed by the nine original buildings has been made available to the public thru the efforts of a group of dedicated local citizens who organized the Fort Larned Historical Society about 1959. They claim to have spent some \$30,000 on restoration and maintenance of building and grounds and upon the collection of artifacts of the era. This group claims that some 40,000 people annually visit the Fort.

R. R. Frizell and Verne Frizell, continued

The 170 acres of irrigated cropland is used by this owner-operator in conjunction (and in combination) with a total farming operation of 971 acres of farmland of which 822 acres is in cropland.

WATER RIGHTS

This ownership has vested water rights under permit PN 6211 allowing 2,000 acre/feet at the rate of 6,500 gallons per minute from a diversion point in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, from Pawnee Creek. The date of determination of this permit was February 15, 1956.

This water right applies as follows:

10	acres	in the	NE $\frac{1}{4}$	of	NE $\frac{1}{4}$	Section	32
5	"	"	"	"	NW $\frac{1}{4}$	of	NE $\frac{1}{4}$
40	"	"	"	"	SW $\frac{1}{4}$	of	NE $\frac{1}{4}$
10	"	"	"	"	NE $\frac{1}{4}$	of	NW $\frac{1}{4}$
80	"	"	"	"	S $\frac{1}{2}$	of	NW $\frac{1}{4}$
145	acres	total	in this	ownership	or		
					13%	of the	vested right.

31.4% of this vested right applies to the land owned by R. R. Frizell

7.2% of this vested right applies to the land by R. R., and W. W. Frizell in the NW $\frac{1}{4}$ of Section 33-21-17

48.4% of this vested right applies to the land owned by George Frizell in Section 5-22-17.

This ownership also shares in Permit 8819, under priority of October 25, 1961, for 2,000 gallons per minute, and 1,488 acre/feet from wells in Section 32 and the NW $\frac{1}{4}$ Section 33. The water under this permit applies to this ownership as follows:-

100	acres	in the	NE $\frac{1}{4}$	of	Section	32
130	acres	in the	NW $\frac{1}{4}$	of	Section	32
230	acres	total	to this	ownership.		
also:						
404	acres	to	R. R. Frizell	and,		
110	acres	to	R. R., and	W. W. Frizell.		

R. R. Frizell and Verne R. Frizell, continued

My analysis of the value of the water rights to these properties is as follows:-

Water allowed under the above vested rights, if available, will supply approximately 60% of the 3 acre/feet required for grain sorghums and other summer grain crops, over and above the annual average rainfall. I estimate the value of this right on the basis of \$100 per acre for the water necessary to irrigate these summer crops or 60% of \$100, or \$60 per acre value in PN 6211.

The entire irrigation system used in this operation is constructed to operate from the diversion point at the pumphouse in the NW $\frac{1}{4}$ of Section 32.

Water under the vested right available to the NW $\frac{1}{4}$ Section 33, can be obtained from the creek at the damsite in that section. Hence, no loss of water to this land under this permit will result from the taking.

Water under this vested right for the use of R. R. Frizell will have to be brought from a new diversion point, either on the East line of Section 32, over and across the taking by granting an easement therefore; or from the damsite in Section 33, and for which an easement will have to be purchased. This will require (from either point) the piping of the water to approximately the location of the present well in the SE corner of the SW $\frac{1}{4}$ of Section 32, in order to make the water usable to the remainders of R. R. Frizell.

The cost of this piping will be approximately \$21,530 for some 7,000 feet of 12" transite and fittings, and assuming that an easement is granted across the taking at no cost to the landowner. This solution will also make the vested right water available to Section 5, (George Frizell) and eliminate any claim for loss by that owner under this right.

If water is to be taken from Section 33, add \$1,120 for the cost of added piping and for the purchase of right of way, assuming that it can be purchased at \$2.00 per rod.

R. R. Frizell, and Verne R. Frizell continued

If no change of diversion point under PN 6211 can be arranged, either across the taking or from Section 33, it is my opinion that the remainders will be damaged in the amount of \$60 per acre on the 540 acres of George Frizell in Section 5, and the 170 acres of R. R. Frizell in Section 4-22-17 and Section 32-21-17.

Water under permit 8819 from wells in the SW $\frac{1}{4}$ of Section 32, will still be available to this ownership. Water under this permit apparently has never been used on Section 33.

These irrigated lands require a continual program of levelling and draining in addition to an original cost of from \$50 to \$70 per acre. Irrigation wells cost around \$3,000 each exclusive of pumps and power units. Fertilizer is applied at the rate of 120 to 130 pounds actual nitrogen per acre at a cost of around \$12 to \$13 per acre. Grain sorghums generally yield 100 bushels per acre or more. Alfalfa will produce 4 to 5 tons per acre or more.

IMPROVEMENTS

Building Number One. This is the original residence of the Commanding Officer of the Fort and has been used as the principle residence of these owners for many years. The original structure has been used virtually intact and to which has been added three frame additions. The dwelling has six rooms down and two rooms upstairs and three bathrooms. The kitchen is very modern, a new hot water furnace has been installed as well as central mechanical airconditioning. Electricity, natural gas and telephone are available and connected.

I estimate the reproduction cost of this building as follows:-

Telephone GL 3-4371

2-54 FOLS
Yard Telephone GL 3-3512

ROSENCRANTZ-BEMIS ENTERPRISES, Inc.

Post Office Box 713

GREAT BEND, KANSAS

DIVISIONS
Rosencrantz-Bemis Drilling Co.
K. M. N. Building Co.
Western Investment Co.
Darling Drilling Co.

O. E. ROSENCRANTZ, President
C. J. NETHERTON, C. P. A., Secretary-Treasurer

September 22, 1967

National Park Service
Dsn Francisco
California

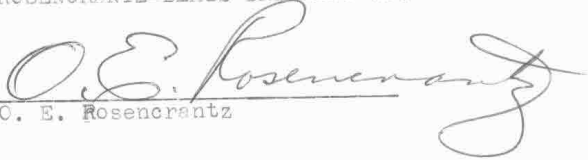
Re: Fort Larned National
Historic Site
Larned, Kansas
Water Well
Project No. WR-17

Gentlemen:

Enclosed are four copies of the information
you requested - the length of time the well
was pumped at the drawdown stages.

Respectfully,

ROSENCRANTZ-BEMIS DRILLING CO.


O. E. Rosencrantz

Doc to
file

National Park Service
San Francisco
California

FORT LARNED NATIONAL HISTORIC SITE
LARNED, KANSAS
WATER WELL
PROJECT NO. WR-17

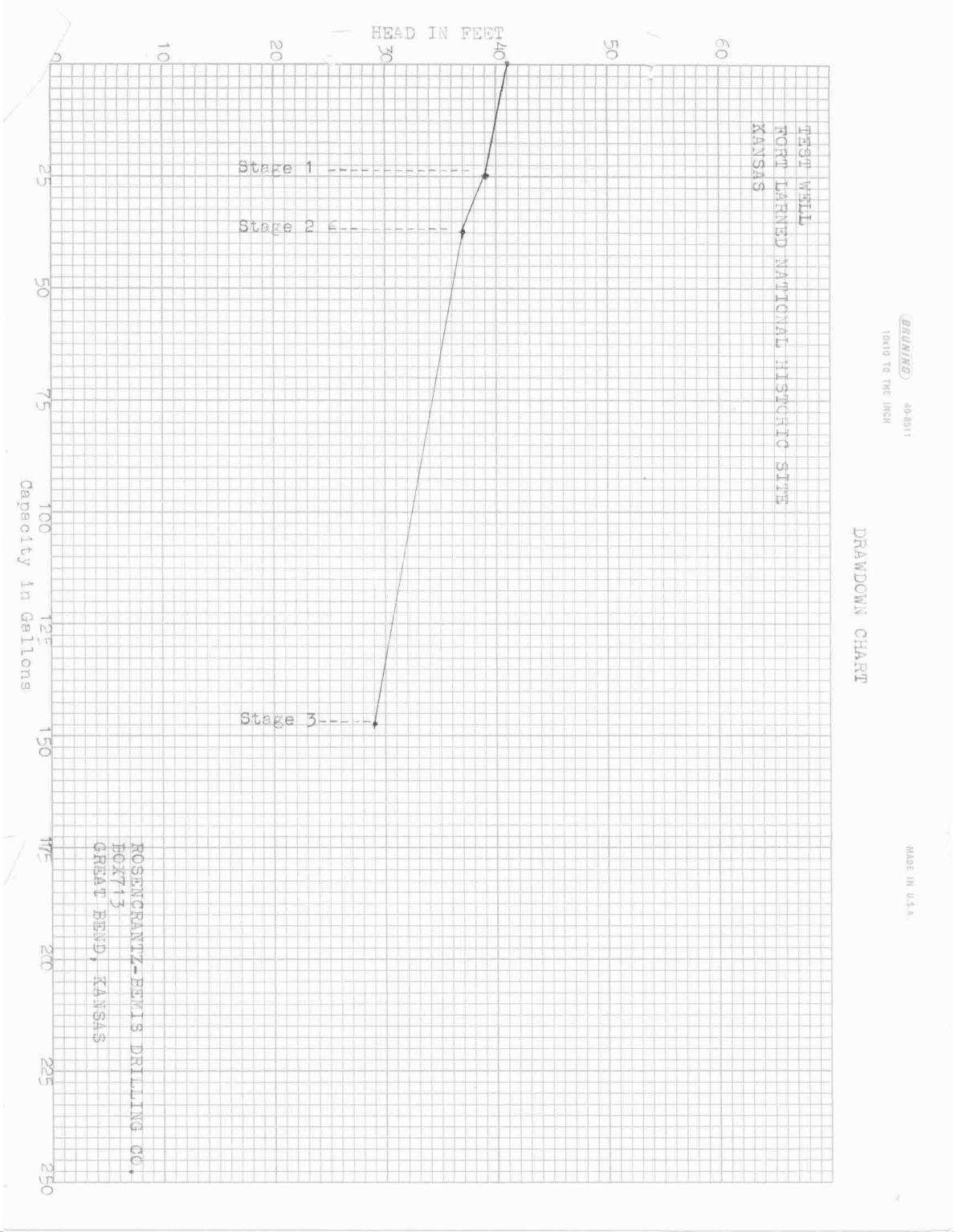
PUMPING DURATION AT DRAWDOWN STAGES:

- Stage 1 - The point at which Pumping Water Level is 16 feet, well was pumped 30 minutes.
- Stage 2 - The point at which Pumping Water Level is 18 feet, well was pumped one hour.
- Stage 3 - The point at which Pumping Water Level is 27 feet, well was pumped two hours; continuing, the 48-hour test was begun and completed.

(Attached is a copy of Drawdown Chart)

ROSENCRANTZ-BEMIS DRILLING CO.
BOX 713
GREAT BEND, KANSAS


O. E. Rosencrantz



FILE CODE

MESSAGE MEMO

L54 LWSSC - FOLS

DATE 6/21/68

CHIEF _____
 ASST. CHIEF REALTY _____
 STAFF ASSISTANT _____
 CHIEF APPRAISER _____
 HYDR. ENGINEER _____
 Roberts JWR
 X FILE

X INFORMATIONAL
 TAKE ACTION
 PREPARE REPLY
 PLEASE PHONE

SUBJECT: PHONE (X) VISIT () CORRESPONDENCE ()
 FROM: G.S. Witucki, Actg Supv. Hyd. Engr. To: Rosencrantz-Bemis, Great Bend, Kansas

TOPIC:

Upon examining the pump test curves and narrative in our file for Fort Larned, it appeared that they are incorrect. A call was placed to Mr. Rosencrantz and he confirmed that for the most part, the data was incorrect. After checking the notes in his file regarding this pump test, he relayed the following information:

Pump test results

Rate	Time	(below ground level) Static water level at 0 Time	At end of 48 hrs	Drawdown
200 gpm	48 hrs	15.5'	33'	17.5'

After the 48-hr test:

Rate Attempted	Rate Actual	Interval	Depth to water from surface
150 gpm	(147)	2 Hr	At end of 2 hr - 28'
30 gpm	(37)	1/2 hr	at end 1/2 hr - 18.5'
25 gpm	(25)	1/2 hr	at end 1/2 hr - 16.5'

RECOMMENDED ACTION:

Mr. Rosencrantz suggests that well will make 125-150 gpm.
 As D&C needed this information in regard to the pumping system they are
 designing, I gave them a copy of this information.

BY

G. S. Witucki



- ☒ FIREMAN'S FUND INSURANCE COMPANY
☐ THE AMERICAN INSURANCE COMPANY
☐ NATIONAL SURETY CORPORATION
☐ ASSOCIATED INDEMNITY CORPORATION
☐ AMERICAN AUTOMOBILE INSURANCE COMPANY

GENERAL FORM STATUS INQUIRY

U. S. A. August 29, 19 67
OWNER, OBLIGEE OR ORIGINATING CO.

Our Bond No. **3246490**

Reinsured's No. _____

Contractor: **Rosencrantz-Bemis Enterprises, Inc.**

Address: **P. O. Box 713, Great Bend, Kansas 67530**

Description of Contract: **Drilling and Developing test well; Fort Larned National Historical Sight.**
(INCLUDE LOCATION AND OWNER'S CONTRACT NUMBER)

Owner: _____

Contract Price \$ **3,494.50** Bond(s) \$ **3,494.50** Effective Date **July 12, 1967**
 Without prejudicing your right or affecting our liability under our bond(s) described above, we would appreciate such of the following information as is now available.

All Inquiries to U.S. Government Agencies must be in duplicate with return, stamped, addressed envelope enclosed.

Very truly yours,
Douglas Van Auker
F/S/E Dept.

1. IF CONTRACT COMPLETED, PLEASE STATE:
 Approximate date of completion of work (or final delivery) **September 7, 1967**
 Approximate acceptance date **August 9, 1967**
 Final Contract Price \$ **1,643.00**

2. IF CONTRACT UNCOMPLETED, PLEASE STATE:
 Approximate percentage or dollar amount of contract completed or delivered **All**

3. Do you know of any unpaid bills for labor or material (Check) Yes _____ No **x**

4. Remarks: (if any) _____

Date **October 5, 1967** Signature *Gerard Witucki*
 Please Return Original of This Inquiry To **Gerard Witucki**
Fireman's Fund Insurance Co. Title **Acting Supervisory Hydraulic Engineer**
 Address: **P. O. Box 13206**
2500 Commerce Towers Bldg.,
Kansas City, Missouri

Attention: **Attn: Douglas Van Auker**

360098-3-67

Other Supporting Information

November 25, 1992

L54(479)
FOLS/Water Rights

Memorandum

To: Superintendent, Fort Larned National Historic Site
From: Chief, Water Rights Branch
Subject: Change Applications for Vested Water Right No. PN 011 and
Water Right No. 8819

The purpose of this memo is to summarize recent developments regarding two water right change applications, Vested Water Right No. PN 011 and Water Right No. 8819. The United States has sole interest in the first right, and a partial interest in the second right. It is my understanding that you have recently discussed these issues at length with Jeff Albright of my staff.

Both change applications were originally filed in 1982. The State of Kansas recently notified the current owners of these two water rights that specific action must be taken to carry them forward, otherwise the change applications would be dismissed. Dismissal of the change applications would cause the water rights to retain their original terms and conditions of use.

The change application for Vested Right No. PN 011 was filed by all of the (then) joint-interest owners, excepting the United States. The change application proposed removal of United States' lands from the water right. Subsequently, in 1988, all but the United States' apportionment of the water right was declared abandoned.

The United States has previously indicated (to the State of Kansas) that it considers this right important for the purpose of instream flow protection for the Pawnee River. Based on conversations with the Fort Larned National Historic Site (FOLS) staff, Kansas State Division of Water Resources and Ralph Canaday of the Office of the Solicitor regarding the effect of the change application for Vested Right No. PN 011, there did not appear to be any need for the United States to carry this change application forward. The Water Rights Branch (WRB) recommended that FOLS not take action to maintain the change application. Subsequently FOLS did not take action and the change application was dismissed.

2

Please refer to the attached notices from the State of Kansas regarding the change application for Vested Right No. PN 011, and WRB's letter to the state.

The change application for Water Right No. 8819 also proposes the removal of United States' lands from the subject water right. The State of Kansas has indicated that this change application will be dismissed if the United States, as an interest holder in the water right, does not agree to carry the change application forward. It remains to be determined whether the United States' has need for this water for future administrative or resource protection purposes.

The United States' apportionment of this water right constitutes a federally-owned property right. Therefore, should FOLS ever determine that it is in best interests of the United States to agree to any change in the status of Water Right No. 8819, WRB strongly recommends that you first contact the Office of the Solicitor to discuss the property-right implications of such an action. Communication with the Office of the Solicitor on this issue indicates that it may be possible to convey this property right to a private party, should this be in the United States' interest, as a part of any boundary exchange or property enlargement transaction undertaken with respect to FOLS lands.

If you have any questions regarding these two change applications, please contact Jeff Albright of my staff at (303) 225-3528.

Jan McGlothlin

Attachments

cc: MWR - Hiebert
SOL - Canaday

FNP:JALBRIGHT:kt:(303)225-9585:11/25/92:A:\WRCHG

05031

15 December 1976

MIDWEST REGIONAL OFFICE	
Regional Director	
Secretary	
Supervising Director	
Administration	
Public Relations	
Resource Planning	12/27
Environmental Data	
Public Health	
Environmental Evaluation	
ERC Office	
Office	12/27
Ketcham	12/29
Action taken & date	

Mr. Jimmy D. Taylor
Fort Larned National Historic Site
Route 3
Larned, KS 67550

Dear Mr. Taylor:

Enclosed for your use and distribution, are four copies of the report, "Survey of Environmental Health Facilities, Fort Larned National Historic Site, Kansas, July 1976." I hope that you and your staff will take the time to read the report and act on some of the recommendations.

If I can be of any assistance please let me know.

Sincerely yours,

Albert V. Soukup

Albert V. Soukup, P.E.
Public Health Consultant
National Park Service

Enclosures 4

cc:
Dir., PHS-NPS Environmental Sanitation Program
Reg. Dir., Midwest Region
PHS Consultant, Denver Service Center

REPORT ON SURVEY OF ENVIRONMENTAL HEALTH FACILITIES
FORT LARNED NATIONAL HISTORIC SITE, KANSAS

July 1976

By
John H. McCutchen
San. Eng. Consultant USFHS
National Park Service
P.O. Box 25287
Denver, Colorado 80225

REPORT ON SURVEY OF ENVIRONMENTAL HEALTH FACILITIES
FORT LARNED NATIONAL HISTORIC SITE, KANSAS

July 1976

By
John H. McCutchen
San. Eng. Consultant USPHS
National Park Service
P.O. Box 25287
Denver, Colorado 80225

A survey of the environmental health facilities at Fort Larned National Historic Site, Kansas was made in July, 1976. Mr Russell Gilbert, Maintenance Foreman, assisted in performing the inspection.

WATER SUPPLY

A drilled well located about 200 feet south of the quadrangle was put into service in 1968. The well is 60 feet deep, and is cased with an 8-inch steel casing. The well is equipped with a 2-hp Jacuzzi submersible pump, and a Monitor pitless adapter (Baker) is installed at the well. Water flows from the well to a pump room located at the east end of the Old Commissary building. The water is chlorinated by a Wallace & Tiernan hypochlorinator, Model 94-100, capable of delivering 20-gpd of solution. The culinary water is then stored in a 3,000-gallon steel tank from which it is pumped under pressure to the system. The pressure system consists of a 2-hp General Electric motor and Model 2H6-F-T/A Jacuzzi pump which charges to a 10-unit Hydrocel system adjusted to maintain a water pressure between 25-45 psi.

Over-flow from the 3,000-gallon reservoir flows through an air gap into a 100,000-gallon concrete below-grade reservoir located just outside the pump room. This reservoir is used for fire purposes only, and is not connected to the drinking water supply. A 30-hp General Electric motor powering a 400-gpm verticle turbine pump supplies water to the fire distribution system which is laid around the inner quadrangle.

A current chemical analysis is on file, and bacteriological samples are adequate to date.

A new water softner has been installed in the well house to provide soft water for this area. The unit has not been accepted by the park as yet, because of the malfunction of the automatic controls.

A chlorine residual test was taken at the Headquarters office and showed 0.4 ppm.

Recommendations:

That a new test kit be obtained to determine the hardness of the water. A test kit similar to one produced by Bausch & Lomb, Catalog No. 33-09-15 be purchased to check the hardness of the water. Such a test kit will probably cost about \$30. See the attached Bausch & Lomb booklet.

SEWAGE DISPOSAL

There are three septic tanks and subsurface disposal systems which serve the area. They are: (1) a 1,500-gallon pre-cast septic tank serving Building HB-1 which discharges to two 50-foot Orangeburg absorption lines. This system will be eliminated when renovation of Building HB-1 is complete. (2) A 1,500-gallon concrete septic tank is located at the southeast corner of Building HB-4. The tank is followed by a distribution box and seven 100-foot long absorption trenches running east-northeast of the septic tank. This system serves a comfort station containing men's and women's toilet facilities. The septic tank lies under a concrete-lined drainage ditch and is, therefore, inaccessible for inspection. This septic tank absorption system will be eliminated when the new Visitor Center is completed. Contract calls for a new soil absorption system for the Visitor Center. (3) A large circular septic tank (size unknown) located 50 feet west of the old Commanding Officer's Quarters serves the remainder of the area. This includes Buildings HB-7, HB-8 and HB-9. The septic tank is followed by a distribution box and three 100-foot long absorption trenches.

Recommendations:

Ball cocks in the water closets should be replaced with approved ball cocks. The park plans to install these as soon as possible.

SOLID WASTE DISPOSAL

All wastes developed in this area is collected by Site personnel and hauled to the landfill at Larned, Kansas, which is operated jointly by the City of Larned and Pawnee County. PHS Form 4977, "Report of National Park Service Solid Waste Disposal Practices," is attached.

REPORT ON WASTE DISPOSAL SERVICE

Complete this form for each site being used by a NPS Area

Classification Category (Circle appropriate letter)

- a. Sanitary landfill - Conforms to all items in Section 7.
 b. Modified landfill - May not necessarily conform to all items in Section 7, but no health hazards or esthetic problems exist.
 c. Dump - Is in violation of one or more of major items in Section 7 and potential health and/or environmental problems exist.
 d. Incinerator - Description of incinerator should include original rated capacity, number of chambers, number and location of burners, type of auxiliary fuel, type of charging, height of stack, hours of burning, and other pertinent information.

Park Area Fort Larned National Historic Site,
Kansas

Frequency of Collection: (Daily, weekly, etc.)
Weekly

Number of months of Operation _____

2. Facilities Served: (e.g., Headquarters, residences, horse concessioner, restaurants, etc.)

Location of Disposal Site

a. Off-site Disposal: Community } Larned, Kansas and Pawnee County
 or Agency }

b. On-site Disposal:
 Approximate location _____

c. Incinerator (give description) _____

i. Amount of Refuse Disposed of: (e.g., cans, tons, etc., give best estimate)
 Daily _____ or, Weekly 50 gal. or, Monthly _____ or, Annually _____
 gallon

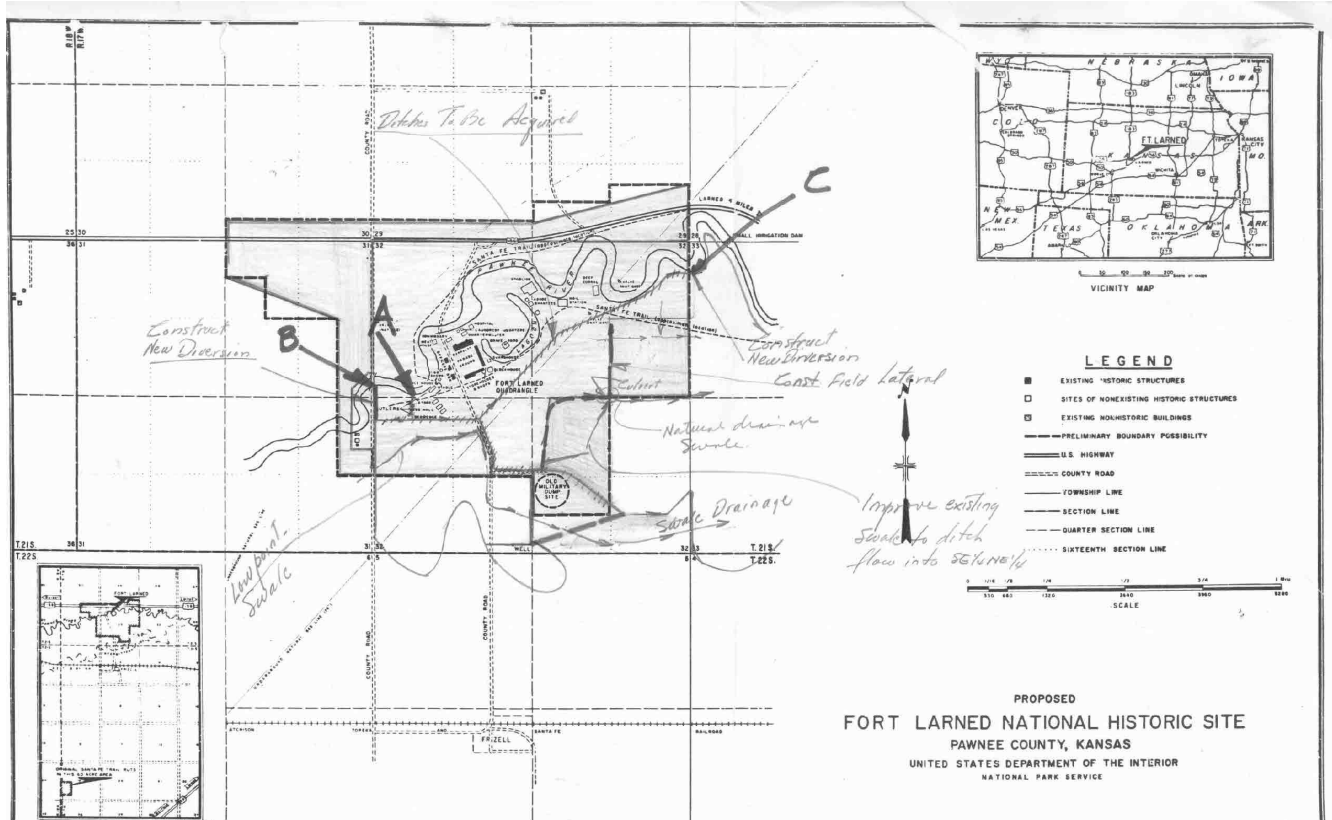
7. Disposal Site Observations:

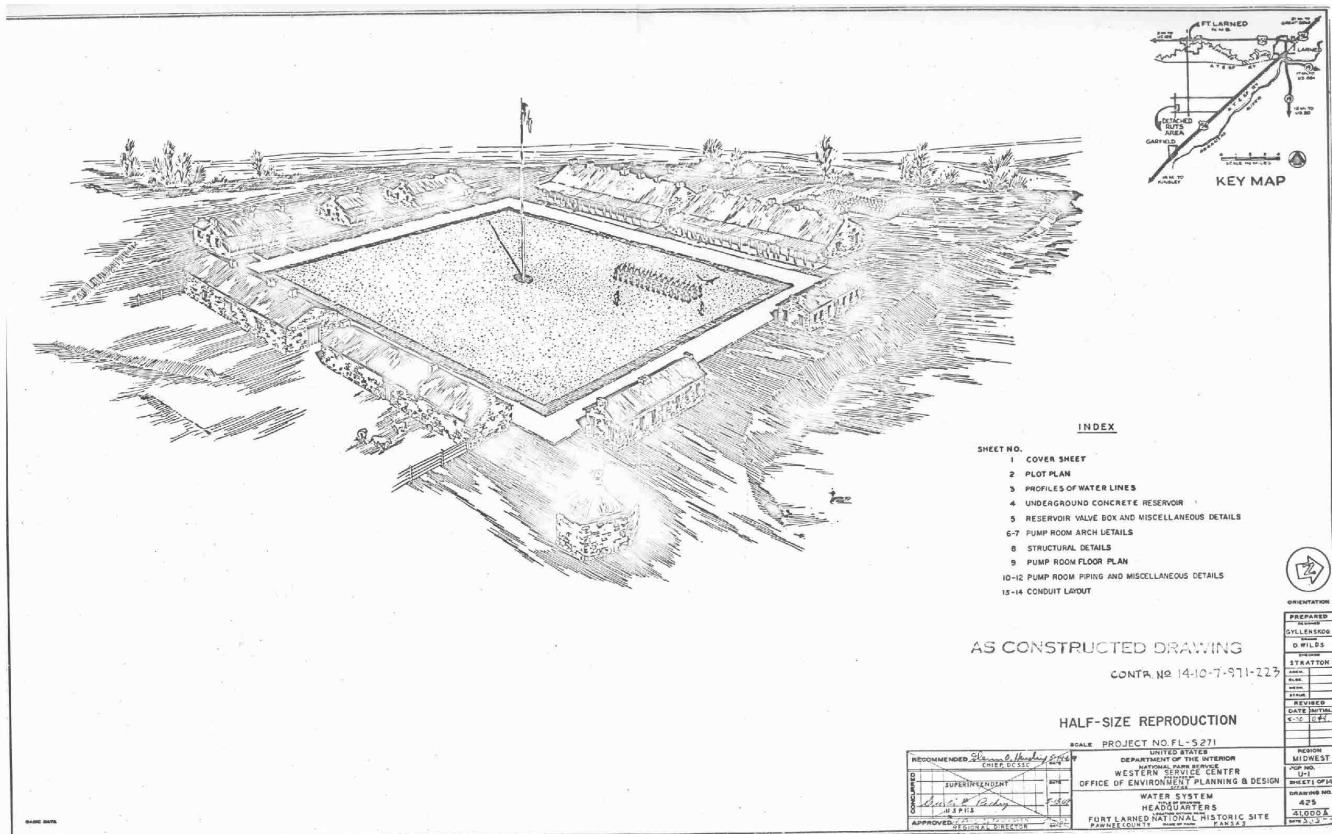
	Yes	No
a. Open burning	_____	☒
b. Exposed refuse	_____	☒
c. Sufficient cover	☒	_____
d. Visible leachate or water pollution problem	_____	☒
e. Evidence of ponding or drainage problems	_____	☒

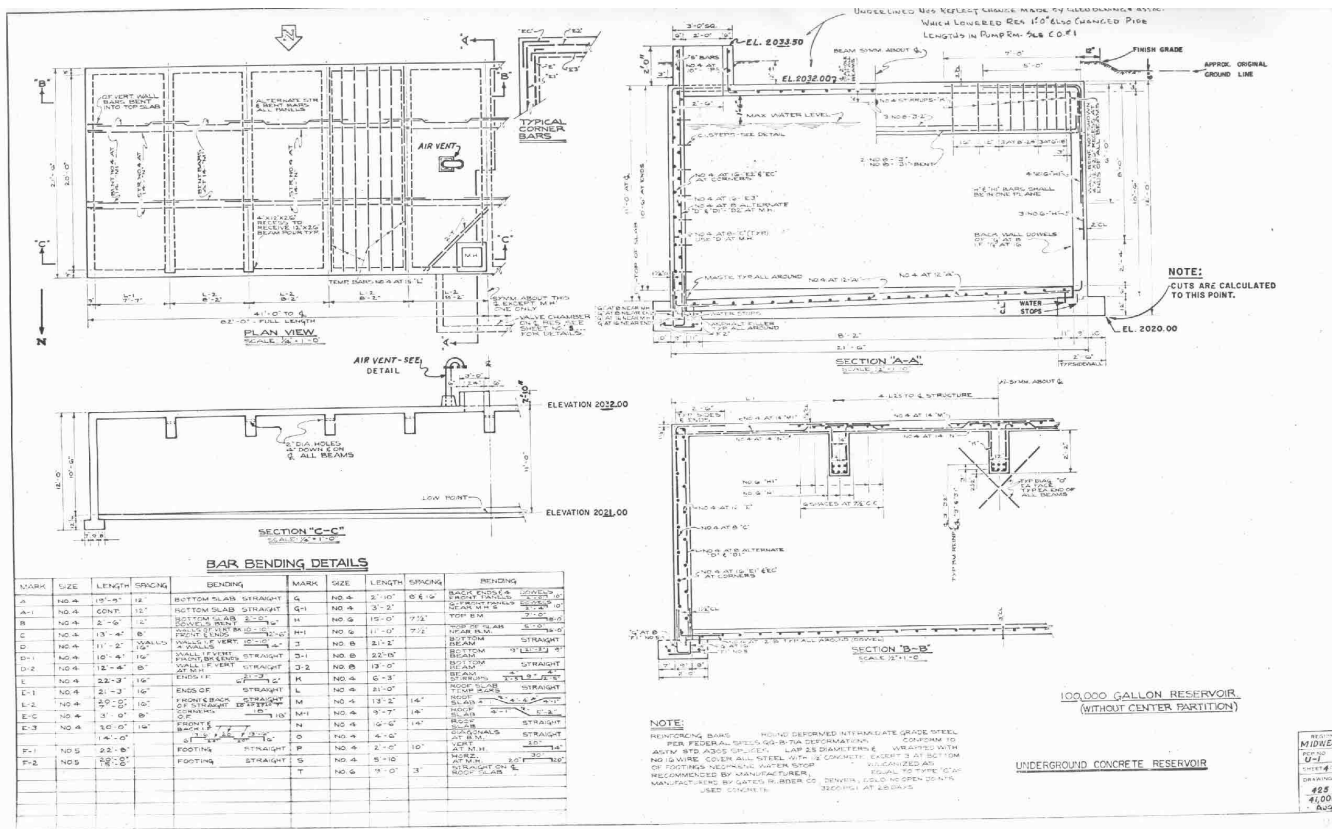
	Yes	No
f. Access road in good condition	☒	_____
g. Frequency of cover adequate	☒	_____
h. Evidence of littering	_____	☒
i. Adequate equipment available	☒	_____
j. Insect or rodent problem	_____	☒

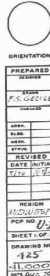
8. Remarks: July, 1976
John H. McCutchen
USPHS

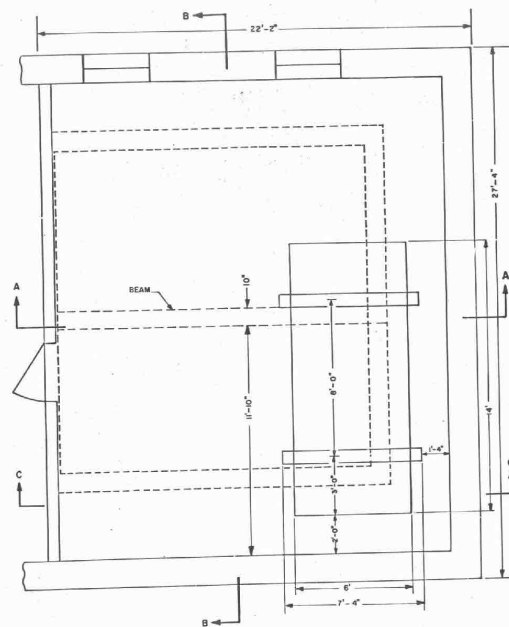
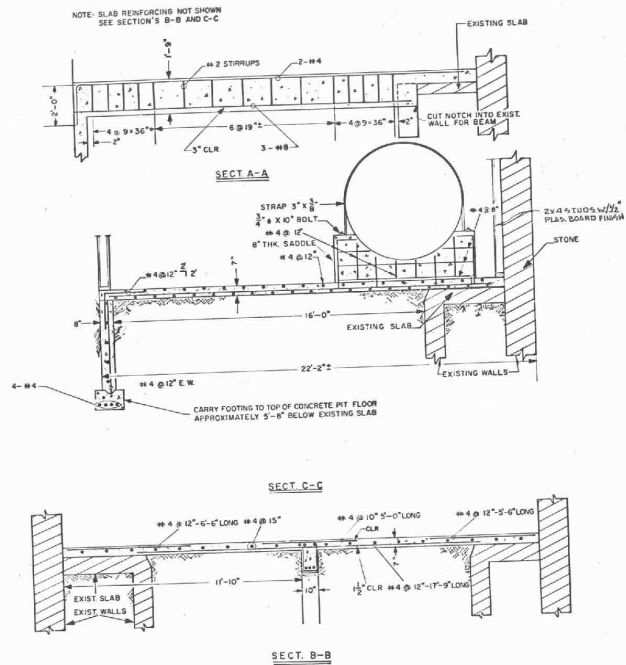
Maps and Miscellaneous Information











PLAN
PUMP ROOM
EAST END BLDG. NO. 5

STRUCTURAL DETAILS



ORIENTATION

DRAWING NO.	
ROEL	
REVISED	
DATE	BY
3-18	QTH
REGION	
MIDWEST	
PCP NO	
U-1	
DWT 8 OF 14	
DRAWING NO.	
425	
41,000 A	
DATE AUG 70	

SEQUENCE OF OPERATIONS
DOMESTIC FIREPUMP

1. ANY ONE OF 8 PUSH BUTTONS ON HYDRANTS OR PUSH BUTTON AT FIRE PUMP STARTS PUMP
2. TURN SELECTOR SWITCH TO "OFF" POSITION IN 30 M. P. STARTER TO STOP FIRE PUMP, OR
3. WATER DROPS TO LOW LEVEL IN UNDERGROUND RESERVOIR - RELAY NO. 1 DE-ENERGIZED
4. PUMP STOPS

DOMESTIC PUMP 2H P.

1. PRESSURE IN WATER SYSTEM DROPS TO 30 P.S.I.
2. PUMP STARTS
3. PRESSURE RISES TO 40 P.S.I.
4. PUMP STOPS, OR
5. WATER DROPS TO EXTREMELY LOW LEVEL IN 3,000 GALLON TANK - RELAY NO. 4 DE-ENERGIZED
6. PUMP STOPS
7. WATER RISES TO START ELECTRODE
8. PUMP STARTS

SUBMERSIBLE PUMP-2H P.

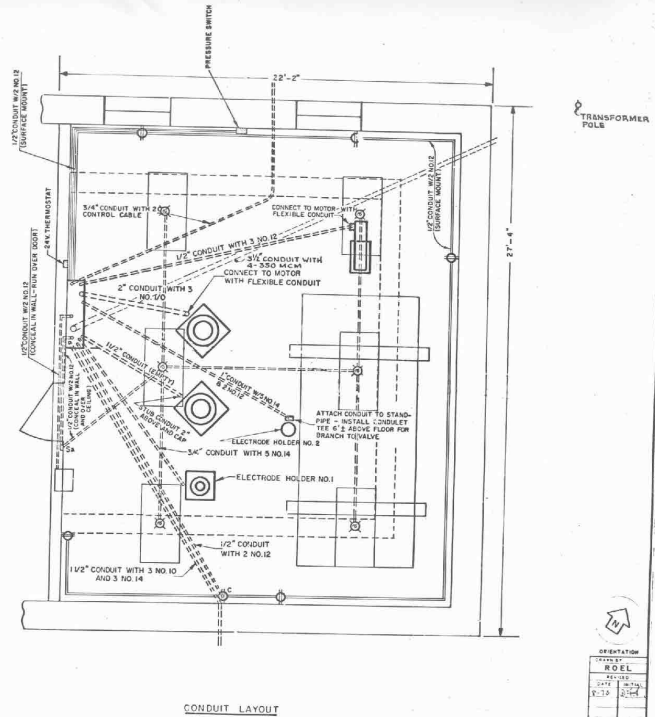
1. WATER DROPS TO LOW LEVEL IN 3,000 GALLON TANK - RELAY NO. 2 DE-ENERGIZED
2. PUMP AND CHLORINATOR START
3. WATER RISES TO HIGH LEVEL IN 3,000 GALLON TANK - RELAY NO. 2 RE-ENERGIZED
4. PUMP AND CHLORINATOR STOP, OR
5. WATER DROPS TO EXTREMELY LOW LEVEL IN WELL - RELAY NO. 3 DE-ENERGIZED
6. PUMP AND CHLORINATOR STOP
7. WATER LEVEL RESTORED - RELAY NO. 3 RE-ENERGIZED
8. PUMP AND CHLORINATOR START

SOLENOID VALVE IN OVERFLOW LINE

1. WATER LEVEL RISES TO HIGH LEVEL IN STORMPIPE FOR 100 M TANK
2. R.H. RELAY OPERATES, OPENING CONTACT 6 AND 7 (RELAY NO. 5)
3. SOLENOID IS DE-ENERGIZED, VALVE CLOSSES
4. WATER LEVEL DROPS TO LOWER ELECTRODE
5. R.H. RELAY NORMALIZES, CLOSING CONTACT 6 AND 7 (RELAY NO. 5)
6. SOLENOID IS RE-ENERGIZED, VALVE OPENS, ALLOWING GRAVITY OVERFLOW FROM 3 M TO 100 M TANK.

NOTES

1. ALL POWER CONDUCTORS IN PUMP ROOM MINIMUM SIZE NO. 12 AND INSTALLED IN RIGID GALVANIZED STEEL CONDUIT. CONTROL CONDUCTORS NO. 14.
2. ALL CONDUIT AND CONDUCTORS BETWEEN LOAD CENTER AND PUMP MOTOR JUNCTION BOXES INSTALLED UNDER SLAB FLOOR.
3. ALL CIRCUIT BREAKERS, MOTOR STARTERS AND ELECTRODE RELAYS MOUNTED IN A SINGLE COMPARTMENT RING 1 CONTROL CABINET, FLOOR MOUNTED AGAINST WALL WITH PROVISION FOR RADIATING ALL EQUIPMENT FROM THE FRONT SIDE.
4. FIRE PUMP AND DOMESTIC PUMP MOTOR SPLASHPROOF.
5. IN CONDUIT RUN TO SUBMERSIBLE PUMP. ALUMINUM CONDUITS TYPE L & B AT 90 DEGREE TURNS, AND TYPE C TOP ELBOW TEE FEET OF STRAIGHT LINE SECTIONS BETWEEN PUMP ROOM AND TOP OF WELL. CONDUITS MARK 9 SERIES DIE CAST CONDUITS WITH NEOPREN GASKETS AT BRIDGE WINGS.



OPERATION
ROEL
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