Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

March 16, 2017

MERLE BLOOD 13555 N SCOTT RD GARDEN CITY KS 67846

RE: Change the Place of Use, File Nos 13851, 16757, 30544

Dear Mr. Blood;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

An acceptable water flow meter was required to be installed on the diversion works by earlier requirement of the Chief Engineer. These water flow meters shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures C: GMD3

## CERTIFICATE OF SERVICE

On this 18 day of March 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 13851, 16757, 30544 dated March 16, 2017, was mailed postage prepaid, first class, US mail to the following:

MERLE BLOOD 13555 N SCOTT RD GARDEN CITY KS 67846

Copy provided to GMD#3

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 862-6300 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 www.ksda.gov/dwr

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

RECEIVED

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 13851

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# APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

# FILE NO. 13851

MAKE ADDITIONAL COPIES AS NECESSARY

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4. Continued: If this application is for a change in place of use, it is proposed that the place of use be changed to:  Owner of Land NAME: Scott K. Winters  ADDRESS: 6405 SW Evelyn, Portland, OR 97219  NEK NWK SWK SEK NK	0	т		1150	T		T		T	7	T	-	T		T	<b></b>	1	7	1	
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# APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION

# SUPPLEMENTAL SHEET FILE NO.

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14. If the proposed groundwater point of diversion is 500 of fewer le	et from existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently  ☐ Yes ☐ No (If no, all owners must sign this a	
<ul> <li>(b) Will the ownership interest of any owner of the currently are affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this</li> </ul>	uthorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a	substantial damage to property, public health or safety?
If the application proposes a surface water change in point of diversion a change in place of use, the application must be signed by all ow agent (attach notarized statement authorizing representation).	on, a groundwater change in point of diversion greater than 300 feet, ners of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or aff age and the owner, the spouse of the owner, or a duly aut their behalf, in regard to the water right(s) to which this contained in this application are true, correct and complet	horized agent of the owner(s) to make this application on application pertains. I further verify that the statements te.
Dated at, Kansas,	this 23 day of JAN , 2017.
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Since on I Shade.	,
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Lois M. Sharpe (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)  WAShvustow State of Kansas	(Spouse)  (Spouse)  (Please Print)  (Spouse)  (Please Print)  (MASHIMINITIALITY  In my presence and sworn to before me this 23 day
county of <u>Cealitz</u> ss	Manual Comment
I hereby certify that the foregoing application was signed i	n my presence and sworn to before me this 23 day
	22 1 0 1 1111
2 2 2 4	Marle U Julio
My Commission Expires $7 - 9 - 26/8$ .	1
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, inccurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	, all of the applicable portions of the application form must be completed with e appropriate owners' must be affixed to the application and notarized; and
FEE SCHE	-DUI F
Each application to change the place of use or the point of diversion uporth in the schedule below: Make checks payable to: Kansas Depar	nder this section shall be accompanied by the application fee set tment of Agriculture
<ul> <li>(1) Application to change a point of diversion 300 feet or less</li> <li>(2) Application to change a point of diversion more than 300 feet or less</li> <li>(3) Application to change the place of use</li></ul>	feet

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

A change application was received on <u>FERKUARY 9, ZOIO</u> requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable ☐ Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_\_ foot radius of the authorized point(s) of diversion. 

Applicable feet from the previously The point(s) of diversion authorized herein shall not actually be located more than \_ Not Applicable authorized point(s) of diversion. ☐ Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance Not Applicable with K.A.R. 5-6-13. ☐ Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 , or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20\_ authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Not Applicable Applicable ☐ Applicable ☑ Not Applicable The completed well log shall be submitted with the required notice. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable ^\d\No Additional Conditions are attached. ☐ Yes 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the SUMMARY ORDER ISSUED Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612, within 15 days after the date shown on the Certificate of Service attached hereto. If a Duly Authorized Designee of the Chief Engineer MAKENY (Print Name): TUOMAS hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. Date of Issuance: M For Use by Register of Deeds State of Kansas SS Acknowledged before me on Notary Pub STORY OF KEVIN L. SALTER 45305 My Appointment Expires PESAC November 2, 2017 rikis. My commission expires:

File No. 1385/

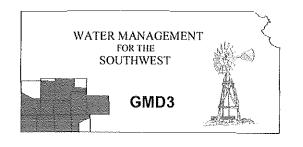
(Notary Seal)

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	rom existing point of diversion, complete the following:
<ul> <li>(a) Does the undersigned represent all owners of the currently auth</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If no, all owners must sign this appliance)</li> </ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoraffected if this application is approved as requested?</li> <li>Yes</li> <li>No</li> <li>If yes, all owners must sign this app</li> </ul>	,
(c) If this application is not approved expeditiously, will there be sut	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (altach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, sof the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regard to the water right(s) to which this appropriate true, correct and complete.  Dated at TONA  Kansas, this	ized agent of the owner(s) to make this application on
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(Owner)	(Spouse)
DAVID WINTERS	(Opodase)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of <del>Kansas</del>	
County of Marilopa SS	
I hereby certify that the foregoing application was signed in n of	ny presence and sworn to before me this day
My Commission Expires 2.18.20	Dusko Kleut Notary Public Martopa Courny, Arizona My Comm. Expires 02-10-20
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information: maps, if necessary, must be included; signatures of all the application and the properties of the pro	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
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Each application to change the place of use or the point of diversion under orth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less	nt of Agriculture
<ul><li>(2) Application to change a point of diversion more than 300 feet.</li><li>(3) Application to change the place of use</li></ul>	\$200 \$200 \$200
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(a) Does the undersigned represent all owners of the currently ☐ Yes ☐ No (If no, all owners must sign this	authorized place(s) of use identified in this application?
<ul> <li>(b) Will the ownership interest of any owner of the currently a affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this</li> </ul>	authorized place(s) of use identified in this application be adversely application.)
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their behalf, in regard to the water right(s) to which this contained in this application are true, correct and comple	ffirmation and under penalty of perjury, that I am of lawfu thorized agent of the owner(s) to make this application on application pertains. I further verify that the statements te.
Hansas,	this 26th day of January , 2017.
(Owner)	Wide Many
Scot Winters	- MICHAEL TCHONG
(Please Print)	(Please Print)
(Owner)	(Spouse)
/	
(Please Print)	(Please Print)
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	y ,
(Please Print)	(Please Print)
State of Karisas 9 SS  County of Was hinaton SS	
I hereby certify that the foregoing application was rejoined to	CIAL SEAL 2/12
NOTARY PL	JELIO - OREGON
MY COMMISSION EXPIRE	ON NO. 942068 ES ALIGHST 81, 2019 Notary Public
My Commission Expires 8/31/2019.	·
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	all of the applicable portions of the application form must be completed with e appropriate owners' must be affixed to the application and notarized; and
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# Southwest Kansas Groundwater Management District

**2009 E. Spruce Street Garden City, Kansas 67846-6158**(620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

January 5, 2017

Mike Meyer Kansas Department of Agriculture Division of Water Resources 2508 Johns Street Garden City, KS 67846

RECEIVED

FEB 0 9 2017

Garden City Field Office Division of Water Resources

RE: Application for Change In Place Of Use

Water Right Files: 13851, 16757 & 30554

Dear Mike,

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District. The changes in place of use are to create a complete overlap of irrigated acres in accordance with K.A.R. 5-5-11(b)(1). It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions please don't hesitate to contact us.

Sincerely,

Jason L. Norquest

Asst. Manager