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

May 9, 2017

RYAN KARL & KEYLA RAE MAYESKE 497 ROAD T LAKIN KS 67860

RE: Change the Place of Use, File Nos 14286D1 & 14286D2

Dear Mr. & Mrs. Mayeske;

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 /O day of May 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 14286D1 & 14286D2 dated May 9, 2017, was mailed postage prepaid, first class, US mail to the following:

RYAN KARL & KEYLA RAE MAYESKE 497 ROAD T LAKIN KS 67860

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) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

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



#### STATE OF KANSAS

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.

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				upstream fro	m your prop	erty lines.			

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

# FILE NO. <u>14286 D1</u>

MAKE ADDITIONAL COPIES AS NECESSARY

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DWR 1-121-2 (Rev. 01/23/2008)

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

FILE NO.

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Authorized Rate (full forward): Computer ID No. GPS feet North feet West)    This point will not be changed   This point will be changed as follows:	in Co	ounty, Kansas, feet North	feet West of Sout	heast corner of section.
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Presently authorized point of diversion:  One in the Quarter of Section, Township South, Range (EW), in County, Kansas, feet North feet West of Southeast corner of section.  Authorized Rate Authorized Quantity Depth of well (feet)  (DWR use only: Computer ID No GPS feet North feet West)  This point will not be changed This point will be changed as follows:  Proposed point of diversion: (Complete only if change is requested)  One in the Quarter of the	Proposed Rate	Proposed Quantity	Proposed well depth (fee	et)
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One in theQuarter of theQuarter of theQuarter of theQuarter of Section, TownshipSouth, Range(E/W), InCounty, Kansas,feet Northfeet West of Southeast corner of section.  Authorized RateAuthorized QuantityDepth of well(feet)  (DWR use only: Computer ID NoGPSfeet Northfeet West)  This point will not be changedThis point will be changed as follows:  Proposed point of diversion: (Complete only if change is requested)  One in theQuarter of the	Land Annual Control of the Control o			
of Section, Township	Presently authorized point of	diversion:		
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in County, Kansas, feet North feet West of Southeast corner of section.  Proposed Rate Proposed Quantity Proposed well depth (feet)  This point is:  Additional Well Geo Center List other water rights that will use this point	of Section	Township	South, Range	(F/W)
Proposed Rate Proposed Quantity Proposed well depth (feet)  This point is: Additional Well Geo Center List other water rights that will use this point	in Co	unty Kansas feet North	feet West of South	heast corner of section
This point is:  Additional Well Geo Center List other water rights that will use this point	Proposed Rate	Proposed Quantity	Proposed well denth (fee	et)
THE DOWN IN THE COMPONENT YOU IN COUNTY TO COUNTY ON THE COUNTY HE COUNTY THE COUNTY OF THE COUNTY O				

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om existing point of diversion, complete the following:
<ul><li>(a) Does the undersigned represent all owners of the currently aution</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners must sign this application)</li></ul>	norized place(s) of use identified in this application?
<ul> <li>(b) Will the ownership interest of any owner of the currently author</li> <li>affected 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 sul ☐ Yes ☐ No (If no, all owners must sign this appli	ostantial damage to property, public health or safety? cation.)
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 (attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet s of 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 appropriation are true, correct and complete.  Dated at   OKIONOWA, KARSAS, this	ized agent of the owner(s) to make this application or dication pertains. I further verify that the statements
Mont Dals-Wackel (Owner)	Dians D. Wedel
(Owner)  Mark Date Wedel  (Please Print)	Blatte G. Wedel. (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
OKTALONA (Please Print) State of Kansas County of Myon SS	(Please Print) IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII
hereby certify that the foregoing application was signed in my	presence and sworn to before positions day of
<u>,</u>	MCCOSCO TO THE MENTILLIAND
My Commission Expires $8/14/20$ .	Notary Publication
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ent of Agriculture

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 14286 Dt. A change application was received on MARCU 27, 2017 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 2. on the topographic map accompanying the application to change the place of use. ☐ 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 Not Applicable radius of the authorized point(s) of diversion. ☐ Applicable The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_ feet from the previously Applicable authorized point(s) of diversion. 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 ☐ Applicable with K.A.R. 5-6-13. 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. Applicable 7. 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. ☐ Applicable Not Applicable The completed well log shall be submitted with the required notice. ☐ Applicable ∑tNot Applicable 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 No. 10. 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 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown YYY ARGOLIS (Print Name): 140MAS Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on ENMARA Signature: Ores 646414 December 15, 2018 My Appointment Expires

**PARTIE JONES** 

(Notary Seal)

My commission expires:

14. If the proposed groundwater point of diversion is 300 or fewer feet	rom existing point of diversion, complete the following:
<ul><li>(a) Does the undersigned represent all owners of the currently aut</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners must sign this app</li></ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this approved as requested?)</li> </ul>	
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this app	
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I hereby verify, being first duly sworn upon my oath or affirr age and the owner, the spouse of the owner, or a duly autho their behalf, in regard to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at Man Alan Cit Kansas this	s 27th day of March, 20 17.  * Kayla Wareh , 20 17.  (Spouse)
Dated at <u>Manden City</u> , Kansas, this	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
* hyperthe (Owner)	* Kerla Marjake
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas )	
County of SS	46
I hereby certify that the foregoing application was signed in m	y presence and sworn to before me this $27$ day of
JULIE JONES	
Posto My Appointment Expires December 15, 2018	Notary Public
My Commission Expires	() (Noteing / dibito
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.	
FEE SCHEDU	II E
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