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 27, 2017

GARETSON BROTHERS 2394 120TH RD COPELAND KS 67837

RE: Application to Change the Place of Use File Nos. 7942, 14643, 19542, 21985

Dear Mr. Garetson:

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.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report (including the meter reading at the beginning and end of the report year).

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 GMD#3

#### CERTIFICATE OF SERVICE

On this 27th day of March 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right 7942, 14643, 19542, 21985 dated March 27, 2017, was provided to the following:

GARETSON BROTHERS 2394 120TH RD COPELAND KS 67837

Copy provided to GMD3

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

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.

|             |   |                    |          |        |                               |              | VI 1000                                      | 10 10 01              | , ,,,,,            | , ,,, Q           | 55 51      |                                   | F                                       |                 |  |                    |  |                      |  |
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|             |   |                    |          |        |                               |              | File N                                       | o. <u>146</u>         | 43                 |                   |            | Î                                 | .,                                      |                 |  |                    |  |                      | ,  |
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| 1.          | Applicat  | ion is h           | ereby    | made   | for app                       |              |  |                       | ngine              |                   |            | 1                                 |   |                 | both):                                       |                    |  |                      |  |
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|             | under th  |                    |          |        | is the                        | subjec       | t of this                                    | s appli               | cation             |                   | 1          | 1                                 |   | nditio          | ns des                                       | cribed             | below.                                 | 4                    |  |
| •           | The sou   | rce of s           | supply   | is:    |                               | $\boxtimes$  | Ground                                       | dwater                |                    |                   | Surf       | ace wa                            | ter                                     |                 |  |                    |  |                      |  |
|             |   | الدفاء فاست        |          |        | 4-                            | ID () A      | ¬r=+0.0                                      | SKLENA                | INO T              | DUCT              |            | ļ                                 |   |                 |  |                    |  |                      |  |
|             | Name a  |                    |          |        | -                             |              |  | DIA FIA               | ING I              | <u> </u>          | <u> </u>   | .i                                |   |                 |  |                    |  |                      |  |
| _           | RR1 BOX 55A, COPELAND, KS 67837  Phone Number: ( ) Email address: |                    |          |        |                               |              |  |                       |                    |                   |            |                                   |   |                 |  |                    |  |                      |  |
|             | Vame a  |                    |          |        | r Use (                       | Corres       | <br>ponder                                   | nt: <u>JR</u>         | GARE               | TSON              | 11         | j.                                |   |                 |  |                    |  |                      |  |
| 2           | 2394 12   | о <sup>тн</sup> RO | AD, C    | OPEL   | AND, K                        | (S 67        | 837  |                       |                    |                   | !          | 1                                 |   |                 |  |                    |  | -                    |  |
|             | Phone N   |                    |          | _)     |                               |              |  |                       | Email              | addre             | ss:        | 1.                                |   |                 |  |                    |  | 80E0                 |  |
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| ,           |   |                    |          |        | 2394                          |              |  | _                     |                    |                   |            | 37<br>1                           |   |                 |  |                    |  |                      |  |
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| _           | _   | _                  |          | 1      | E¼                            | T            |  |                       | V%                 | T                 | ,,,,,      | 1                                 | N%                                      | [               |  | 1                  | 51474                                  |                      | TOTAL<br>ACRES   |
| Sec.        | Twp.<br>27  | Range<br>31 W      | NE%      | NAAN   | SW%                           | SE1/4        | NEW  | NW74                  | 5W%                | SE%               | NE%        | NW%                               | SW%                                     | SE1/4           | NE1/4<br>30                                  | 10 NW%             | 5W%<br>40                              | SE% 31               | 142  |
| 35<br>1     | 28  | 31 W               | }        | 1      |                               | <del> </del> | 27.00  | 28.72                 | 40                 | 40                | 40         | 40                                | 40                                      | 40              | 30   | 1 40               | ***                                    | 31                   | 305.81   |
| umanna<br>J |   | 31 44              | <b></b>  |        |                               | -            | 31,03  | 20.12                 | 70                 | <del></del>       | 40         | 1                                 |   | 70              |  |                    | ////////////////////////////////////// |                      | 303,01   |
|             |   |                    | <u> </u> | J      | <u> </u>                      | <u> </u>     | <u>                                     </u> | <u> </u>              |                    | <u> </u>          | l <u> </u> | <u>1</u>                          | <u> </u>                                | <u> </u>        | <u>                                     </u> | 1                  |  |                      |  |
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| C           | owner o   | f Land -           | N/       | AME:   | JR GA                         | RETS         | ON LI  | VING 1                | RUST               | _                 |            |                                   | *************************************** |                 |  |                    |  |                      |  |
|             |   |                    | ADDRI    | ESS:   | 2394 1                        | 20TH         | ROAD   | , COP                 | ELAN               | <u>D, KS</u>      | 6783       | 7                                 |   |                 |  |                    |  |                      |  |
| (1          | f there is  | more th            | an one   | landov | vner, at                      | tach su      | ppieme                                       | ntal sh               | eets as            | neces             | sary.)     |                                   |   |                 |  |                    |  |                      |  |
|             |   |                    |          | NE     | <u> </u>                      |              |  | NV                    | r <sub>/4</sub>    |                   |            | sv                                | ٧%                                      |                 |  |                    | у.                                     |                      | TOTAL  |
| Sec.        | Twp.  | Range              | NE%      | NW%    | SW14                          | \$E%         | NE%  | NW14                  | SW1/4              | \$E%              | NE%        | NW1/4                             | SW%                                     | SE%             | NE%  | NWX                | SW%                                    | SE%                  | ACRES  |
| 35          | 27  | 31 W               |          |        |                               |              |  | ···                   |                    |                   |            |                                   |   |                 | 30   | 30                 | 30                                     | 30                   | 120  |
| 1           | 28  | 31W                |          |        |                               |              | 37   | 13                    | 37                 | 40                | 40         | 40                                | 40                                      | 40              |  |                    |  |                      | 287  |
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| iensile     | <u> </u>  |                    |          |        | <del>Vializanaan)4-&gt;</del> |              |  |                       |                    |                   |            | Receipt Date 2/15/17 Check # 8647 |   |                 |  |                    |  |                      |  |
| F           | or Offic  | e Use              | Only:    | Code   |                               | Fe           | e \$_Z                                       | 0U                    | _ TR               | #                 |            | Re                                | ceipt i                                 | Date_           | 2/19   | 5/17               | Check                                  | (# <u>\&amp;</u>     | 342  |

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File No. 14643

DWR 1-121 (Revised 01/05/2010)

Page 1

Rames City Field Office Earner of yetter Resources

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

## FILE NO. <u>14643</u> MAKE ADDITIONAL COPIES AS NECESSARY

|  | ontinue<br>wner o | f Land - | N/   |          |          |   |  | se is:       |          |          |  |                 |             |  |          |          |          |  |  |
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|  |                   |          |  | N8       | Ξ¼       |   | NW¼  |              |          | SW1/4    |  |                 |             | SE¼  |          |          |          | TOTAL  |  |
| Sec.   | Two.              | Range    | NE%  |          | T        | SE¼                                     | NE¼  | 1            | 1        | SE¼      | NE%  | 1               | SW1/4       | SE¼  | NEX      | NW14     | SW1/4    | SE¼  | ACRES  |
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|  | •                 |          |  | NE       | NE¼      |   | NWX  |              |          | SW¼      |  |                 | SE¼         |  |          |          | TOTAL    |  |  |
| Sec.   | Two.              | Range    | NE¼  | NW%      | sw¼      | SE%                                     | NE1/4  | NW14         | SW1/4    | SE%      | NE%  | NW14            | sw¼         | SE1/4  | NE%      | NW14     | SW1/4    | SE¼  | ACRES  |
|  |                   | -        |  |          |          |   |  |              |          |          |  |                 |             |  |          |          |          |  |  |
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|  |                   |          |  |          |          |   |  |              |          |          |  |                 | 17          |  |          |          |          |  |  |
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| Con  | Turn              | Panao    | NE¼  | 1        | SW1/4    | SE14                                    | NE¼  |              |          | SE¼      | NE¼  | 1               | SW1/4       | SE14   | NE¼      | T        | sw¼      | SE¼  | ACRES  |
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| 35   | 27                | 31W      | 30   | 30       | 30       | 30                                      | 30   | 30           | 30       | 30       | <b> </b>                                     |                 |             |  |          |          |          | $\vdash$   | 240  |
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| 1  | 28                | 31W      | <b> </b>                                     |          |          |   | 37.09  | 28.72        | 40       | 40       | 40   | 40              | 40          | 40   | <u> </u> |          |          |  | 305.81   |
| harmon de la constante de la c |                   |          | <b> </b>                                     |          |          |   |  |              |          |          | <u> </u>                                     |                 |             |  | <u> </u> |          |          |  | ·  |
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|  | wner o            | fland    | N/   | AMF:     | ARI Y    | N GLE                                   | NN &   | CARO         | LE RU    | ITH CO   | ONVER  | RSÉ             |             |  |          |          |          |  |  |
| Ŭ  | **********        |          |  | ESS:     |          |   |  |              |          |          |  |                 |             |  |          |          |          |  |  |
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|  |                   | _        | <b>.</b>                                     | Г .      | <u> </u> |   |  | T            | V¼       |          | <u></u>                                      | 1               | V¼          |  |          | 1        | =1/4     | 65   | TOTAL<br>ACRES   |
| Sec.   | Twp.              | Range    | 1  |          |          | SE¼                                     | NE1/4  | NW¼          | SW1/4    | SE1/4    | NE¼  | NW1/4           | SW1/4       | SE¼  | NE%      | NW1/4    | SW1/4    | SE¼  |  |
| 2  | 28                | 31W      | 38.67  |          | 40       | 40                                      | ļ  |              | <u> </u> |          | <u> </u>                                     |                 | -           |  | <b> </b> |          |          | $\vdash \vdash \vdash$   | 157.59   |
|  |                   |          | 4-1  | 4-2      | <u> </u> | <b></b>                                 | <u> </u>                                     |              | <u> </u> |          |  |                 | <u> </u>    |  | <b> </b> | <b></b>  |          |  |  |
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DWR 1-121-2 (Rev. 01/23/2008)

File No. 14643

| One in the Quarter of the Quarter of the of Section, Township South, Range   |  |
|--|--|
| of Section, Township South, Range  | Quarter  |
|  | W.   |
| in County, Kansas, feet North feet West  | of Southeast corner of section   |
| Authorized Rate Authorized Quantity Depth of well (DWR use only: Computer ID No. GPS feet North  | /foot\   |
| (DWR use only: Computer ID No. GPS feet North  | foot Woot)   |
| ☐ This point will not be changed ☐ This point will be changed as follows:  | ICCI HESLY   |
| Proposed point of diversion: (Complete only if change is requested)  |  |
|  |  |
| One in the Quarter of the Quarter of the of Section, Township South, Range   | Quarter Quarter  |
| of Section, Township South, Range  | W,   |
| in County, Kansas, feet North feet West  | of Southeast corner of section.  |
| Proposed Rate Proposed Quantity Proposed well dep  | th (feet)  |
| This point is: Additional Well Geo Center List other water rights that will use this po  | int  |
| P  |  |
| 6. Presently authorized point of diversion:  |  |
| One in the Quarter of the Quarter of the   | Quarter  |
| of Section, Township South, Range _  |  |
| of Section, Township South, Range inCounty, Kansas, feet North feet West of  | of Southeast comer of section.   |
| Authorized Rate Authorized Quantity Depth of well  | (feet)   |
| (DWR use only: Computer ID No. 6 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)  | 1  |
| One in the Quarter of the Quarter of the   | Quarter  |
| of Section, TownshipSouth, Range   | - Quarter  |
| in County, Kansas, feet North feet West c  | f Southeast comer of section   |
| Proposed Rate Proposed Quantity Proposed well dept   | h (feet)   |
| This point is: Additional Well Geo Center List other water rights that will use this pol   | nt (rect)  |
|  | THE COLUMN TWO COLUMN  |
| 7. Why do you need a new point of diversion? 13a. If the proposed point of diversion   | ersion will be relocated within 100  |
| . feet of the existing point of  | diversion indicate its location on   |
| IPLEASE NOTE: The "X   | n to the existing point of diversion. "In center of diagram below  |
| represents presently author  | orized point of diversion.)  |
| N  | orth   |
| 8. If a well, is the test hole log attached? Yes No 100 50   | D 50 100   |
|  | <del>+                                      </del>   |
| 9. When do you propose to complete the new point of  | <u> </u>   |
| diversion?   | <del>-</del> l <sub>50</sub>   |
|  | _ + - 150  |
| 40. If the protect of alternation to a continu   |  |
| 10. If the point of diversion is a well:   |  |
| VVESLU → [ 1   1   1   1   1   1   1   1   1   1   | (  |
| (a) What are you going to do with the old well?  | (  |
| (a) What are you going to do with the old well?  |  |
| (a) What are you going to do with the old well?  | KIIIIIIII—O East   |
| (a) What are you going to do with the old well?  |  |
| (a) what are you going to do with the old well?  |  |
| (b) When will this be done?  | + - 50   |
| (b) When will this be done?  11. Groundwater Management District recommendation  | 50 100   |
| (b) When will this be done?  11. Groundwater Management District recommendation  attached? Tyes TNo  | + - 50<br>- + - 1  |
| (b) When will this be done?  11. Groundwater Management District recommendation attached? Yes No  12. Assistad by  13b. If the proposed point of diver   | + 50<br>1 50 100<br>uth<br>1 = 100'<br>sion will be relocated more than  |
| (b) When will this be done?  11. Groundwater Management District recommendation attached? Yes No  12. Assisted by 13b. If the proposed point of diversity 100 feet but within 1320 to 100 feet but wit | 50 100  uth f'= 100' sion will be relocated more than eet from the existing point of   |
| (b) When will this be done?  11. Groundwater Management District recommendation attached? Yes No  12. Assisted by  13b. If the proposed point of diversion, attach a topographic for groundwater sources, she for groundwater sources. So for groundwater sources, she for groundwater sources.  | 50 100  uth 1'= 100' sion will be relocated more than eet from the existing point of ohic map or aerial photograph. ow all wells (including domestic)  |
| (b) When will this be done?  11. Groundwater Management District recommendation attached? Yes No  12. Assisted by  13b. If the proposed point of diversion, attach a topograph of groundwater sources, should within one-half mile of the proposed within one-half mile of the proposed within one-half mile of the proposed within one-half mile of the proposed.   | the state of the s |
| (b) When will this be done?  11. Groundwater Management District recommendation attached? Yes No  12. Assisted by  13b. If the proposed point of diver 100 feet but within 1320 to diversion, attach a topograph For groundwater sources, she within one-half mile of the propagate and mailing address.   | 50 100  uth 1'= 100' sion will be relocated more than eet from the existing point of ohic map or aerial photograph. ow all wells (including domestic)  |

File No. 146 47

| 14. If the proposed groundwater point of diversion is 300   | of lewer leet from existing point of diversion, complete the following:   |
|---|---|
|   | ne currently authorized place(s) of use identified in this application?<br>st sign this application.)   |
| affected if this application is approved as reques  | currently authorized place(s) of use identified in this application be adversely sted?  ust sign this application.)   |
| (c) If this application is not approved expeditiously, ☐ Yes ☐ No (If no, all owners mus  | will there be substantial damage to property, public health or safety?<br>st sign this application.)  |
| If the application proposes a surface water change in poir or a change in place of use, the application must be signed agent (attach notarized statement authorizing representation). | nt of diversion, a groundwater change in point of diversion greater than 300 feet<br>ed by all owners of the currently authorized place of use, or their duly authorized<br>iion).  |
| age and the owner, the spouse of the owner, or a  | oath or affirmation and under penalty of perjury, that I am of lawful<br>a duly authorized agent of the owner(s) to make this application on<br>hich this application pertains. I further verify that the statements<br>d complete. |
| Dated at Sullette   | , Kansas, this 21 day of March , 20/3   |
| Laceton buther by Janin Jacker po   | estrer  |
| (Gvyxer)  | (Spouse)  |
| Garetson Brothers by Jarus Garetson, p  | Narlner   |
| - 23 10   | (Please Print)  |
| Martha Harotsone<br>(Owner)   | (Spouse)  |
| Martha Garetson (Please Print)  |   |
| - \\ 1  | (Please Print)  |
| James R. Harotton Jest, True<br>(Owner)   | at  |
|   | · · · ·   |
| James Ro Garetson Test. Trus<br>(Please Print)  | (Please Print)  |
| State of Kansas  County of // As ke// SS  |   |
|   | signed in my presence and sworn to before me this $\frac{21}{2}$ day of   |
|   | CLETE COOK  |
| My Commission Expires 16-27-13.   | CLETE COOK  Notary Public State of Kansas  My Appt. Expires 10 - 27 - 11  |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To B  | be complete, all of the applicable portions of the application form must be completed with  |
| accurate information; maps, if necessary, must be included; signat<br>the appropriate fee must be paid.   | ures of all the appropriate owners' must be affixed to the application and notarized; and   |
| •   | FEE SCHEDULE  |
| forth in the schedule below: Make checks payable to: Kan  |   |
| (2) Application to change a point of diversion more   | feet or less  |
|   | RECEIVED  |
|   | A New   |
| •   | GER 1 6 2017  |

| 14. If the proposed groundwater point of divers  | sion is 300 or fewer feet from   | existing point of diversion, complete the   | - 6-D  |
|--|--|---|--|
| (a) Does the undersigned represent all ow  | vners of the currently authori<br>wners must sign this applicat  | zed place(s) of use identified in this ap-  | e following:<br>plication?                     |
| (b) Will the ownership interest of any own<br>affected if this application is approved.  | ner of the currently authorize   | ed place(s) of use identified in this app   | lication be adversely                          |
| (c) If this application is not approved expense.   |  | otial damage to property, public hoolth   | or safety?                                     |
| If the application proposes a surface water chan or a change in place of use, the application mus agent (attach notarized statement authorizing re   | ge in point of diversion, a great  | ation the section of | greater than 300 fee<br>r their duly authorize |
| I hereby verify, being first duly sworn up age and the owner, the spouse of the ow their behalf, in regard to the water right(contained in this application are true, cor  | (s) to which this applicated and complete.   | t agent of the owner(s) to make the title of the control of the the title of the control of the title of the control of the title of the control of the title of |  |
| Daled, at Complete Co | Kansas, this 3   | of the day of March   | , 20_13  |
| MC (Owner)   | in the state of th | Debration   |  |
| ARIVA (S. C. S. ANDACE   |  | (Spouse)  |  |
| (Please Print)   |  | Debra B. Cour<br>(Please Print)   | ers-e_   |
|  |  |   |  |
| (Owner)  |  | (Spouse)  | <del></del>                                    |
| (Please Print)   |  | (Please Print)  |  |
| (Owner)  |  | (Spouse)  |  |
| (Please Print)   |  | (Please Print)  |  |
| State of Kansas  |  | (Fledae Frink)  |  |
| County of Johnson SS   |  |   |  |
| I hereby certify that the foregoing application, 20 / 3.  NOTARY PUBLIC - State of DAVID F. VIEBRO My Appt. Expires / 2.   | f Kansas   | and sworn to before me this  William  Notary Public   | 30 <u>4</u> day of                             |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSE accurate information; maps, if necessary, must be included the appropriate fee must be paid.   | D. To be complete, all of the ap<br>; signatures of all the appropriat   | oplicable portions of the application form mus<br>e owners' must be affixed to the application  | st be completed with and notarized; and        |
| Each application to change the place of use or the port forth in the schedule below: Make checks payable to (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use   | n 300 feet or less   | gricuiture  | \$100  |
|  |  | FEB 1 5 2017  |  |
| DWR 1-121 (Revised 01/05/2010)   | Page 3   | Gardos Covilises Office  Division of the Paragraph N  | 14,643<br>10. <u>19547</u>                     |
|  | •  |   |  |

| 14. If the proposed groundwater point of diversion is 300 or f  | fewer feet fr                        | om existin               | g point of dive                   | rsion, complete                     | the following:   |
|---|--------------------------------------|--------------------------|-----------------------------------|-------------------------------------|--|
| (a) Does the undersigned represent all owners of the cu<br>☐ Yes ☐ No (If no, all owners must sign  |                                      |                          | ce(s) of use id                   | entified in this a                  | application?   |
| <ul> <li>(b) Will the ownership interest of any owner of the cum<br/>affected if this application is approved as requested</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must seem of the cum</li> </ul>  | ?                                    |                          | e(s) of use ide                   | ntified in this a                   | pplication be adversely                                  |
| (c) If this application is not approved expeditiously, will ☐ Yes ☐ No (If no, all owners must sig  | there be sub<br>gn this appli        | ostanțial da<br>catlon.) | amage to prop                     | erty, public hea                    | lth or safety?   |
| If the application proposes a surface water change in point of or a change in place of use, the application must be signed be agent (attach notarized statement authorizing representation)   | y all owners                         | a groundwa<br>of the cur | ater change in<br>rently authoriz | point of diversi<br>ed place of use | on greater than 300 feet,<br>e, or their duly authorized |
| I hereby verify, being first duly sworn upon my oatl age and the owner, the spouse of the owner, or a ditheir behalf, in regard to the water right(s) to whic contained in this application are true, correct and contained in this application are true.                               | uly author<br>h this app<br>omplete. | ized age<br>dication     | nt of the ow<br>pertains. I       | ner(s) to mak<br>further verify     | te this application on<br>that the statements            |
| Dated at <u>Great Bend</u> , K  | (ansas, this                         | 1111                     | _ day of                          | Allem                               | 20//   |
| X Carole Ruth Converse  | •                                    | $\times$                 |                                   |                                     |  |
| X Carple Rith Converse<br>Owner)<br>arole Right Converse  |                                      | !                        |                                   | (Spouse)                            |  |
| (Please Print)  |                                      | :                        | (                                 | Please Print)                       |  |
| (Owner)   |                                      | <del></del>              |                                   | (Spouse)                            |  |
| (Please Print)  |                                      |                          | (                                 | Please Print)                       |  |
| (Owner)   |                                      | :                        |                                   | (Spouse)                            |  |
| (Please Print)  | <del>_</del>                         |                          | (                                 | Please Print)                       | -  |
| State of Kansas  County of Salts SS   | 品自 ST                                | ACY B. PO                | State of Kansas<br>LKINGHORNE     |                                     | <b>\</b>   |
| I hereby certify that the foregoing application was stg   | ned in my                            | presence                 | and swom                          | to before me                        | this day of  |
| My Commission Expires   | 0                                    | MAGA                     | repor                             | lotary Public                       |  |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be c   |                                      |                          |                                   |                                     |  |
| accurate information; maps, if necessary, must be included; signatures<br>the appropriate fee must be pald.   | s of all the ap                      | propriate ov             | mers' must be a                   | ffixed to the appli                 | ication and notarized; and                               |
| <u>ee</u> .   | E SCHEDU                             | <u>LE</u> i              |                                   |                                     |  |
| Each application to change the place of use or the point of diversity in the schedule below: Make checks payable to: Kansas (1) Application to change a point of diversion 300 feet (2) Application to change a point of diversion more that (3) Application to change the place of use | s Departme<br>or less<br>an 300 feet | nt of Agri               | culture                           |                                     | \$100<br>\$200   |
|   |                                      | ·                        | EB 1 4 20                         | 17                                  |  |
| DWR 1-121 (Revised 01/05/2010)  | Page 3                               | :<br>Ger                 | t a Chymeld<br>V lety (1988)      | Office<br>produces                  | File No. <u>146 43</u>                                   |

### 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. 14643 A change application was received on <u>February 15, 2017</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application. 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. ☐ 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 \_ radius of the authorized point(s) of diversion. 

Applicable Not Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion. ☐ Applicable Not 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 ☐ 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, 2017, 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. 5-5e, 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 Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. By March 1, 2018 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 The completed well log shall be submitted with the required notice. ☐ Applicable Not 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 10. Additional Conditions are attached. ⊠ No ☐ 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. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY 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 Kansas Department of Agriculture. Any request for a hearing must be filled 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 SUMMARY ORDER ISSUED 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 15<sup>th</sup> day after the date shown (Print Name): Thomas P Makens Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: MARCU 17 For Use by Register of Deeds State of Kansas SS Acknowledged before me on \_\_\_\_\_\_\_\_\_ by Thomas P Makens Signature: Notary Public 公開 ※ SUE KEENY NOTARY . My Appointment Expires June 8, 2018 My commission expire: (Notary Seal)

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File No. \_

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