

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**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**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

WATER RESOURCES
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APR 10 2017

12:41
KS DEPT OF AGRICULTURE

File No. 16666

2. Name of applicant: Long Living Trust – Lewis T. Long and Diana K. Long

Address: 501 West L St., Leoti, KS 67861

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: NO CHANGE

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO EXPAND THE PLACE OF USE WITHIN THE GUIDELINES OF KAR 5-5-11, AND ASK FOR A
FIVE YEAR ALLOCATION

The change(s) (was) (will be) completed by 2017

(Date)

For Office Use Only:														
F.O.	<u>4</u>	GMD	<u>1</u>	Meets K.A.R. 5-5-1 (YES/NO)	Use	<u>IRR</u>	Source	<u>G</u>	County	<u>WHT</u>	By	<u>ABW</u>	Date	<u>4/10/17</u>
Code	<u>CPU</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>4/10/17</u>	Check #	<u>0367</u>					

4/13/2017 UM

4. The presently authorized place of use is:

Owner of Land — NAME: LONG LIVING TRUST

ADDRESS: 501 W L ST, LEOTI KS 67861-9415

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
17	17	35W																	40				40	80

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						

List any other water rights that cover this place of use. _____

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

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

Owner of Land — NAME: LONG LIVING TRUST

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
17	17	35W													40	40	40	40					160

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

List any other water rights that cover this place of use. _____

WATER RESOURCES
RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APR 10 2017

6. The presently authorized point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (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 _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ W,
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
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Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
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 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used.

WATER RESOURCES RECEIVED

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12. The presently authorized use of water is for IRR purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

FOLLOWING KAR 5-5-11(b)(3)(E)(i)
THE FIVE YEAR LIMITED ALLOCATION IS CALCULATED TO BE 565 AF
80 acres = base acres

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (NA c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 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 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

WILL NOT IMPAIR EXISITNG WATER RIGHTS AS WE ARE LIMITING USE

NO CHANGES IN LOCAL SOURCE OF SUPPLY PROPOSED

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

NO PROPOSED WIAVERS REQUESTED OR KNOWN

WATER RESOURCES
RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APR 10 2017

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. 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 separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Leoti, Kansas, this 7th day of APRIL, 20 17.

LONG LIVING TRUST
Ruby David Long TRUSTEE
(Owner)
LONG LIVING TRUST
LEWIS TODD LONG TRUSTEE
(Please Print)

Long Living Trust
Diana Long Trustee
(Spouse)
Long Living Trust
Diana Long, Trustee
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

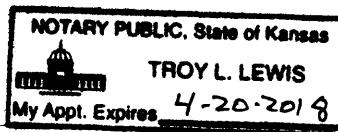
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Wichita } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of April, 20 17.

Troy L Lewis
Notary Public

My Commission Expires 4-20-2018

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

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KS DEPT OF AGRICULTURE

File Number 16,666

K.A.R. 5-5-11

The items listed below have been reviewed with me by the Western Kansas Groundwater Management District No.1 pertaining to the approval of my application to change the place of use authorized under my water right.

1) **Flow Meter Requirement.** I understand that flow meters will have to be installed and maintained on each well covered by this application and that I will have to report these meter readings annually to the DWR on the water use report forms.

2) **Monitoring requirements.** The District, under the monitoring requirement with the Division of Water Resources, will make three visits annually to this farm. Reports of verification of compliance and status reports will be completed by the District and submitted to the Division.

3) **Water requirements.** The District has reviewed the amount of water required to irrigate the acreage proposed under this change application with me. The five-year allocation, if required, has been reviewed with me and I understand the amount of water to which I am limited is 565 acre-feet per five-year period.

4) **Base acres.** The proposed increase in authorized acres for a crop rotation shall be limited to not exceed 80 acres. Under this condition, I understand that I am limited to the approved or certified annual quantity of water under my water right and that the number of acres irrigated any one calendar year, cannot be more than my base acres.

5) **Understanding.** Pursuant to K.A.R. 5-5-11 section 3 (D) ii and 4 (D) ii, the approval of the above stated application shall be conditioned so that the use of water in excess of the five year allocation, or, on more than the maximum number of acres authorized to be irrigated in any one calendar year, shall result in a two-year suspension of all water use under this water right, and a subsequent restriction of the authorized place of use to the base acreage at the following location.

Listing of the reversion acreage, not to exceed the base acres shall include:

E 1/2 of Section 17, Township 17 South, Range 35 West.
(40 acres in NESE) (40 acres in SESE)

A total of 80 acres.

Roy Lewis Trust
Trustee
Signature Roy Lewis TRUSTEE

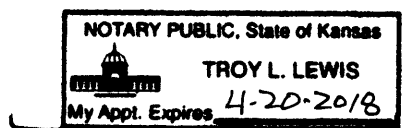
4-7-2017
Date

State of Kansas
County of Wichita

I hereby certify that the foregoing was signed in my presence and sworn before me this 7th day of April, 2017.

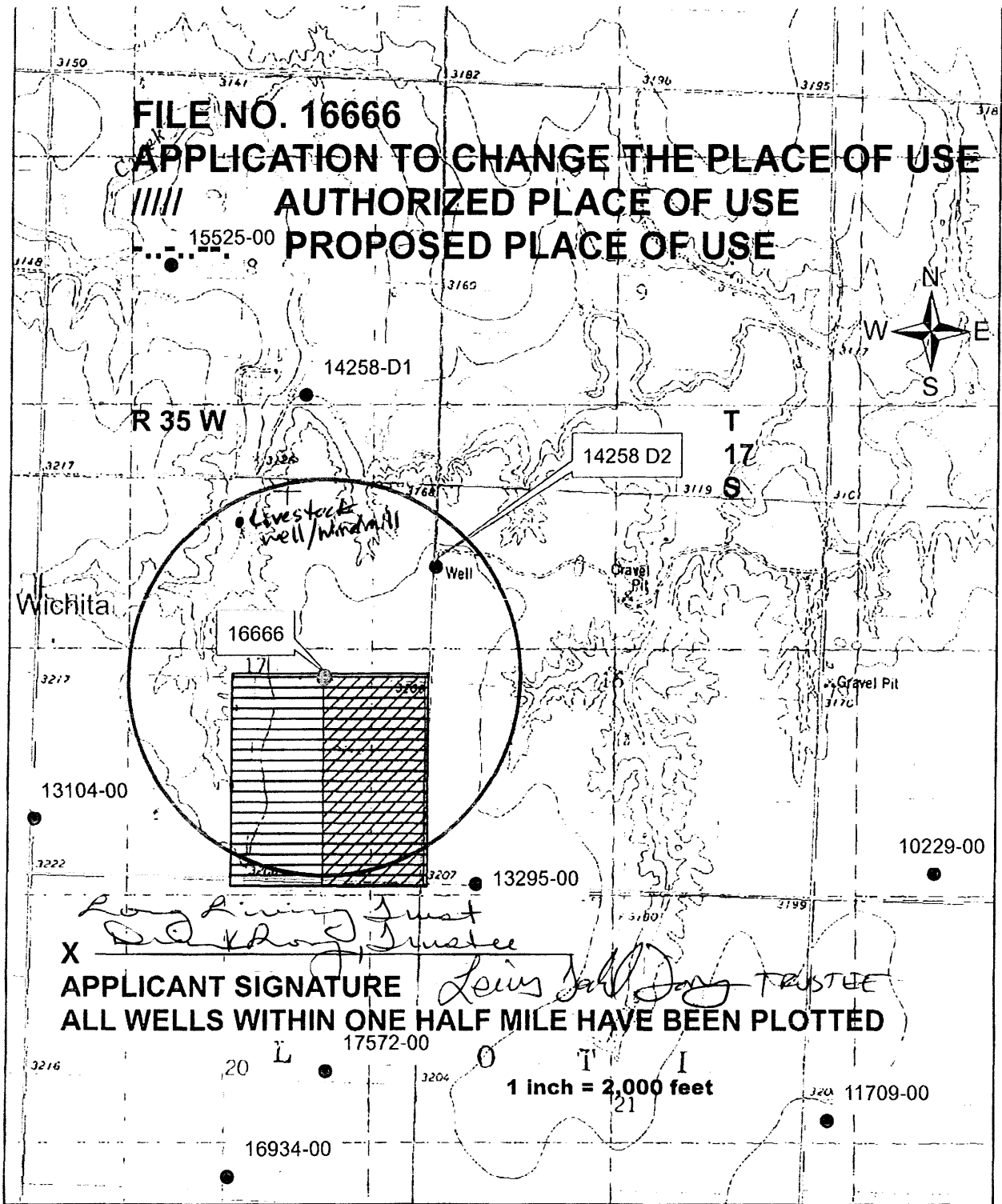
Troy L Lewis
Notary Public

My commission expires 4-20-2018



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Livestock well is owned by same owner as WR # 14258-
 SIMONS FARMS Inc.
 763 North County Road 20
 Mar.enthal, KS 67863

WATER RESOURCES
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APR 10 2017

KS DEPT OF AGRICULTURE

April 7, 2017

Brent Turney, P.G.
Change Application Unit Supervisor
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502-5000

Subject: Application to Change the Place of Use & Wichita County Water Conservation Area Enrollment
Pertaining to File No. 16,666
Long Living Trust, Wichita County

Dear Mr. Turney:

The subject application and associated documentation is submitted on behalf of the owner, Long Living Trust. This application proposes to increase the place of use and establish a 5-year fixed allocation in accordance with the provisions of K.A.R. 5-5-11. This change will allow the approved place of use and the place of use required for efficient operation of the irrigation system to be identical.

Approval of the enclosed change application is required before we can enroll in the Wichita County Water Conservation Area (WCWCA). It is therefore vital that we receive approval prior to this date so that we can finalize the application to the WCWCA. Anything that can be done to speed the approval process would be very much appreciated. Please contact me if you need any additional information to facilitate this process.

Thank you for your consideration of this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Matt Long", is written over a large, hand-drawn oval scribble.

Matt Long - Tenant
620-872-4842

**WATER RESOURCES
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KS DEPT OF AGRICULTURE

cc: Mike Meyer, Water Commissioner, Garden City Field Office, DWR
Lane Letourneau, Water Appropriation Program Manager, DWR

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**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**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

WATER RESOURCES
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APR 10 2017
12:42
KS DEPT OF AGRICULTURE

File No. 16666

2. Name of applicant: Long Living Trust – Lewis T. Long and Diana K. Long

Address: 501 West L St., Leoti, KS 67861

City, State and Zip: _____

Phone Number: (____) _____ E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: NO CHANGE

Address: _____

City, State and Zip: _____

Phone Number: (____) _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO EXPAND THE PLACE OF USE WITHIN THE GUIDELINES OF KAR 5-5-11, AND ASK FOR A
FIVE YEAR ALLOCATION

The change(s) (was) (will be) completed by 2017

(Date)

For Office Use Only:					
F.O. _____	GMD _____	Meets K.A.R. 5-5-1 (YES / NO) Use _____	Source G / S County _____	By _____	Date _____
Code _____	Fee \$ _____	TR # _____	Receipt Date _____	Check # _____	

4. The presently authorized place of use is:

Owner of Land — NAME: LONG LIVING TRUST

ADDRESS: 501 W L ST, LEOTI KS 67861-9415

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
17	17	35W																	40				40	80

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES					
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						

List any other water rights that cover this place of use. _____

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

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

Owner of Land — NAME: LONG LIVING TRUST

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
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17	17	35W																	40	40	40	40	160

List any other water rights that cover this place of use. _____

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
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List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES
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6. The presently authorized point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
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13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

FOLLOWING KAR 5-5-11(b)(3)(E)(i)

THE FIVE YEAR LIMITED ALLOCATION IS CALCULATED TO BE 565 AF

80 acres = base acres

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (NA c.f.s.).

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a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 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 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

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WILL NOT IMPAIR EXISITNG WATER RIGHTS AS WE ARE LIMITING USE

NO CHANGES IN LOCAL SOURCE OF SUPPLY PROPOSED

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

NO PROPOSED WIAVERS REQUESTED OR KNOWN

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The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. 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 separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

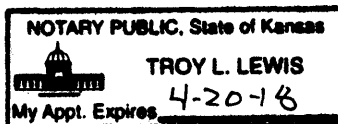
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Leoti, Kansas, this 7th day of APRIL, 20 17.

<u>LONG LIVING TRUST</u> <u>Kevin Dale Long</u> TRUSTEE (Owner) <u>LONG LIVING TRUST</u> <u>LEWIS TODD LONG</u> TRUSTEE (Please Print)	<u>Long Living Trust</u> <u>Dianna Long</u> Trustee (Spouse) <u>Dianna Long</u> Trustee (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Wichita } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of April, 20 17.

Troy L Lewis
Notary Public

My Commission Expires 4-20-2018

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES
RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

File Number 16,666

K.A.R. 5-5-11

The items listed below have been reviewed with me by the Western Kansas Groundwater Management District No.1 pertaining to the approval of my application to change the place of use authorized under my water right.

- 1) **Flow Meter Requirement.** I understand that flow meters will have to be installed and maintained on each well covered by this application and that I will have to report these meter readings annually to the DWR on the water use report forms.
- 2) **Monitoring requirements.** The District, under the monitoring requirement with the Division of Water Resources, will make three visits annually to this farm. Reports of verification of compliance and status reports will be completed by the District and submitted to the Division.
- 3) **Water requirements.** The District has reviewed the amount of water required to irrigate the acreage proposed under this change application with me. The five-year allocation, if required, has been reviewed with me and I understand the amount of water to which I am limited is 567 acre-feet per five-year period.
- 4) **Base acres.** The proposed increase in authorized acres for a crop rotation shall be limited to not exceed 80 acres. Under this condition, I understand that I am limited to the approved or certified annual quantity of water under my water right and that the number of acres irrigated any one calendar year, cannot be more than my base acres.
- 5) **Understanding.** Pursuant to K.A.R. 5-5-11 section 3 (D) ii and 4 (D) ii, the approval of the above stated application shall be conditioned so that the use of water in excess of the five year allocation, or, on more than the maximum number of acres authorized to be irrigated in any one calendar year, shall result in a two-year suspension of all water use under this water right, and a subsequent restriction of the authorized place of use to the base acreage at the following location.

Listing of the reversion acreage, not to exceed the base acres shall include:

E 1/2 of Section 17, Township 17 South, Range 35 West.
(40 acres in NESE) (40 acres in SESE)

A total of 80 acres.

Louis Kelly Trust
District Trustee

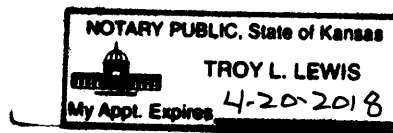
Signature Louis Kelly Trust TRUSTEE Date 4-7-2017

State of Kansas
County of Wichita

I hereby certify that the foregoing was signed in my presence and sworn before me this 7th day of April, 2017.

Troy L Lewis
Notary Public

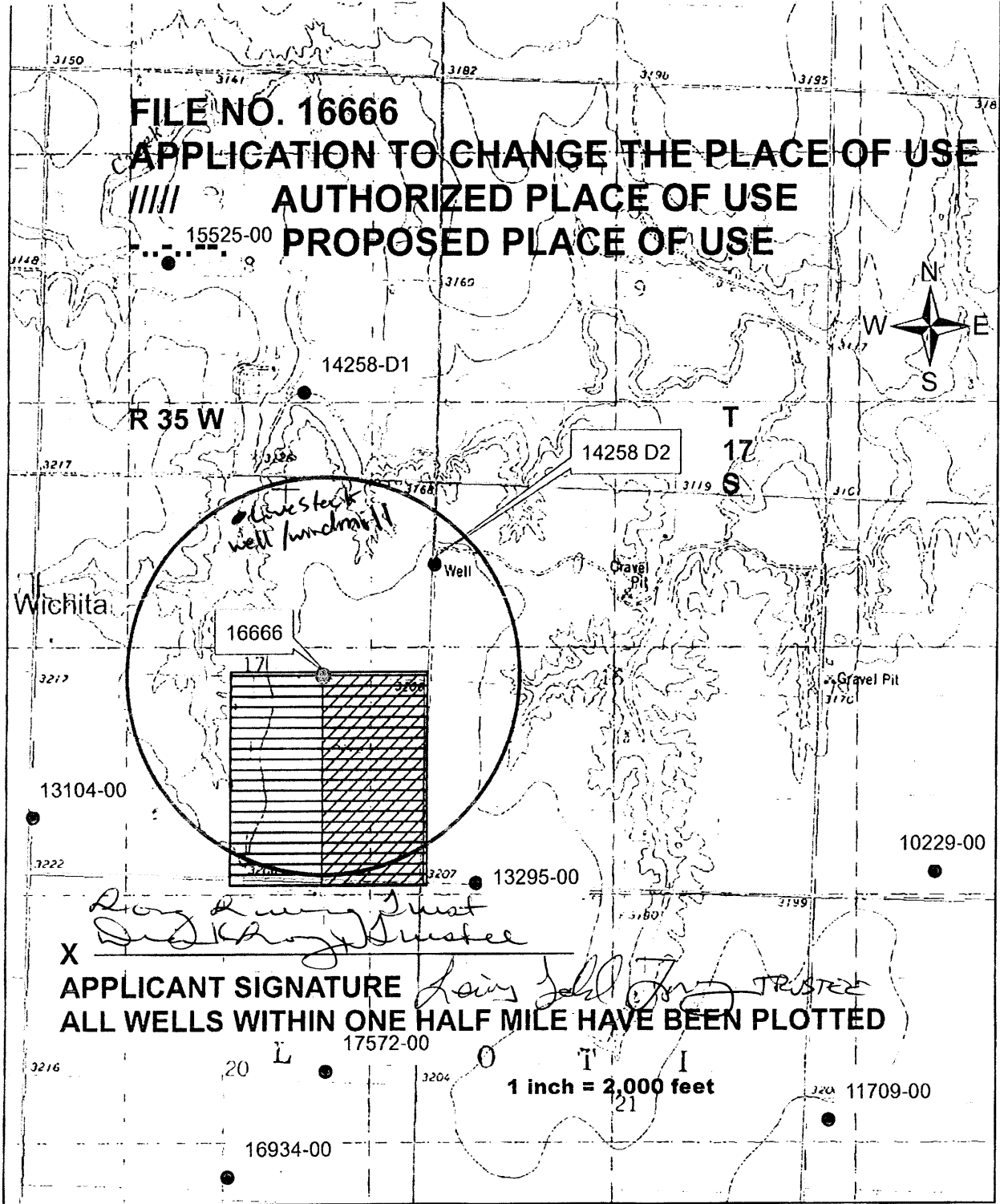
My commission expires 4-20-2018



WATER RESOURCES
RECEIVED

APR 10 2017

FILE NO. 16666
APPLICATION TO CHANGE THE PLACE OF USE
AUTHORIZED PLACE OF USE
PROPOSED PLACE OF USE



X *Ray & Mary Trust*
Trustee
APPLICANT SIGNATURE
ALL WELLS WITHIN ONE HALF MILE HAVE BEEN PLOTTED

1 inch = 2,000 feet

Livestock well is owned by same owner as WR # 14258
Simons Farms Inc.
763 North County Road 20
Marienthal, KS 67863

**WATER RESOURCES
 RECEIVED**

APR 10 2017

KS DEPT OF AGRICULTURE

APPLICATION FOR WICHITA COUNTY WATER CONSERVATION AREA

One application per Water Right (WR)

Today's date: March 27, 2017 WCA Beginning Year: 2017 WCA Ending Year: 2022 WCA Total Years: 7

WR#: 16666 Use Made of Water (Circle): Irrigation

Primary Owner's Name: Long Living Trust - Diana K. and Lewis T Long, Trustees Phone No.: () -

Full Mailing Address: 501 West L Street, Leoti, KS 67861.

*List any additional owners on back of page.

Water Use Correspondent/Tenant: Long Living Trust - Lewis T. Long and Diana K. Long Phone No.: _____

Full Mailing Address: 501 West L St, Leoti, KS 67861

Overlapping water right(s) on same point of diversion (well): None

Overlapping water right(s) on same Place of Use: None

POINT OF DIVERSION- Groundwater withdrawn from # of well(s): 1

Authorized Point of Diversion: **one well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW¼NE¼SE¼) of Section 17, Township 17South, Range 35 West, Wichita County, Kansas.**

Place of Use:

S T R			NE ¼ (acres)				NW ¼ (acres)				SW ¼ (acres)				SE ¼ (acres)				Total Acres
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17	17S	35W													40	40	40	40	160

*List any additional places of use on back of page.

I would like to incorporate this water right as a management unit (circle): NO

List all water rights intending to group together within this management unit:

(Optional) Reason for interest in participating in a WCA: _____

I, the undersigned, hereby tentatively agree to voluntarily participate in the Wichita County WCA (WCWCA) program. I understand there will be a review of water use, based on 2009-2015 use, and place of use on the listed water right in order to create a management plan to discuss with the KDA-Division of Water Resources (DWR) at a later time. I agree to submit any paperwork to KDA-DWR needed to assist in creating my WCA management plan. I am aware of the Wichita County WCA Management Plan and, subject to my final review of its allocations for my subject water rights, intend to enroll and abide by the terms of the WCWCA for this enrollment period. I understand that in order for any water right to be included in a WCA that ALL the water right & land (place of use) owners must consent to participate.

Name: Long Living Trust Signature: [Signature] Date: 4-7-2017

LEWIS TODD LONG, TRUSTEE [Signature] TRUSTEE
 Phone No.: 620 872 4842 Email: matt@redbarnerprises.com (Circle) Owner (Tenant)

*All owners must sign for approval on last page of application.

WATER RESOURCES RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

DIVISION OF WATER RESOURCES -- KANSAS DEPARTMENT OF AGRICULTURE
**ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA
 CONSENT AGREEMENT AND ORDER**

WCA Beginning Year: 2017 WCA Ending Year: 2023 WCA Total Years: 7

All listed water rights will be designated as a management unit: NO

WR#: 16666 Use Made of Water (Circle): Irrigation

Overlapping water right(s) on any points of diversion (well): none

Authorized Point of Diversion: one well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW¹/₄NE¹/₄SE¹/₄) of Section 17, more particularly described as being near a point 2,681 feet North and 1378 feet West of the Southeast corner of said section, Township 17South, Range 35 West, Wichita County, Kansas.

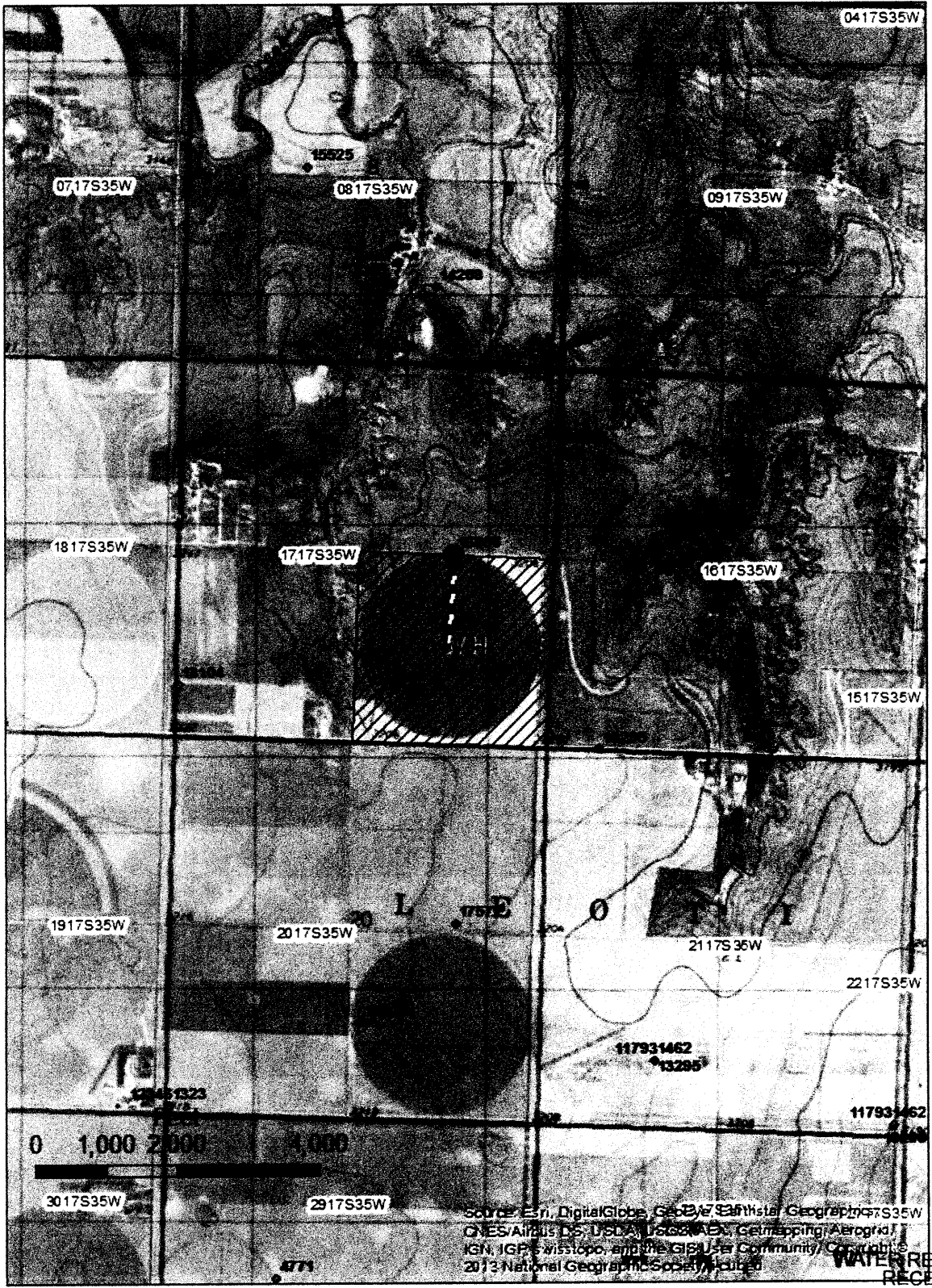
Authorized Place of Use:

			NE ¼ (acres)				NW ¼ (acres)				SW ¼ (acres)				SE ¼ (acres)				Total Acres
S	T	R	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17	17S	35W													40	40	40	40	160

WATER RESOURCES
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APR 10 2017

KDA-DWR Map indicating WCA/Management Area Boundary, Point(s) of Diversion, Place(s) of Use, and Existing Pipelines as of (3-30-2017)



APR 10 2017

WCWCA 2009-2015 Water Use History

WR#	ID#
16666	02
Base WR Allocation	
160	AF
Year	AF Used
2009	160
2010	160
2011	158.48
2012	153.89
2013	158.10
2014	157.25
2015	100.25

Total Use 1047.97 AF

Ave Use 149.710 AF

*Notes: Over
pump 09 &
10

**WCWCA Annual Quantity of Permissible Groundwater Withdrawal:
For Enrollment in 2017**

<u>Allocation Year</u>	<u>Reduction %</u>	<u>Yrs Remaining in Reduction %</u>	<u>Factor</u>	<u>WCA Allocation (AF)</u>
2017	29%	7	0.71	212.588
2018	29%	6	0.71	106.294
2019	29%	5	0.71	106.294
2020	29%	4	0.71	106.294
2021	29%	3	0.71	106.294
2022	29%	2	0.71	106.294
2023	29%	1	0.71	0

Total 7-Year Permissible Groundwater Withdrawal (AF) = 744.058 AF

WATER RESOURCES
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APR 10 2017

FOR THE PARTICIPANTS:

By signing this addendum, I the undersigned, hereby agree to participate in the Wichita County Water Conservation Area (WCWCA) in Wichita County, Kansas. I will hold myself accountable to the allocation(s) listed in this addendum as part of this Water Conservation Area (WCA). I have read the Wichita County WCA Consent Order and Agreement in its entirety. I agree to abide to the rules and regulations stated within the Wichita County WCA Consent Order and Agreement and requirements of this addendum.

Name: Long Living Trust Diana K Long Trustee Signature: Long Living Trust Diana K Long Trustee Date: 4-7-2017

Full Mailing Address: 501 West L St Leoti, KS 67861 Phone#: 620 872 1623

Name: LONG LIVING TRUST LEWIS TODD LONG Signature: Long Living Trust LEWIS TODD LONG Date: 4-7-2017

Full Mailing Address: 501 WL STREET LEOTI KS 67861 Phone#: 620 521-1104

All participating water right owners have signed, each affirming their consent to the designation of the Wichita County Water Conservation Area described herein; and on the Wichita County WCA Consent Order and Agreement.

FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

ACKNOWLEDGMENT OF ADDENDUM

State of _____)

County of _____)

This instrument was acknowledged before me on _____.

By _____.

WATER RESOURCES
RECEIVED

APR 10 2017

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of _____, 20____, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

Long Living Trust
Diana K. and Lewis T. Long - Trustees
501 West L. Street
Leoti, KS 67861

Copies furnished electronically to:

Groundwater Management District No. 1

Water Commissioner, Garden City Field Office

Kansas Department of Agriculture
Staff Person

WATER RESOURCES
RECEIVED

APR 10 2017

ADDENDUM TO THE WICHITA COUNTY WATER CONSERVATION AREA CONSENT AGREEMENT AND ORDER

WCA Beginning Year: 2017 WCA Ending Year: 2023 WCA Total Years: 7.

All listed water rights will be designated as a management unit: NO

WR#: 16666 Use Made of Water (Circle): Irrigation

Overlapping water right(s) on any points of diversion (well): none

Authorized Point of Diversion: one well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 17, more particularly described as being near a point 2,681 feet North and 1378 feet West of the Southeast corner of said section, Township 17South, Range 35 West, Wichita County, Kansas.

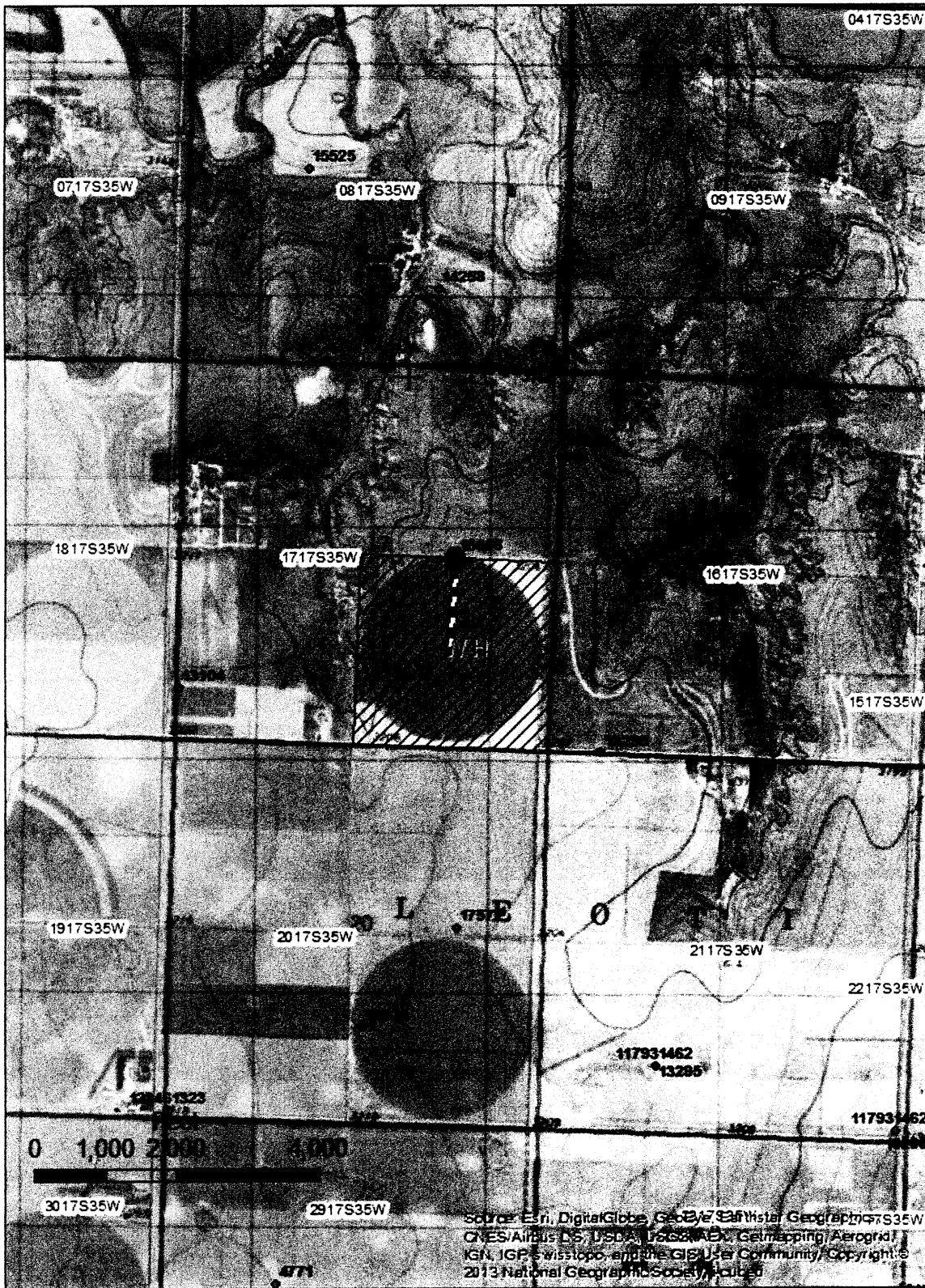
Authorized Place of Use:

S T R			NE $\frac{1}{4}$ (acres)				NW $\frac{1}{4}$ (acres)				SW $\frac{1}{4}$ (acres)				SE $\frac{1}{4}$ (acres)				Total Acres
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17	17S	35W													40	40	40	40	160

WATER RESOURCES
RECEIVED

APR 10 2017

KDA-DWR Map indicating WCA/Management Area Boundary, Point(s) of Diversion, Place(s) of Use, and Existing Pipelines as of (3-30-2017)



WATER RESOURCES
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APR 10 2017

WCWCA 2009-2015 Water Use History

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Total Use 1047.97 AF

Ave Use 149.710 AF

*Notes: Over
pump 09 &
10

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For Enrollment in 2017**

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2021	29%	3	0.71	106.294
2022	29%	2	0.71	106.294
2023	29%	1	0.71	0

Total 7-Year Permissible Groundwater Withdrawal (AF) =

744.058 AF

FOR THE PARTICIPANTS:

By signing this addendum, I the undersigned, hereby agree to participate in the Wichita County Water Conservation Area (WCWCA) in Wichita County, Kansas. I will hold myself accountable to the allocation(s) listed in this addendum as part of this Water Conservation Area (WCA). I have read the Wichita County WCA Consent Order and Agreement in its entirety. I agree to abide to the rules and regulations stated within the Wichita County WCA Consent Order and Agreement and requirements of this addendum.

Name: Long Living Trust Diana K Long Signature: Long Living Trust Diana K Long Date: 4-7-2017
Full Mailing Address: LEWIS TODD LONG 501 West L St., Leoti, KS 67861 Phone#: 620-872-1623
620-521-1104

Name: _____ Signature: _____ Date: _____
Full Mailing Address: _____ Phone#: () - _____

All participating water right owners have signed, each affirming their consent to the designation of the Wichita County Water Conservation Area described herein; and on the Wichita County WCA Consent Order and Agreement.

FOR THE KANSAS DEPARTMENT OF AGRICULTURE:

David Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

ACKNOWLEDGMENT OF ADDENDUM

State of _____)

County of _____)

This instrument was acknowledged before me on _____.

By _____.

WATER RESOURCES
RECEIVED

APR 10 2017

CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 20____, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

Long Living Trust
Diana K. and Lewis T. Long - Trustees
501 West L. Street
Leoti, KS 67861

Copies furnished electronically to:

Groundwater Management District No. 1

Water Commissioner, Garden City Field Office

Kansas Department of Agriculture
Staff Person

WATER RESOURCES
RECEIVED

APR 10 2017

KS DEPT OF AGRICULTURE

**STATE OF KANSAS
BEFORE THE DIVISION OF WATER RESOURCES
KANSAS DEPARTMENT OF AGRICULTURE**

IN THE MATTER OF:)
)
Wichita County Water Conservation Area)
Wichita County, KS) Water Right, File No. 16666
_____)

**CONSENT AGREEMENT TO PARTICIPATE IN THE WICHITA COUNTY
WATER CONSERVATION AREA**

The Wichita County Water Conservation Area

The Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources (“Chief Engineer”) and a group of water right owners, in Wichita County, Kansas have conferred in good faith and have reached an agreement on the designation of the Wichita County Water Conservation Area (“WCWCA”), pursuant to K.S.A. 82a-745.

On March 7, 2017 the WCWCA was created by order of the Chief Engineer.

This document, its addendum, and attached WCWCA Management Plan serves as a consent agreement among the Chief Engineer and the undersigned water right owner(s) to enroll water rights in the Wichita County Water Conservation Area (“WCWCA”) and to be bound by the terms and conditions of the WCWCA Management Plan.

Term of Agreement

The term of this agreement is seven (7) years. This agreement will automatically renew for seven (7) additional years pursuant to the terms of the WCWCA Management Plan unless the participant(s) submits a request to forgo renewal.

Corrective Control Provisions and Plan for Conservation

The attached WCWCA Management Plan is incorporated and made part of this agreement, and sets forth the corrective control provisions and plan for conservation, rules for establishing water allocations and for using water while participating in the WCWCA.

Addendum to this Agreement

The attached addendum is incorporated and made a part of this agreement, and includes these features for each water right subject to this agreement:

1. Agreement of years of participation.

**WATER RESOURCES
RECEIVED**

APR 10 2017

KS DEPT OF AGRICULTURE

2. All points of diversion and associated water right files numbers.
3. All places of use by legal location description.
4. A map of the boundaries of each management unit, locations of each point of diversion place of use, and approximate locations of any water pipelines.
5. Summary of water use history, 2009-2015, of participating water rights/points of diversion.
6. Summary of Annual Quantity of Permissible Groundwater Withdrawal, as defined in the WCWCA Management Plan, for the seven-(7) year term of the consent agreement.

A new addendum will be prepared and signed by participants and the Chief Engineer for subsequent renewal periods consistent with the terms herein and the WCWCA Management Plan.

Participant's Agreement

This agreement is fair and equitable.

This agreement, entered into by the Chief Engineer and participants, is the expressed written intent of the parties and the whole agreement between the parties.

The provisions of this agreement shall be construed to give effect to the provisions of the WCWCA Management Plan.

This agreement may be modified as set forth in the terms of the WCWCA Management Plan and pursuant to written agreement of the participants and the Chief Engineer.

This agreement shall be applied to and enforceable against any and all heirs, assigns, purchasers, or successors-in-interest, unless the participants and Chief Engineer otherwise agree pursuant to modifications hereto. A copy of this agreement and Order Designating a WCA shall be filed with the register of deeds in Wichita County.

Pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501 *et seq.*, the Kansas Judicial Review Act, K.S.A. 77-601, *et seq.* or by any other applicable Kansas law, participants waive all rights to a hearing on or appeal of this agreement and Order Designating a Water Conservation Area.

FOR THE PARTICIPANT:

The participating water right owner has signed below, affirming his/her consent to the designation of the Water Conservation Area described herein.

Roy Living Trust
Trustee

Long Living Trust - Trustee
 Water right owner *Leins [Signature] TRUSTEE*

Date: 4-7-2017

WATER RESOURCES
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APR 10 2017

FOR THE KDA:

David Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

ACKNOWLEDGMENT

State of _____)

County of _____)

This instrument was acknowledged before me on _____

by_____.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day _____ of 20____, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

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501 West L. St
Leoti, KS 67861

Copies furnished electronically to:
Groundwater Management District No. 1
Water Commissioner, Garden City Field Office

Kansas Department of Agriculture
Staff Person

**WATER RESOURCES
RECEIVED**

APR 10 2017

KS DEPT OF AGRICULTURE

**STATE OF KANSAS
BEFORE THE DIVISION OF WATER RESOURCES
KANSAS DEPARTMENT OF AGRICULTURE**

IN THE MATTER OF:)
)
Wichita County Water Conservation Area)
Wichita County, KS) Water Right, File No. 16666
_____)

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WATER CONSERVATION AREA**

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**WATER RESOURCES
RECEIVED**

APR 10 2017

KS DEPT OF AGRICULTURE

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FOR THE PARTICIPANT:

The participating water right owner has signed below, affirming his/her consent to the designation of the Water Conservation Area described herein.

Long Living Trust
Don K Long Trustee

 Long Living Trust - Trustee *Don K Long* TRUSTEE
 Water right owner

Date: 4-7-2017

WATER RESOURCES
RECEIVED

APR 10 2017

FOR THE KDA:

David Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

ACKNOWLEDGMENT

State of _____)

County of _____)

This instrument was acknowledged before me on _____

by _____.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day _____ of 20____, true and correct copies of the foregoing were sent via first class, U.S. mail, to the following:

Long Living Trust
501 West L. St
Leoti, KS 67861

Copies furnished electronically to:
Groundwater Management District No. 1
Water Commissioner, Garden City Field Office

Kansas Department of Agriculture
Staff Person

**WATER RESOURCES
RECEIVED**

APR 10 2017

KS DEPT OF AGRICULTURE

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

April 11, 2017

LONG LIVING TRUST - LEWIS & DIANA LONG
501 WEST L ST
LEOTI, KS 67861

RE: File No. 16666

FILE COPY

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Brent A. Turney".

Brent A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: GARDEN CITY Field Office GMD 1