### **CHECK SHEET Short Change**

(To be completed and attached to each application)

F	ile N	lo. <u>16</u>	799		_	Fiel	d Office	No. <u>4</u>		·	GMD No.	<u>3</u>
1.	Plu	gging	agreement	obtained fo	or GMD?	Yes □	No		Non Appl	icable 🏻		
2.	is L	andov	vner correc	ct as current	ly shown	in WRIS?	Ye:	s 🖂	No □	]	Addres	s Change? <u>NO</u>
	If ap	plicab	le, list Plac	e of Use Ove	rlap File N	os		, , , , , , , , , , , , , , , , , , ,				
3.				•		-				No 🗌		s Change? <u>NO</u>
4.				n computer								
											noint(s)	of diversion:
	υ.	SHOW	Teet distai							TOT GIC HOW	point(3)	T alversion:
	A	ction	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	Cour	ity	Qualifiers
							4					
			• •				-			ally assigned		and Quantity
		Ola Pi	DIV ID	Authorized I						d Quantity		af
												af/mgy
												af/mgy
		.,								- ·		
										-		⊠ Yes □ No
	e.	Forma	ation Name	& No				_ Spec	ial Use Are	ea		
5.	Dist	tances	from the	original p/d:					_' N		1	W
6.	WA	TER R	IGHT ACT	ION TRAIL C	OMMENT	<u>s</u>						
		28/ <u>17</u>					Applicat	ion Red	ceived (date	accepted for	priority)	
	12	-12	<u>8 /17</u>				Approve and Proof					
		/				Complet	tion Requ	uiremer	nt Removed	l (Change No	. C	)
7.	ME	TER A	CTION TRA	AIL COMME	NTS							
	1	212	<u>.ව /17</u>			DWR M	eter Req	uired b	y <u>12/31/18</u>			
8.	Bas	e Acre	s <u> </u>	)	Yea	r		M	inimum Rea	asonable Qua	ntity	
									Date Creat	ted <b>12/19/17</b>	by <b>tpm</b>	1
									Date Enter	red	bv	

# CHECK SHEET ATTACHMENT

File Number 16799

9. Changes to the place of use will be:

; ;	ACRES	244							
	NE% NW% SW% SE% ACRES								
1/4	SW74								
SE1/4	NW74								
	NE1/2								
	NE% NW% SW% SE%								
SW1/4	SW1/4								
SV	NW7/4								
	NE% NW% SW% SE%	30.5							
NW74	SW74	30.5							
Z	NW74	30.5 30.5	LOT3   LOT4						
			LOT3						
	SE1/4	30.5							
NE%	SW7/4	30.5							
Z	NE% NW% SW% SE%	30.5	LOT2						
	NE1/4	30.5	LOT1 L						
		Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres
	Range	,	45w						
	Sec. Twp. Range	ć	07						
		•	-						
	Fiace Use ID#	00000	32083						
	Owner Person ID	14	37408						
	Action	F. 4.1							

	Person ID #	The second secon		
	છં			
	Person ID #			THE THE PROPERTY OF THE PROPER
	. 2			
Names and Address:	Person ID #			
Z	<del>-</del>			

## GENERAL INSTRUCTIONS

- 2. Send to headquarters:
- a. Good, microfilmable copy of application and/or approval and this check sheet
- b. Original check and copy of receipt

b. Original receipt (one for each application)

a. Original application/approval

Give to Applicant:

c. Information packet containing:

Notice and Proof form
 Water Meter Specifications

Acceptable Meter list

- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any
- Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

### CONDITIONS

Insert notice and proof date.

Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

Pink Sheet - K.S.A. 82a-728 letter

Check Valve specifications

Water level measurement tube specifications

- 2. Type or print applicant's/owner's name on line.
- Complete notary statement.

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5. Complete ownership and WUC change information.

### ADDITIONAL PHOTOCOPIES

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	***************************************			***************************************	
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# CHECK SHEET SUPPLEMENTAL PAGE

9. Changes to the place of use will be:

File Number 16799

			NE%	1/2				7.7			I >L			l	l iriL.	ı ⊢	TOTAL
Тwp. Range		NE1/4	NW7.	SW74	SE14	NE1/	NW7	SW74	SE1/4	NE74	NW7.4	SW1/4	SE1/4 N	NE% N	NW1/4 SW1/4	4 SE14	ACRES
AC.	Acres Authorized									31	31	31	31	31	31 31	31	248
F	New Acres									<u>u</u>	powers	8	colo				
A2	Acres Authorized			10	39									39	10		86
40w	New Acres			lot1											lot2		
	Acres Authorized	31	31	31	31	31	31	40	31	31	40	31	31	31	31 31	31	514
43w	New Acres																
	Acres Authorized									30.5	30.5	30.5	30.5				122
45w	New Acres																
Ac	Acres Authorized	11	34.5	40	34.5	34.5	11	34.5	40	40	34.5	14	34.5	34.5	40 34.5	5   11	480
4-5w	New Acres																
AC AC	Acres Authorized	30.5	30.5	30.5	30.5												122
A^^	New Acres																
	Acres Authorized	30.5	30.5	30.5	30.5												122
45w	New Acres																
A3.,,	Acres Authorized	11	34.5	40	34.5	34.5	11	34.5	40	40	34.5	7-	34.5	34.5	40 34.5	5 11	480
s f	New Acres																
A.,	Acres Authorized	37	24	11	18												06
M Z t	New Acres																

Names and Address:

1. Person ID # <u>58487</u>	2. Person ID # <u>58939</u>	3. Person ID # <u>57409</u>
KANSAS DAIRIES II (HERMANA DAIRY)	A K CORAL CAY FAMILY TRUST	KANSAS DAIRIES I LLC (FRONTIER DAIRY)
11501 SW RD 31	E J & KATHLEEN DE GROOT	11501 SW CR 31
SYRACUSE KS 67878	PO BOX 1227	SYRACUSE KS 67878-7047
	SYRACUSE KS 67878-1227	



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

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

December 28, 2017

ZACHARY GALE PO BOX 1227 SYRACUSE KS 67878-1227

> RE: Change the Place of Use, File Nos File 896, 12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646

Dear Mr. Gale;

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 30 day of December 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 896, 12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646, dated December 28, 2017, was mailed postage prepaid, first class, US mail to the following:

ZACHARY GALE PO BOX 1227 SYRACUSE KS 67878-1227

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.

tha	n 100	h Nos. 1 feet, or f diversio	f place	e of use	e will b	e chai	eted. nged,	Comp	lete al e a top	I othe	rappli hic ma	icable ap or c	portic detailed	ns. If d plat	chanç showir	ge in p ng the	autho R	rized a	ilon is greater and proposed IVED シか
							File No	. <u>1679</u>	9				,				NC	)V 2 8	3 2017
1.		cation is				⊠ F	lace o	f Use			Point	of Dive	ersion			Di	vision		Field Office er Resources
		r the wat source of	_		s the s		of this Ground		ation i		Surfac			adition	s desc	ribed i	oelow.		
2.	<u>PO B</u> Phon	e and ad OX 1227 e Numbe e and ad	' SYF er: <u>(62</u>	ACUSE 0)384-5	KS 6 746	7878-	1227		Email	addre	38:								
3.	Phon The p Owne	OX 122 e Number presently er of Lan	er: <u>(</u> autho d ADD	) rized pla NAME: RESS:	see at	ıse is: t <u>achm</u>	ents				ss:								
	(If the	re is more	than o		wner, a E¼	ttach si	ippieme		vieets as	s neces	sary.)	SV	N¼			SI	<u></u>		TOTAL
	ec. Ty	wp. Rang	e NE	4 NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	ACRES
	<del></del>		_																
4.		applica	d							ed that									
	(If the	re is more			wner, a	ttach st	ıpplem	ental st	eets as	s neces	sary.)		<del></del>						
		**	100000	N	E¼	, .		N	N1/4			SV	N%			SI	E1/4		TOTAL
8	ec, T	wp. Ran	je NE	<u>4 NW4</u>	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE¼	NE¾	NW¼	SW1/4	SE1/4	ACRES
_	.,,,,,				-			-											
	For (	Office U	se Onl	y: Code	)	Fe	e \$ <u>2</u>	00	TR	#		Re	eceipt	Date _	11/28	<u>»/17</u>	Chec	:k#	4148

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9<sup>th</sup> Street, 2nd Floor
Topeka, KS 66612-1283
www.ksda.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



Assisted by: \_\_\_

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
	(Check one or more) Diversion
	☐ Use Made of Water
	File No. <u>16799</u>
2.	Name of applicant: Zachary Gale
	Address: PO Box 1227
	City, State and Zip: Syracuse, KS 67878
,	Phone Number: (620)384-5746 E-mail address: fdfarms@gmail.com
	What is your relationship to the water right; ☐ owner ☐ tenant ☒ agent ☐ other? If other, please explain
	Name of water use correspondent: SAME
	Address:
	City, State and Zip:
	Phone Number: ()
3.	The change(s) proposed herein are desired for the following reasons (please be specific):
	These applications are to make a complete overlap of water rights and allow the applicant to apply fresh water on some
	land that currently is watered with lagoon water and will provide a means to better manage the nutrient load.
	The change(s) (was) (will be) completed by As soon as approved (Date)
Fo F.C Co	r Office Use Only: D GMD Meets K.A.R. 5-5-1 (YES / NO) Use Source G / S County By Date Dde Fee \$ TR # Receipt Date Check #

File No.	16799	

4. The presently authorized place of use is:

Owner of Land — NAME: Kansas Dairies I (Frontier Dairy)

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

				NE	1/4			ŊV	V1/4			SV	V1/4			SI	<b>=</b> ¼		TOTAL
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE1/4	NE14	NW14	SW¼	SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	ACRES
36	25s					36.0			ŀ							l	36.0		535.0
	<del></del>																		

List any other water rights that cover this place of use. 12012, 16799 & 28646

Owner of Land — NAME: \_\_\_\_\_

ADDRESS:

,				NE¼				NW1/4			SW¼			SE1/4				TOTAL	
Sec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW14	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	ACRES
										, , , , , , , , , , , , , , , , , , ,									
					[														
								<u> </u>		<u> </u>			<u> </u>		L	<u> </u>	<u> </u>		

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: A K Carol Cay Family Trust

ADDRESS: PO Box 1227, Syracuse, KS 67878

				NE	=1/4			NV	V1/4		SW¼			SE¼				TOTAL	
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	NE%	NW1/4	SW1/4	SE1/4	ACRES
									-										
25	25s	43w			·						30.5	30.5	30.5	30,5					122.0
26	25s	43w	11.0	34.5	40.0	34.5	34.5	11.0	34.5	40.0	40.0	34.5	11.0	34.5	34.5	40.0	34.5	11.0	480.0
		7011	11.0	00	10.0														
27	25s	43w	30.5	30.5	30,5	30.5							<u> </u>						122.0

List any other water rights that cover this place of use. 896,12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646

Owner of Land — NAME: Kansas Dairies II (Hermana Dairy)

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

				NE	1/4			. NWW			sw¼				SE¼				TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4			SE1/4		NW¾			ACRES
		1.434											POL	7085	CC	, , C	00		
17	25s	43w									31.0	31.0	31.0	31.0	31.0	31.0	31.0	31.0	248.0
					Lorl											Lat2	1		,
21	25s	43w			10.	39.0									39.0	10.0			98.0
22	25s	43w	31.0	31.0	31.0	31,0	31.0	31.0	40.0	31.0	31.0	40,0	31.0	31.0	31.0	31.0	31.0	31.0	514.0

List any other water rights that cover this place of use. 896,12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646

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

### FILE NO.

### MAKE ADDITIONAL COPIES AS NECESSARY

		f Land	N/																
				NI	=1/4			N	N1/4			SI	N1/4			s	E¼		TOTAL
Sec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,														1		······································		
0	wner o	f Land ·	N/	AME:			JL				Я				1				1
	.,	4	אטטא	ESS:															
				NE	=1/4			N\	N1/4	,		SI	N1/4		ļ	s	E¼		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW14	SW1/4	SE1/4	ACRES
															<u> </u>				
O	wner o	f Land ·	NA										<u>'</u>		л				
			יוסטויי				19												3
				NE	E1/4			N/	N1/4			SV	N¼			s	Ε1/4		TOTAL
Sec.	Twp,	Range	NE1/4	NW14	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¾	NW1/4	SW1/4	SE¼	NE14	NW%	SW1/4	SE1/4	ACRES
		d: If th Land -	N/		Kansa	s Dair	ies I (F	rontie	r Dairy	)		d that	the pla	ace of	use be	chan	ged to	•	
			l		-4.4			• • •	A 14 /						II				
0	<b>5</b> 0	D	Li=4/	T	E1/4	054/	NIE44	T	N¼	OP44	NEG		V¼			1	<u> </u>	T 054/	TOTAL ACRES
Sec.	Twp.	Range	NE1/4	***************************************				Τ	ì		NE%		SW1/4		NE1/4	NW14		SE1/4	
36	25s	43w	11.0 4-7	34.5 <b>८-2</b>	40.0		34.5 <b>4-3</b> 30.5	11.0 2-4	34.5		40.0	34.5	11.0	34.5	34.5	40.0	34.5	11.0	480.0
1_	26s	43w	30.5	30.5	30.5		30.5	30.5	30.5	30,5									244.0
31	25s	42w	37.0	24.0	11.0	18.0							<u></u>						90.0
O۱	wner of	f Land -	N/	AME:	Kansa	s Dairi	ies I (F	rontie	r Dairv	)									
				ESS:							8								
				NE	:1/4		:	N۷	V1⁄4			SV	V%			SI	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4		SW1/4	SE¼	NE1/4		SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	[	SW1/4	SE1/4	ACRES
35	25s	43w	30.5																122.0
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								<u> </u>	<u> </u>						<u></u>	<u> </u>	l		
Oı	wner of	Land -		-															
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				NE	1/4			NV	٧%			SV	V1⁄4			SI	<b>E</b> 1⁄4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¾	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
																		<b></b>	
								1			1	1		1	1				

Page \_\_\_\_\_

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

File No.

	The presently auth-	orized point(s)	of diversion (is) (are) [	No Change	(Provide description and number	or of points)
7.	The proposed poin	t(s) of diversio	n (is) (are)		(Provide description and number	er of points)
	List all presently	authorized po	int(s) of diversion:			
3. [	Presently authorize					
٠.	One in the	SF	Quarter of the	SE	Quarter of the	SW Quarter
	of Section	36	Township	25	South, Range	43 VV,
	in HAMILTON	Coul	nty Kansas. 69	feet North	3058 feet West of S	outheast corner of section.
١	Authorized Rate	725GPM	Authorized Quantity	355AF		
	(DWR use only: (	Computer ID N	No. G	PS	feet North	feet West)
	⊠ This point will	not be chang	ed	III be changed	as follows:	
			Complete only if char			
	One in the	1 diversion (	Quarter of the		Quarter of the	Quarter
	of Section		. Township :		South, Range	(E/VV)
	in	Cou	ntv. Kansas,	feet North _	feet West of S	outheast corner of section.
	Proposed Rate		Proposed Quantity			
	This point is:	dditional Well	Geo Center List	other water righ	nts that will use this point	- Limited Land
).	Presently authori	zed point of c	liversion:			Quarta
	One in the		Quarter of the		Quarter of the	Quarter
	of Section		Township		South, Range	
	in	Cou	nty, Kansas,	feet North _	feet West of S	outheast corner of section.
	Authorized Rate _		_ Authorized Quantity	/		F= - 4 384 = = 43
	(DWR use only:	Computer ID	No G	PS	feet North	teet vvest)
			jed 🔲 This point w			
	Proposed point o	of diversion: (	<u>Complete only if char</u>	<u>nge is requeste</u>	<u>ed)</u>	, Oda
	One in the		Quarter of the		Quarter of the	Quarte
	of Section		, Township		South, Range	(E/W)
	0,000,00			feet North	feet vvest of S	southeast corner of section.
	in	Cou	ınty, Kansas,	10011101111_		
	in Proposed Rate	Cou	Proposed Quantity		·	
	in Proposed Rate	Cou	Proposed Quantity		hts that will use this point	
	in Proposed Rate This point is: \[ \int A	Cou	Proposed Quantity ☐ Geo Center List		·	
10.	in Proposed Rate This point is: A	Cou	Proposed Quantity ☐ Geo Center List	other water rig	hts that will use this point	
10.	in Proposed Rate This point is: A  Presently author One in the	Cou	Proposed Quantity ☐ Geo Center List diversion: Quarter of the	other water rig	hts that will use this point  Quarter of the	Quarte
10.	in	Cou	Proposed Quantity	other water rig	hts that will use this point  Quarter of the South, Range	Quarte (E/W)
0.	in Proposed Rate This point is: A  Presently author One in the of Section in in and in and in in in in in	Additional Well ized point of o	Proposed Quantity Geo Center List diversion: Quarter of the, Township unty, Kansas,	other water rig	hts that will use this point  Quarter of the South, Range feet West of S	Quarte
10.	in Proposed Rate This point is: A  Presently author One in the of Section in	Additional Well ized point of c	Proposed Quantity	other water rig	hts that will use this point  Quarter of the South, Range feet West of S	Quarte (E/W) Goutheast corner of section.
10.	in Proposed Rate This point is: A  Presently author One in the of Section in Authorized Rate (DWR use only:	Additional Well ized point of c	Proposed Quantity	other water rig	hts that will use this point  Quarter of the South, Range feet West of S	Quarte (E/W) Goutheast corner of section.
10.	in Proposed Rate This point is:	Count of cou	Proposed Quantity	other water rig	hts that will use this point  Quarter of the South, Range feet West of S feet North as follows:	Quarte (E/W) Goutheast corner of section.
10.	in Proposed Rate This point is:	Country Computer ID I not be changed for diversion: (	Proposed Quantity	other water rig	hts that will use this point  Quarter of the South, Range feet West of S feet North as follows: ed)	Quarte Quarte (E/W) Southeast corner of section feet West)
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10.	in Proposed Rate This point is:	Count of cou	Proposed Quantity ☐ Geo Center List  diversion: ☐ Quarter of the ☐ ☐ Township ☐ ☐ Authorized Quantity No. ☐ Ged ☐ This point wow Complete only if chate ☐ Quarter of the ☐ ☐ Township ☐ ☐ Township ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	feet North _ y vill be changed	hts that will use this point  Quarter of the South, Range feet West of S feet North as follows: ed) Quarter of the South, Range	Quarte Quarte (E/W) Southeast corner of section feet West) Quarte (E/W)
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0.	in Proposed Rate This point is: A  Presently author One in the of Section in Authorized Rate (DWR use only: This point will Proposed point of Section in Proposed Rate Proposed Rate	Country Countr	Proposed Quantity Geo Center List  diversion: Quarter of the , Township Authorized Quantity No. Ged This point w Complete only if cha Quarter of the , Township unty, Kansas, Proposed Quantity	feet North _ y BPS vill be changed nge is request feet North _	Quarter of theSouth, Rangefeet West of Sfeet Northas follows:  ed)Quarter of theSouth, Rangefeet West of S	Quarte Quarte (E/W) Southeast corner of section feet West) Quarte (E/W)

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2.	The p	presently authorized use of water is for IRR	purposes.
	It is pr	roposed that the use be changed to <u>IRR</u>	purposes.
3.		inging the place of use and/or use made of water, describe how the consur proposed change in place of use is in accordance with KAR 5-5-11	nptive use will not be increased.
	(Please	e show any calculations here.)	
4.	lt is re	equested that the maximum annual quantity of water be reduced to	(acre-feet or million gallons).
5.	It is re	equested that the maximum rate of diversion of water be reduced to	gallons per minute ( c.f.s.).
16.	1:24,0 Kansa Distar	application must include either a topographic map or detailed plat. A U.S. 000, is available through the Kansas Geological Survey, 1930 Constan as 66047-3726 ( <a href="https://www.usgs.gov">www.usgs.gov</a> ). The map should show the location of the nees North and West of the Southeast corner of the section must be should also be shown. Identify the center of the section, the section lines and the normal content of the map. In addition the following information.	t Avenue, University of Kansas, Lawrence, ne presently authorized point(s) of diversion. own. The presently authorized place of use he section corners and show the appropriate
	a. If	f 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 must be shown. Please be certain that the information shown on the Paragraph Nos. 9, 10 and 11 of the application.	I West of the Southeast corner of the section e map agrees with the information shown in
	2)	If the source of supply is groundwater, please show the location of domestic wells, within ½ mile of the proposed well or wells. Identify e mailing address of the property owner or owners. If there are no wells well and the property owner or owners.	ach well as to its use and furnish name and
	3)	If the source of supply is surface water, the names and mailing address and ½ mile upstream from your property lines must be shown.	sses of all landowner(s) ½ mile downstream
	b. If	f a change in the place of use is desired, show the proposed place of us ertain that the information shown on the map agrees with the information s	e by crosshatching on the map. Please be hown in Paragraph No. 5 of the application.
17.	local s	h documentation to show the change(s) proposed herein will not impair e source of supply as to which the water right relates. This information ma ogs, test hole logs, and other information as necessary information to show below.	y include statements, plats, geology reports,
	See a	attached Plat	, salamanaya
18.	identif reque	proposed change(s) does not meet all applicable rules and regulations of ify the rules and regulations for which you request a waiver. State the rest should be granted. Attach documentation showing that granting the rest prejudicially and unreasonably affect the public interest.	eason why a waiver is needed and why the
	Comp	plies with current rules	

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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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.

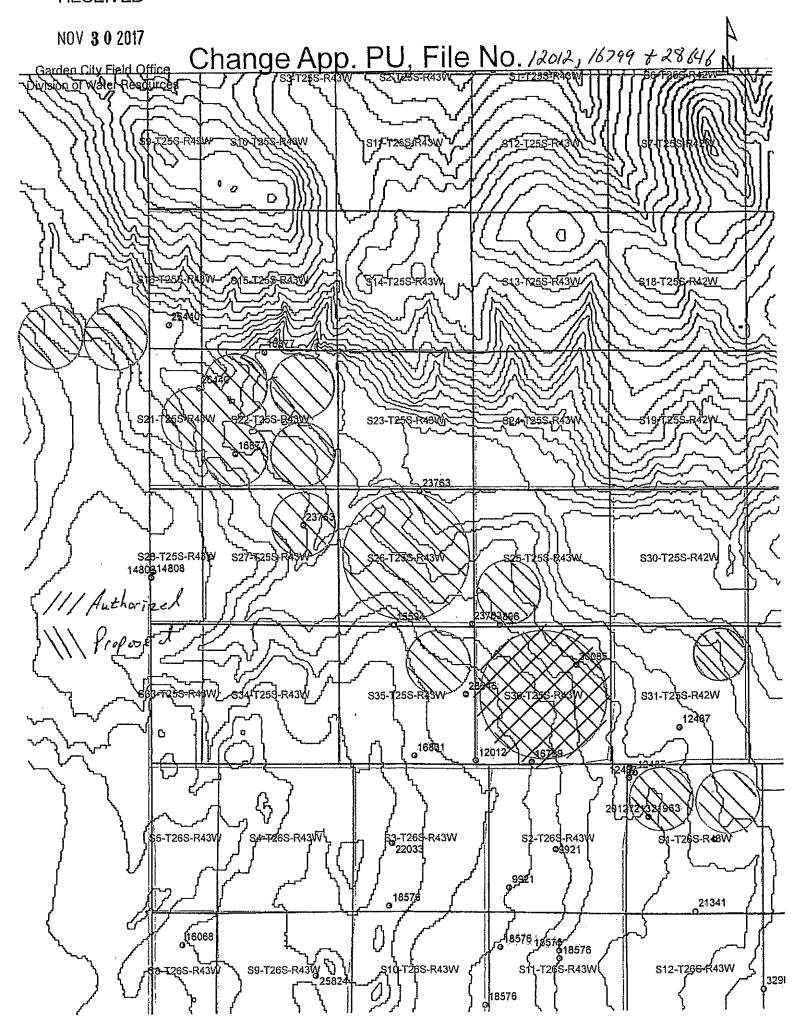
The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

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.

authorized to make this application on their behalf, and declare fur complete. By filing this application I authorize the chief engineer to as specified in sections 14 and 15 of this application.	permanentiy	reduce t	ne quantity of water as	laror rate or arression
as specified in sections 14 and 15 of this application.  Dated at	is 30 T	day of	Oadre	, 20 <u>15</u>
C ZOW WAY				
(Owner)	<del></del>		(Spouse)	
Enc (roedhart			(10)	
X Please Print)	X Kar	ehleer Hy Loe	(Please Print)	
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State of Kansas  County of SS  I hereby certify that the foregoing application was signed in my	tuut presence	l and swor	n to before me this	day of
	oled	D	n to before me this	
My Commission Expires			Notary Public	
			Andrew .	
<u>FEE SCHE</u>	DULE			
Each application to change the place of use, the point of diversion or the application fee set forth in the schedule below:				
<ul> <li>(1) Application to change a point of diversion 300 feet or less</li> <li>(2) Application to change a point of diversion more than 300 feet</li> <li>(3) Application to change the place of use</li> <li>(4) Application to change the use made of the water</li> </ul>				\$100 \$200 \$200 \$300
Make check payable to Kansas Department of Agriculture.				

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. State of California County of Los Angeles Subscribed and sworn to (or affirmed) before me on this day of New be 2015, by Z J. proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me. SUSANA KATSAS Commission # 2071641 Notary Public - California Los Angeles County My Comm. Expires Jul 13, 2018 (Seal) Signature



### 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. 16799 A change application was received on November 28, 2017 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. 2. 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 \_\_\_\_\_\_ foot 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 authorized point(s) of diversion. \_\_ Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☐ Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. By March 1, 2019 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Not Applicable 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 📋 Not Applicable X Yes Additional Conditions are attached. l 1 No 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 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 (Print Name): Thomas P Makens Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. DECEMBER Date of Issuance: For Use by Register of Deeds State of Kansas Acknowledged before me on December 28 Makens Signature: Notaly Public **公开。** SUE KEENY NOTARY My Appointment Expires PUBLIO June 8, 2018 My commission expires (Notary Seal)

### SUPPLEMENTAL SHEET File No. 16799

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

- 12. The owner of the Point of Diversion shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer
- 13. A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the written permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

Above is additional condition to those shown on the attached FIELD OFFICE PROCESSED APPLICATION FOR APPROVAL TO CHANGE THE POINT OF DIVERSION.

Dated at Garden City, Kansas, this 28th day of December 2017 by

(Print Name): Thomas P Makens
Division of Water Resources
Kansas Department of Agriculture

State of Kansas
) SS
County of Finney

The foregoing instrument was acknowledged before me on the Agriculture.

JULIE JONES
My Appointment Expires
December 15, 2018

My Commission expires:

(Notary Seal)

Notary Public