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 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

The presently authorized place of use is:

Owner of Land ---- NAME: HARDEN FARMS INC % DEAN HARDEN

(If there is more than one landowner, attach supplemental sheets as necessary.)

ADDRESS: 28120 5 RD PLAINS KS 67869-9128

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater

	n 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing nt(s) of diversion and/or place of use.	g the authorized and proposed
		WATER RESOURCES RECEIVED
	File No. <u>23038</u>	MAY 1 5 2017
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both):	9:40 AM
	☐ Place of Use ☐ Point of Diversion	KS DEPT OF AGRICULTURE
	under the water right which is the subject of this application in accordance with the conditions descri	bed below.
	The source of supply is:	
2.	Name and address of Applicant: HARDEN FARMS INC % DEAN HARDEN 28120 5 RD PLAINS KS_67869-9128 Po Box 458 ODGON ICS	66517 *
	Phone Number: () Email address:	
	Name and address of Water Use Correspondent: HARDEN FARMS INC % DEAN HARDEN	
	28120 6 RD - PLAINS KS - 67869-9128- SAANE AS ASSUIT	
	Phone Number: () Email address:	

				N	Ε1/4		. NW1/4		SW¼				SE¼				TOTAL		
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	ACRES
				1	<u>. </u>	<u> </u>		l	<u> </u>			L				<u> </u>	L		·

O۱	Owner of Land NAME: no change to acres irrigated																		
ADDRESS:																			
(If	(If there is more than one landowner, attach supplemental sheets as necessary.)																		
	NE¼ NW¼ SW¼ SE¼ TOTAL																		
Sec.	Twp.	Range	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	ACRES

Check # 1239 For Office Use Only: Code CLT Fee \$ 100.00 TR # _ Receipt Date 5/15

+ LDIDUM 5/15/17
From DEAN DWR 1-121 (Revised 06/16/2014)

5.	Presently authorized point of diversion:											
	One in the Quarter of the	cw	Quarter of the	SW	Quarter							
	of Section 22 , Township	34	South, Range	30	W,							
	in Meade County, Kansas, 1320											
	Authorized Rate Authorized Quantity		Depth of well	(fe	et)							
	(DWR use only: Computer ID No. 1 GF											
	☐ This point will not be changed ☐ This point will be changed as follows:											
İ	Proposed point of diversion: (Complete only if change											
	One in the Quarter of the	nw	Quarter of the	SW	Quarter							
1	of Section, Township											
-	in Meade County, Kansas, 1474											
l	Proposed Rate Proposed Quantity _											
L	This point is: Additional Well Geo Center List of	other water ri	ights that will use this point _		·							
ř												
6.	Presently authorized point of diversion:											
i	One in the Quarter of the											
	of Section, Township	C (N ()	South, Range		(E/VV),							
â	in County, Kansas, Authorized Rate Authorized Quantity	_ feet North	teet West of S	outneast corne	er of section.							
	(DWR use only: Computer ID No GF		Depth of well	(le	et) ost)							
	☐ This point will not be changed ☐ This point will	l bo change	d as follows:	1661 44	estj							
ı	Proposed point of diversion: (Complete only if change											
	One in the Quarter of the				Quarter							
	of Section, Township											
	in County, Kansas,											
l	Proposed Rate Proposed Quantity _											
	This point is: Additional Well Geo Center List of											
L												
7.	Why do you need a new point of diversion?	13a. If	the proposed point of diversi	on will be reloc	cated within 100							
		+1-	eet of the existing point of div ne diagram below in relation to	the existing p	oint of diversion							
	Old well needs to be replaced	(F	PLEASE NOTE: The "X" i	in center of	diagram below							
		re	epresents presently authoriz	•	iversion.)							
^	If a coll to the took halo language and O. V. V. O. N.		Nort 100 50 0	11 50 ´	100							
8.	If a well, is the test hole log attached? X Yes No		<u> </u>									
9.	When do you propose to complete the new point	of	E ' <u>-</u>	' -	_							
	diversion?				7							
	June 1, 2017		50 - + -	+ -	 50							
			‡ =	-	4							
10.	If the point of diversion is a well:	•	West 0 ⊨ ı ı ı ı ì ı ı ⊼ ı		O East							
	(a) What are you going to do with the old well?		<u> </u>	' -								
	plug		<u> </u>	-	Ⅎ							
	plug		50 - + -	+ -] 50							
	(b) When will this be done? 2017		F =	-	7							
	(b) When will this be done: 2017		F , , , , , , , - ,		7							
11	Groundwater Management District recommendat	ion	100 50 0	50	 100							
11.	attached? Yes No	1011	Sout	th	100							
		401 15	Scale: 1'									
12.	Assisted by tpm	13b. If 1	the proposed point of diversi 00 feet but within 1320 fee	on will be reloc et from the e	cated more thar existing point o							
		d	iversion, attach a topograph	ic map or ae	rial photograph							
		F	or groundwater sources, showithin one-half mile of the prop	w all wells (incl osed point of d	luding domestic							
		n.	ames and mailing addresses	s of the owner	rs. For surface							
		W Is	vater sources, show the na andowner(s) one-half mile do	ames and ado ownstream an	aresses of the done-							
			pstream from your property lin		. ono nan mile							

14. If the proposed groundwater point of diversion is	300 or fewer feet from ex	kisting point of diversion, compl	ete the following:
(a) Does the undersigned represent all owners ☐ Yes ☐ No (If no, all owners	of the currently authorize must sign this application		is application?
 (b) Will the ownership interest of any owner of affected if this application is approved as rec ☐ Yes ☐ No (If yes, all ownership) 			is application be adversely
(c) If this application is not approved expeditiou ☐ Yes ☐ No (If no, all owners	sly, will there be substant must sign this application		nealth or safety?
If the application proposes a surface water change in or a change in place of use, the application must be agent (attach notarized statement authorizing representation)	signed by all owners of th		
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owner, their behalf, in regard to the water right(s) t contained in this application are true, correct	or a duly authorized o which this applicat	agent of the owner(s) to n	nake this application or
Dated at	, Kansas, this	day of	, 20
On Hall			
(Owner)		(Spouse)	
(Please Print)	·	(Please Prir	nt)
(Owner)		(Spouse)	
(Please Print)		(Please Prir	nt)
(Owner)		(Spouse)	
(Please Print)		(Please Prir	nt)
State of Kansas) SS		,	
County of Kile,			90
I hereby certify that the foregoing application	was signed in my pre	esence and sworn to before	me this 21 day of
		Matthew P	
My Commission Expires 3/17/2021	<u></u>	NOTARY PUE NOTARY PUE NOTARY PUE My Appt Exp.	N6AS
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED accurate information; maps, if necessary, must be included; the appropriate fee must be paid.	2. To be complete, all of the signatures of all the approp	applicable portions of the applicati riate owners' must be affixed to the	on form must be completed wit application 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	: Kansas Department on 300 feet or less	f Agriculture	\$100 \$200
	·	NATER RESOURCES RECEIVED	
DWR 1-121 (Revised 06/16/2014)	Page 3	MAY 1 5 2017	File No.

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro K.A	s Summary Order is issued under authority of K.S.A. 82 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> v.R. 5-1-1 <i>et.seq.</i> With the exception of those conditions expns, conditions and limitations of File No. 23038	-701 et. sea., and rules and req	ulations promulgated thereunder,
1.	A change application was received on diversion authorized under the above-referenced file number	requesting that represent that represent the representation in the	the place of use and / or point of e application.
2.	On and after the effective date of this summary order, the a on the topographic map accompanying the application to ch	authorized place(s) of use shall I	be located substantially as shown
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	this summary order shall be loca	me source or sources of water as ated within a foot
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable No	be located more than ot Applicable	feet from the previously
5.	As required by K.A.R. 5-3-5d, if the works for diversion is tube or other device suitable for making water level measur with K.A.R. 5-6-13. Applicable Not Applicable	a well with a diversion rate of 1	00 gallons per minute or more, a ted and maintained in accordance
6.	The owner of the authorized place(s) of use shall proper shall proper shall proper shall proper shall maintained in accordance with K.A.R. 5-1-4 to K.A.R. 5-3-5e, the owner shall maintain records and report diverted annually to the Chief Engineer by March 1 following Applicable Not Applicable	whichever occurs first. The wa hrough 5-1-12. As required by the reading of the water flow me	ater flow meter shall be installed, C.S.A. 82a-732, as amended, and
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form provid Applicable Not Applicable	applicant shall notify the Chief	Engineer that construction of the
8.	The completed well log shall be submitted with the requ	uired notice.	☐ Not Applicable
9.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in	ole of preventing pollution of the	source of the water supply. The
10.	Additional Conditions are attached.		
11.	In accordance with K.S.A. 82a-708a, as amended, and K.A. water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promuresult in civil penalties pursuant to K.S.A. 82a-737, as am water or appropriation right or any other enforcement action	er are responsible for complian mary Order, and with applicable lgated thereunder. Failure to co ended, and/or the suspension o	ce with its terms, conditions and e provisions of the <i>Kansas Water</i> omply with these provisions may
	Administrative Appeal and Effective Date of Order		FICE USE ONLY
	have the right to a hearing in accordance with K.A.R. 5-14-3		N APPROVED AND
befoller Depfiler Kar Dri Sho is n	ore this Summary Order becomes final action of the Kansas cartment of Agriculture. Any request for a hearing must be d with the Chief Engineer, Division of Water Resources, masas Department of Agriculture, 1320 Research Park ve, Topeka, Kansas 66502, within 15 days after the date liwn on the Certificate of Service attached hereto. If a hearing ot requested in accordance with K.A.R. 5-14-3, this Summary ler will become effective on the 15 th day after the date shown the Certificate of Service.	By:	
	For Use by Register of Deeds		`
		State of Kansas)) SS
		County of	
		Acknowledged before me on	
		by	·
		Signature:	
			Notary Public
	war and the state		
	在一点相似的情况。 一点对话	My commission expires:	(Notary Seal)
יארם	R 1-121 (Revised 06/16/2014)	ge 4	File No.
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	13 15 17 1 113 CVISEU VIV 117 / VI 14 1	VIC 7	LICINO.

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

HARDEN FARMS, INC % DEAN HARDEN PO BOX 458 OGDEN. KS 66517 May 16, 2017

RE: File No 23038

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 PD ☐ 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,

Kristen A. Baum

New Applications Unit Supervisor Water Appropriation Program

BAT: DLW

pc: GARDEN CITY Field Office GMD3