CHECK SHEET Short Change

(To be completed and attached to each application)

F	ile No. <u>2</u>	3763			Fiel	d Office	No. <u>4</u>		(GMD No.	<u>3</u>	
1.	Pluggin	g agreemen	t obtained fo	or GMD?	Yes □	No) []	Non App	licable ⊠			
2.			ct as current	_			s 🛚			Address	s Chang	e? <u>NO</u>
3.	ls Wate	Use Corres	pondent co	rrect as c	urrently s	hown in	WRIS?	Yes ⊠	No 🗆	Address	_	
A			on computer						a changod			
4.									n for the new	point(s) c	of divers	ion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	Coun	ty	Quali	fiers
	Old - - -	PDIV ID	Authorized	Rate gpm gpm/cfs gpm/cfs	Additio	onal Rat	e gpm _ m/cfs _ m/cfs _	Authorize	ually assigned ded Quantity af af/mgy af/mgy af/mgy	Addition	at	af f/mgy f/mgy
	e. For r	nation Name	e & No				_ Speci	al Use Arc	ea			
5.	Distanc	es from the	original p/d:		# managing and any interpretation appropriate and any in special and any in the special and			' N			W	
6.	<u>11/28/17</u>		ION TRAIL (COMMEN		• •		eived (date	e accepted for	priority)		
					Notice a	ınd Proo	f by	//				
	/_	/			Comple	tion Req	uiremen	t Removed	d (Change No.	. C)		
7.	<u>METER</u> 12/		AIL COMME	<u>NTS</u>	DWR M	eter Rec	quired by	ı <u>12/31/18</u>				
8.	Base Ac	res <u>876</u>)	Ye	ar		Mi	nimum Re	asonable Qua	ntity		
								Date Crea	ited 12/19/17	by tpm		
								Date Ente	red	bv		

CHECK SHEET ATTACHMENT

File Number 23763

9. Changes to the place of use will be:

		Ī						NE1/2	4			NW74	74			SW%	/4		SE14		1	- V
Action	Owner Person ID	Piace Use ID#		Twp.	Sec. Twp. Range		NE%	NW1/4 SW1/4 SE1/4	SW1/4		NE%	NE% NW% SW% SE%	SW7/4	SE1/4	NE% I	VWV/	NE% NW% SW% SE%	IE% N	1W74 S	NE% NW% SW% SE%	E14 A	ACRES
Ė	24.00	2000	•	Ċ		Acres Authorized	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5								244
_ Z U	5/408	22093	_	07	20 45w	New Acres	LOT1	LOT2			LOT3 LOT4	LOT4										
						Acres Authorized																
						New Acres																
						Acres Authorized												 				
						New Acres													:			
						Acres Authorized																
						New Acres																

	3. Person ID #		
	2. Person ID #		
Names and Address:	1. Person ID #		

GENERAL INSTRUCTIONS

- 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

1. Give to Applicant:

c. Information packet containing:

 Water Meter Specifications Notice and Proof form

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

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

CHECK SHEET SUPPLEMENTAL PAGE

File Number <u>23763</u>

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Changes to
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New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized	New Acres	Acres Authorized		
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0707			34.5						34.5				40					SW1%	1/WN
DECEMBER 1			40					**********	40				31					SE1/4	
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			34.5						34.5		30.5		40			powers	31	NW%	SI
			11						11		30.5		31			co,	31	SW1/4	SW%
			34.5						34.5		30.5		31			colo	31	SE1/4	
			34.5						34.5				31		39		31	NE%	
			40						40				31	lot2	10		31	17WN	35
			34.5						34.5				31				31	SW1/4	SE%
			11						1				31				31	SE1/4	
	90		480		122		122		480		122		514		98		248	ACRES	דסדאו

Names and Address:

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

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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.

than	ngraph No 100 feet t(s) of div	, or if p	olace d	of use	will be	e chan	ted. (ged, i	Compl nclude	ete all a top	l other ograph	applionic ma	cable p or d	portio letailed	ns. If I plat	chang showir	je in p ng the	autho	diversi rized a CEI\ : 36	
						F	ile No	. <u>2376</u>	3									/ 28	
	Application	e water	right w	/hich is		⊠ Pl ubject	lace of of this	f Use applic		□ n acco	Point o	of Dive with t	ersion the cor			Divi	sion o		eld Office Resources
	The sour	ce of su	ipply is	3:		⊠ G	iround	water			Surfac	e wate	er						
	Name an <u>PO BOX</u> Phone N	1227 umber:	SYRA((620):	CUSE 384-57	KS 67 746	7878-1	227		Email	addres	ss:								
3.	Name an PO BOX Phone No The pressure of the pr	1227 umber: ently au f Land -	SYRA(uthoriz	CUSE) ed plac \ME: s	KS 67 ce of u	7878-1 se is:	227 		Email	addres	38:								
	(If there is									necess									
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Sec	c. Twp.	Range	NE1/4	NW¼		SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	1	SW1/4	SE¼	NE1/4	1	SW1/4	SE1/4	ACRES
4.	If this appoint of the control of th	f Land -	NA ADDRI	AME: ; ESS: .	see at	tachme	ents					****							
					≣1⁄4				N1/4			SV	N¼			SI	Ε1/4		TOTAL.
Sec	c. Twp.	Range	NE1/4			SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE¼	ACRES
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			<u> </u>	<u> </u>		<u></u>		<u></u>	<u> </u>	-	<u> </u>								
	For Offic	ce Use	Only:	Code		Fe	e \$_Z	(00)	TR	#		Re	eceipt	Date_	11/28	117	Chec	k#	1148

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th 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



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.

	(Check one or more) Diversion
	☐ Use Made of Water
	File No. <u>23763</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: <u>SAME</u>
	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):
	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 <u>As soon as approved</u> (Date)
For F.O	Office Use Only: GMD Meets K.A.R. 5-5-1 (YES / NO) Use Source G / S County By Date
Coc	GMD Meets K.A.R. 5-5-1 (YES / NO) Use Source G / S County By Date le Fee \$ TR # Receipt Date Check #

Fi	А	Nο	23763

4. The presently authorized place of use is:

Owner of Land — NAME: A K Carol Cay Family Trust

ADDRESS: PO Box 1227, Syracuse, KS 67878

				NE	.1/4			NV	V ¹ /4			sv	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	ACRES
25	25s	43w									40.0	40.0	40.0	40.0					160.0
26	25s	43w	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
27	25s	43w	33.75	33.75	33.75	33.75													135.0

List any other water rights that cover this place of use. 896,15594 & 23763

Owner of Land — NAME: _____

ADDRESS:

	NE%				NW/4			SW¼			SE¼				TOTAL				
Sec.	Twp.	Range	NE14	NW¼	SW¼	SE¼	NE1/4	NW¼	SW¼	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE¼	ACRES
															ļ.		'		
					<u> </u>	<u> </u>	L	<u> </u>		<u> </u>	L	<u> </u>	<u></u>		<u> </u>	L	<u> </u>	<u> </u>	L

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			NW¼						SE¼				TOTAL	
Sec.	Twp.	Range	NE%	NW%	SW1/4	SE1/4	Nɼ	NW1/4	SW1/4	SE1/4	NE%	NW¼	SW1/4	SE1/4	NE1/4	NW¼	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
27	25s	43w	30.5	30,5	30.5	30.5			ļ										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	E1/4		NW¼			sw¼			SE1/4				TOTAL		
Sec.	Twp,	Range	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW%	SW¼	SE1/4	NE¾	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4		SE1/4	ACRES
000.	11121	rtange										6	DCJ &	12 C	0,	000) ,		
17	25s	43w									31.0	31.0	31.0	31.0	31,0	31.0	31.0	31.0	248.0
		,			4071											60T 2			
21	25s	43w			10.0	39.0									39,0	10.0	i		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

Sec. Twp. Range NE½ NE¾ NE¾	4 SE1/4	TOTAL AGRES		
Owner of Land NAME:	4 SE1/4			
Owner of Land NAME:				
Owner of Land NAME: ADDRESS:	+			
Owner of Land NAME: ADDRESS:	1			
Owner of Land NAME: ADDRESS:				
ADDRESS:				
NE½ NW½ SW½ SE½				
Sec. Twp. Range NE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NW½ SW½ SE½ NE½ NW½ SW½ SW½ SE½ NE½ NW½ SW½	4 SE1/4	TOTAL ACRES		
		·····		
	1			
Owner of Land NAME:				
NE¼ NW¼ SW¼ SE¼		TOTAL ACRES		
Sec. Twp. Range NE½ NW¾ SW¾ SE¾ NE½ NW½ SE¾ NE½ NE½ NW½ SE¾ NE½ NW½ SW¾ SE¾ NE¾ NW¾ SW½	SE¼	HONEO		
 Continued: If this application is for a change in place of use, it is proposed that the place of use be changed to Owner of Land NAME: Kansas Dairies I (Frontier Dairy) ADDRESS: 11501 SW RD 31, Syracuse, KS 67878);			
	.11			
NE¼ NW¼ SW¼ SE¼		TOTAL		
Sec. Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½	SE1/4	ACRES		
36 25s 43w 11.0 34.5 40.0 34.5 11.0 34.5 40.0 40.0 34.5 11.0 34.5 40.0 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 30.5		244.0		
31 25s 42w 37.0 24.0 11.0 18.0		90.0		
Ourse of land NAME Van Daki- I/Fundin Daki				
Owner of Land NAME: <u>Kansas Dairies I (Frontier Dairy)</u> ADDRESS: <u>11501 SW RD 31, Syracuse, KS 67878</u>				
NE¼ NW¼ SW¼ SE¼	T I	TOTAL		
Sec. Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE¾ NW½ SW½	SE1/4	ACRES		
35 25s 43w 30.5 30.5 30.5 30.5 30.5	1 3 1 /4	400.0		
30 205 40W 30.0 30.0 30.0 30.0 30.0 30.0 30.0 30	╂	122.0		
				
Owner of Land NAME:				
ADDRESS:				
NE½ NW¼ SW¼ SE¼				
	T CEV	TOTAL ACRES		
Sec. Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½	SE¼			

Page _____

File No. _____

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

			Fi	le No. <u>23763</u>	
.	The presently authorized point(s) of diversion (is) (are	e) No Change			
	•		(Provide description and numb	ar of points)	
7.	The proposed point(s) of diversion (is) (are)		(Provide description and numb	er of points)	·
	List all presently authorized point(s) of diversion:				
Г					
3.	Presently authorized point of diversion: One in the SE Quarter of the	SE.	Quarter of the	SE	Quarter
	of Section 26 , Township	25	South Range	43	W.
	in HAMILTON County, Kansas, 125	feet North	70 feet West of S	outheast corne	r of section.
	Authorized Rate <u>3250GPM</u> Authorized Quant	Hity 1077AF* Blank	ret		
	(DWR use only: Computer ID No. 3	GPS	feet North	feet We	est)
l	 ☑ This point will not be changed ☑ This point 				,
	Proposed point of diversion: (Complete only if ch	lange is requeste	Overtor of the		Quarter
	One in the Quarter of the _		Quarter or the		Quarter
	of Section, Township	r + \$1 - #1	South, Range	`authagat garns	r of coction
	in County, Kansas,	feet North _	feet vivest of 8	outneast come	er or section.
	Proposed Rate Proposed Quanti	ty			
	This point is: Additional Well Geo Center L	ist other water righ	nts that will use this point		•
₽.	Presently authorized point of diversion:	NO	Overtor of the	NE	Quarter
	One in theQuarter of the _	NC NC	Quarter of the	185	Quarter
	of Section, Township	25	South, Range	43	vv,
	in <u>HAMILTON</u> County, Kansas, <u>389</u>	0 feet North _	1320 teet west of s	outneast come	er of section.
	Authorized Rate 3250GPM Authorized Quan	tity <u>1077AF* Blan</u>	<u>ket</u>	£0.06 \N/.	a.a.t\
	(DWR use only: Computer ID No	GPS	feet North	teet vve	est)
	☐ This point will not be changed ☐ This point				
	Proposed point of diversion: (Complete only if ch	<u>range is requeste</u>	<u>ed)</u>		
	One in the Quarter of the _		Quarter of the		Quarter
	of Section , Township		South, Range		(E/W),
	in County, Kansas,	feet North _	feet West of S	Southeast corne	er of section.
	Proposed Rate Proposed Quant	ty			
	This point is: ☐ Additional Well ☐ Geo Center L	ist other water rig	nts that will use this point		
Ю.	Presently authorized point of diversion:				Q
	One in the <u>NW</u> Quarter of the	NW	Quarter of the	NE	Quarter
	of Section 26 , Township	25	South, Range	43	W,
	in <u>HAMILTON</u> County, Kansas, <u>520</u>	06 feet North _	feet West of S	Southeast corne	er of section.
	Authorized Rate 3250GPM Authorized Quar	ntity <u>1077AF* Blan</u>	<u>ket_</u>		
	(DWR use only: Computer ID No	GPS	feet North	feet W	est)
	☐ This point will not be changed ☐ This point	t will be changed	as follows:		
	Proposed point of diversion: (Complete only if c	hange is request	<u>ed)</u>		
	One in the Quarter of the		Quarter of the		Quarter
	of Section , Township		South, Range		<u> </u>
	in County, Kansas,	feet North	feet West of	Southeast corn	er of section.
	Proposed Rate Proposed Quant	ity _			
	This point is: Additional Well Geo Center L	ist other water rig	hts that will use this point		
	<u></u>				
11	. Describe the current condition of and future plans fo	r any point(s) of d	iversion which will no long	tei ne naen	·····

2.	The	pre	sently authorized use of water is for <u>IRR</u>	purposes.
	lt is	pro	osed that the use be changed to <u>IRR</u>	purposes.
		_	ing the place of use and/or use made of water, describe how the consul	mptive use will not be increased.
	Inis	pro	posed change in place of use is in accordance with KAR 5-5-11	
	(Plea	se s	now any calculations here.)	
4.	It is	req	ested that the maximum annual quantity of water be reduced to	(acre-feet or million gallons)
5.	lt is	req	ested that the maximum rate of diversion of water be reduced to	gallons per minute (c.f.s.)
	1:24 Kan Dist	,00 sas anc uld a	lication must include either a topographic map or detailed plat. A U.S. is available through the Kansas Geological Survey, 1930 Constant 66047-3726 (www.usgs.gov). The map should show the location of the source of the section must be shown. Identify the Center of the section, the section lines and township, and range numbers on the map. In addition the following info	nt Avenue, University of Kansas, Lawrence, he presently authorized point(s) of diversion, own. The presently authorized place of use the section corners and show the appropriate
	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 must be shown. Please be certain that the information shown on the Paragraph Nos. 9, 10 and 11 of the application.	
		2)	If the source of supply is groundwater, please show the location of domestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify emailing address of the property owner or owners. If there are no wells	each well as to its use and furnish name and
		3)	If the source of supply is surface water, the names and mailing addre and $\frac{1}{2}$ mile upstream from your property lines must be shown.	sses of all landowner(s) ½ mile downstream
	b.	If a cerl	change in the place of use is desired, show the proposed place of us ain that the information shown on the map agrees with the information s	se by crosshatching on the map. Please be shown in Paragraph No. 5 of the application.
	loca well	l so log	ocumentation to show the change(s) proposed herein will not impair earce of supply as to which the water right relates. This information may, test hole logs, and other information as necessary information to show.	y include statements, plats, geology reports,
	<u>See</u>	atta	ched Plat	
	iden	itify	oposed change(s) does not meet all applicable rules and regulations of the rules and regulations for which you request a waiver. State the r	eason why a waiver is needed and why the
			should be granted. Attach documentation showing that granting the rec prejudicially and unreasonably affect the public interest.	quest will not impair existing water rights and
	Con	nplie	s with current rules	

File No. <u>23793</u>

File !	No.	23763	

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.

I declare that I am an owner of the currently authorized authorized to make this application on their behalf, an complete. By filing this application I authorize the chief	id declare further f engineer to perm	that the statement anently reduce the	e quantity of water and/	HUC, COLICCE, and
as specified in sections 14 and 15 of this application.	4	ZNYS /	() 78/N.(, 20_15
Dated at	, Kansas, this _ <i></i>	day of <u></u>	JOICHEN	, 20
E Stellhat				
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State of Kansas County of	Olesti	l'oase	Attack	ed
I hereby certify that the foregoing application was	signed in my pre	sence and sworn	to before medials	day of
	orgina iii, iii, ji		The terms of the t	artino.
			Notary Public	
My Commission Expires			Notary Public	
	FEE SCHEDUL	<u>E</u>		
Each application to change the place of use, the point of divapplication fee set forth in the schedule below:	version or the use n	nade of the water un	nder this section shall be a	ccompanied by the
	feet or less		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$100 \$200
 (1) Application to change a point of diversion 300 (2) Application to change a point of diversion more (3) Application to change the place of use (4) Application to change the use made of the wat 				
Make check payable to Kansas Department of Agriculture	e.			

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 November 20 15, by 2 12000 Ja 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

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. 23763 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. 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 Not Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion. ☐ Applicable 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. Applicable 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 KN Yes Additional Conditions are attached. 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. Fallure 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. LECONBER Date of Issuance: For Use by Register of Deeds State of Kansas Acknowledged before me on _ Makenz Signature: Notary Rublic NAME OF **SUE KEENY** NOTARY My Appointment Expires PUBLIC My commission expires: June 8, 2018

SUPPLEMENTAL SHEET File No. 23763

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

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 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 Thomas P Makens (Print Name): Division of Water Resources Kansas Department of Agriculture State of Kansas SS (County of Finney The foregoing instrument was acknowledged before me on the $\frac{28}{5}$ day of December, 2017 by, Division of Water Resources, Kansas Department of Agriculture. JULIE JONES

My Commission expires:

My Appointment Expires December 15, 2018 (Notary Seal)