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



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

April 21, 2017

T BAR J LAND INVESTMENTS LLC 1578 CO RD C TRIBUNE KS 67879

RE: Application to Change the Place of Use File Nos. 9777, 17100, 19064, 24565 D1 & D2.

Dear Mr. Weaver:

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#1

#### CERTIFICATE OF SERVICE

On this 25 th day of April 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right, 9777, 17100, 19064, 24565 D1 & D2 dated April 21, 2017, was mailed postage prepaid, first class, US mail to the following:

T BAR J LAND INVESTMENTS LLC 1578 CO RD C TRIBUNE KS 67879

Copy provided to GMD#1

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.

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Page 1

5.	Presently authorized point of diversion:						
	One in the Quarter of the		Qua	rter of the _			Quarter
	of Section, Township		Sout	th, Range _			(E/W),
	in County, Kansas, fe	et No	orth	feet West	of Southeas	st corner of	section.
	Authorized Rate Authorized Quantity						
	(DWR use only: Computer ID No GPS						
	☐ This point will not be changed ☐ This point will be	chan	nged as follows	<b>3:</b>			
	Proposed point of diversion: (Complete only if change is		·				
	One in the Quarter of the		Qua	rter of the _			_ Quarter
	of Section, Township						
	in County, Kansas, fee						
	Proposed Rate Proposed Quantity						
	This point is: Additional Well Geo Center List other	wate	r rights that will	use this po	int	***************************************	·
ı							
6.	Presently authorized point of diversion:						<b>.</b> .
	One in the Quarter of the						
	of Section, Township						
	in County, Kansas, fee						section.
	Authorized Rate Authorized Quantity		Depth	of well		(feet)	
	(DWR use only: Computer ID No GPS				f	eet West)	
	☐ This point will not be changed ☐ This point will be o			:			
	Proposed point of diversion: (Complete only if change is						
ĺ	One in the Quarter of the						
- 1	of Section, Township						
	in County, Kansas, fee						
	Proposed RateProposed Quantity						
l	This point is: Additional Well Geo Center List other	wate	r rights that will	use this po	int		*
7.	Why do you need a new point of diversion?no change to well locations	13a.	If the proposed feet of the exis the diagram bel (PLEASE NOT represents pre	ting point of low in relation E: The " sently auth	f diversion, in to the exist X" in center or ized point or	ndicate its sting point our of diagr	location on f diversion. am below
8.	If a well, is the test hole log attached?  Yes No			50	Jorth 0 - 50		
9.	When do you propose to complete the new point of diversion?						
			50 =	+	<del>-</del> +	50	
10.	If the point of diversion is a well:		West 0 -1			–], ,	Enat
	(a) What are you going to do with the old well?		VVES. 0		<u> </u>	. 11	a5t
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	# N 1		<b> </b>		_	7	
	(b) When will this be done?		E,	[	_ +l		
	O to the Manager of District and a second of the		100	LILLLL Co		400	
11.	Groundwater Management District recommendation attached? Yes No		100	50 Scale	0 50 South c 1" = 100'	100	
12.	Assisted by tpm		If the proposed 100 feet but v diversion, attac For groundwate within one-half r names and ma water sources, landowner(s) or upstream from y	vithin 1320 h a topogram sources, sources, sources, sources, sources, sources, show the ne-half miles.	feet from aphic map show all well roposed points ses of the names and downstrea	the existing or aerial p s (including nt of diversi owners. F id address	g point of hotograph. domestic) on and the or surface es of the

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

## FILE NO. <u>24565 D2</u> MAKE ADDITIONAL COPIES AS NECESSARY

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Page \_\_\_\_

File No. \_\_\_\_

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

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
<ul><li>(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners must sign this application.)</li></ul>
<ul> <li>(b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application.)</li> </ul>
(c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  ☐ Yes ☐ No (If no, all owners must sign this application.)
f the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).
hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on heir behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements ontained in this application are true, correct and complete.
Dated at Darden lity, Kansas, this 10 h day of March, 2017.
( Lace ( May 1)
(Spouse)
(Please Print) (Please Print)
(Owner) (Spouse)
(Please Print) (Please Print)
(Owner) (Spouse)
(Please Print) (Please Print)
ounty of Finney SS
I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10 day of
SUE KEENY My Appointment Expires y Commission grapites  June 8, 2018  Notary Public
Contractive of management and management of the second sec
NLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with scurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and a appropriate fee must be paid.
FEE SCHEDULE
ach application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set rth in the schedule below: Make checks payable to: Kansas Department of Agriculture  (1) Application to change a point of diversion 300 feet or less

Page 3

File No. \_\_\_\_\_

DWR 1-121 (Revised 06/16/2014)

### 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. 24565 172

	ns, conditions and limitations of File No. LR 503 10 L	
1.	A change application was received on MARCH (O, diversion authorized under the above-referenced file number)	ZOL7 requesting that the place of use and / or point of be changed as described in the application.
2.	On and after the effective date of this summary order, the au on the topographic map accompanying the application to char	thorized place(s) of use shall be located substantially as shown nge the place of use.   전Applicable
	previously authorized. The point of diversion authorized by the radius of the authorized point(s) of diversion.   Applicable	s and shall be limited to the same source or sources of water as is summary order shall be located within a foote
	authorized boint(s) of diversion. $\square$ Applicable $\square$ Not	
	tube or other device suitable for making water level measurer with K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	well with a diversion rate of 100 gallons per minute or more, a nents shall be installed, operated and maintained in accordance
	December 31, 2016, or before the first use of water, whichever and maintained in accordance with K.A.R. 5-1-4 through 5-1-3-5e, the owner shall maintain records and report the reading annually to the Chief Engineer by March 1 following the end o ☐ Applicable ☐ Not Applicable	
	authorized extension of time. By March 1, 20 <u>17</u> the applicant diversion has been completed, on the form provided by the Cl	
8.	The completed well log shall be submitted with the requir	ed notice.   Applicable  Thot Applicable
9.	with an in line automatic quick-closing check valve cabable	oreign substance will be injected into the water shall be equipped of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ☐ Applicable ☐ Not Applicable
	Additional Conditions are attached.  Yes Yo	
11.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summ Appropriation Law and the Pules and Regulations promules	R. 5-5-14, all of the owners of the authorized place(s) of use of are responsible for compliance with its terms, conditions and ary Order, and with applicable provisions of the <i>Kansas Water</i> ated thereunder. Failure to comply with these provisions may nded, and/or the suspension or revocation and dismissal of the authorized by law.
/	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
_	have the right to a hearing in accordance with K.A.R. 5-14-3	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
befo	ore this Summary Order becomes final action of the Kansas	SUMMANT ONDER 1030ED
filed	partment of Agriculture. Any request for a hearing must be I with the Chief Engineer, Division of Water Resources,	11 PM
Kan	isas Department of Agriculture, 1320 Research Park ve, Topeka, Kansas 66502, within 15 days after the date	By: Duly Authorized Designee of the Chief Engineer
sho	wn on the Certificate of Service attached hereto. If a hearing of requested in accordance with K.A.R. 5-14-3, this Summary	(Print Name): THOMAS P. MAICENS
Ord	er will become effective on the 15th day after the date shown	Division of Water Resources - Kansas Department of Agriculture
on t	he Certificate of Service.  For Use by Register of Deeds	Date of Issuance: April 21, 2017
	, o, cook, togate, e, cook	State of Kansas ) ) SS
		County of Finance )
		Acknowledged before me on Opril 21 2017
		by Thomas P. Markens
		Signature: She Keemi
		Signature:
		SUE KEENY  My Appointment Expires  June 8, 2018
		My commission expiles

(Notary Seal)

## 9777, 17100, 19064, 24565D1, 24565D2)

