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

January 30, 2017

TIM DEWEY FARM & CATTLE COMPANY PO BOX 269 CIMARRON KS 67835-0269

RE: Change the Place of Use, File Nos. 25966, 26613, 26614, 26615, 27046, 27047.

Dear Mr. Dewey;

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.

An acceptable water flow meter was required to be installed on the diversion works by earlier requirement of the Chief Engineer. These water flow meters shall be used to provide information required on the annual water use report.

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 C: GMD3

CERTIFICATE OF SERVICE

On this 3 day of January 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 25966, 26613, 26614, 26615, 27046, 27047 dated January 30, 2017, was mailed postage prepaid, first class, US mail to the following:

TIM DEWEY FARM & CATTLE COMPANY PO BOX 269 CIMARRON KS 67835

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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	under the water right which is the subject of this application in accordance with the conditions described below. The source of supply is: Groundwater Surface water																		
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	no change to well location			the diagram below i	n relation to the	existing point of d	iversion.
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12.	Assisted by tpm		13b.	If the proposed poir 100 feet but within	nt of diversion v n 1320 feet f	will be relocated mi rom, the existing	ore than point of
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				For groundwater so	urces, show al	l wells (includina d	omestic)
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				water sources, sh	ow the name	s and addresses	of the
				landowner(s) one-h upstream from your	nair mile down propertylines	stream and one-h	iair mile
				aponoun nom your	F. 0 P 31 13 11 1001		

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

FILE NO.

MAKE ADDITIONAL COPIES AS NECESSARY

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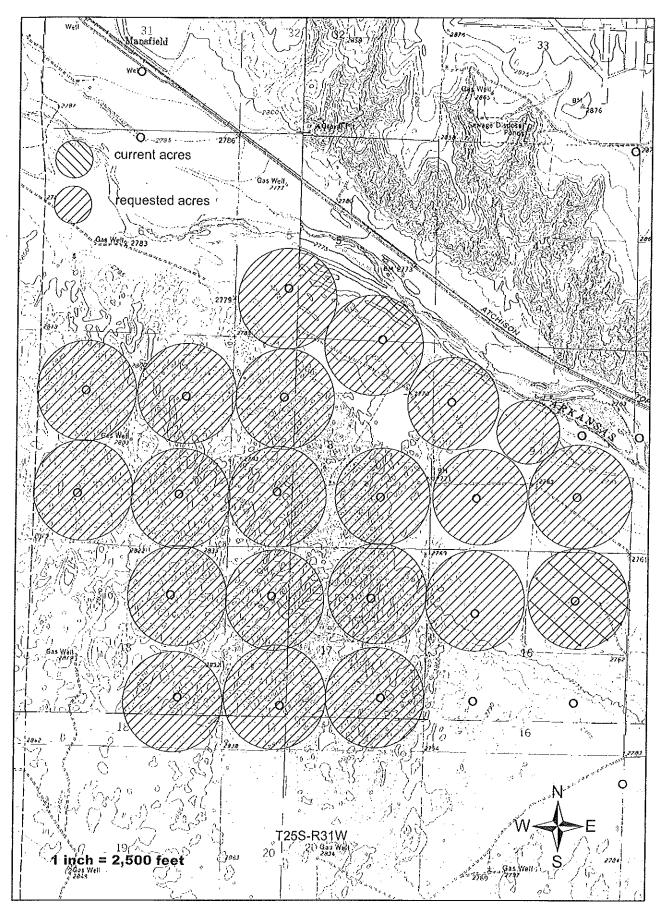
14. If the proposed groundwater point of diversion is 300 or fewer feet	from existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently au☐ Yes☐ No(If no, all owners must sign this approximation)	
 (b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved as requested?) 	•
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affin age and the owner, the spouse of the owner, or a duly author their behalf, in regard to the water right(s) to which this ap- contained in this application are true, correct and complete.	prized agent of the owner(s) to make this application or oplication pertains. I further verify that the statements
Dated at Cimannon, Kansas, thi	s
Dated at Cimannon, Kansas, thi	
(Owner)	(Spouse)
(Please Print)	(Please Print)
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State of Kansas County of SS	. 4.
I bereby certify that the foregoing application was signed in a Dec	398 1
My Commission Expires	/ / Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, al accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	
FEE SCHED	ULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	nent of Agriculture

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. 25966 2016 requesting that the place of use and / or point of 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. Applicable ☐ 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 radius of the authorized point(s) of diversion. The point(s) of diversion authorized herein shall not actually be located more than _ feet from the previously authorized point(s) of diversion. ☐ Applicable Not 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 Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017, 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 and the Chief Fooloogy by March 1 following the code of each calcade years. Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. By March 1, 2018 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 ☐ Applicable The completed well log shall be submitted with the required notice. ☐ 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 10. Additional Conditions are attached. ☐ Yes ⊠ 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order 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 MAKGUC is not requested in accordance with K.A.R. 5-14-3, this Summary (Print Name): THOMAS 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. Date of Issuance: For Use by Register of Deeds State of Kansas SS Acknowledged before me on by <u>Thomas P</u> Signature: Notary Public INTEO SUE KEENY UTARY ! My Appointment Expires . USUO June 8, 2018 NSAS My commission expires: (Notary Seal)

25966 Dewey place of use overlap



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