### CHECK SHEET Short Change

(To be completed and attached to each application)

F	ile N	o. <u>26</u> 4	140		<b></b>	Fiel	ld Office	No. <u>4</u>		C	GMD No.	<u>3</u>	
1.	Plug	ging	agreement	obtained fo	r GMD?	Yes □	No	· 🗆	Non App	licable ⊠			
2.	ls La	ndov	vner correc	ct as current	ly shown	in WRIS?	? Ye	s 🛛	No [	]	Addres	s Chan	ge? <u>NO</u>
	If app	olicab	le, list Place	e of Use Ove	rlap File N	los							
3.				•		_				No 🗌	Addres	•	_
4				n computer									
٦.											! 4/ - \	. £ .15	_•
	p. 8	Show	teet distar	ices from th	е		cor	ner of t	ne sectioi	n for the new	point(s)	or aiver	sion:
	Ac	tion	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'n	<b>'</b> W	Coun	ty	Qual	ifiers
	c. It	f mul	l finla nainte	of diversion	n oviet ar	nd rates a	nd auar	titios a	re individu	⊥ ually assigned	i ehow:	1	
			• •	Authorized I			-			ed Quantity		nal Qua	ntitv
	_									af			•
										af/mgy			
										af/mgy			
	d. N	lama	of Drainac	ıa Racin				le	this corre	ctly shown in	WRIS2	⊠ Yes	П№
	e. F	orma	ation Name	8 & No				_ Spec		ea			<u>-</u>
5.	Dista	ances	from the	original p/d:		-			_' N		)	W	
6.	<u>WAT</u>	ER R	IGHT ACT	ION TRAIL C	OMMEN	<u>rs</u>							
	<u>11/28</u>	<u>3/17</u>				Change	Applica	tion Red	ceived (dat	e accepted for	priority)		
	12	. 1 2	<u>8 /17</u>				Approve and Proo			·			
		_/	/			Comple	tion Req	uiremer	nt Remove	d (Change No.	C	)	
7.			CTION TRA 8 /17	AIL COMME	<u>NTS</u>	DWR M	eter Red	quired by	y <u>12/31/18</u>				
8.	Base	Acre	s <u>860</u>	<u> </u>	Yea	ar		_ M	inimum Re	asonable Qua	ntity		
									Date Crea	ated <b>12/19/17</b>	by <b>tpm</b>	)	
									Date Ente	ered	hv		

# CHECK SHEET ATTACHMENT

File Number 26440

Changes to the place of use will be:

<u> </u>									
- - - - -	NE% NW% SW% SE% ACRES	244							
	SE1/4								
SE14	SW%								
SE	NW74								
	NE½								
	SE14								
SW1/4	5W74								
λS	NE% NW% SW% SE%								
	NE% NW% SW% SE%	30.5							
17/4	SW74	30.5							
NW1/4	NW74	30.5	LOT4						
:	NE%	30.5	LOT3 LOT4						
	SE1/4	30.5							
1/4	NWW SWW SEW	30.5							
NE7	NW74	30.5	LOT2						
	NE1/	30.5	LOT1						
		Acres Authorized	New Acres						
	Range	Ç	45W						
	Sec. Twp. Range	ć	07						
	Sec.	*							
200	Place Use   ID#	coocc	32093						
	Owner Person ID	24,00	0/409						
	Action	Ļ	i i						

	Person ID #				
	က <u>်</u>	1	1		
	Person ID #				TO THE THE PRINT HAVE BEEN ASSESSED TO THE PRINT HAVE BEEN ASSESSED TO THE PRINT HAVE BEEN ASSESSED.
	<u> </u>	 	 		
Names and Address:	Person ID #				A CALL THE PROPERTY MANAGEMENT AND A CALL THE PARTY OF TH
Z	<u>~</u>		ļ		

## GENERAL INSTRUCTIONS

a. Original application/approval

Give to Applicant:

- b. Original receipt (one for each application)
- c. Information packet containing:
- Notice and Proof form
- Water Meter Specifications
- Acceptable Meter list
- Water level measurement tube specifications
- Check Valve specifications
- Pink Sheet K.S.A. 82a-728 letter
- Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

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

Complete ownership and WUC change information.

ίζ.

Date stamp received and approved.

- b. Original check and copy of receipt
  - 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.
- Type or print applicant's/owner's name on line.
- Complete notary statement.

ADDITIONAL PHOTOCOPIES	an employa and an emp		**************************************	
ADDIT				

# CHECK SHEET SUPPLEMENTAL PAGE

9. Changes to the place of use will be:

File Number <u>26440</u>

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			34.5						34.5		30.5		31			colo	31	SE1/4	
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SYRACUSE KS 67878

11501 SW RD 31

KANSAS DAIRIES II (HERMANA DAIRY)

Person ID # 58487

Ŋ

Person ID # 58939

A K CORAL CAY FAMILY TRUST

KANSAS DAIRIES I LLC (FRONTIER DAIRY)

Person ID # 57409

SYRACUSE KS 67878-7047

11501 SW CR 31

E J & KATHLEEN DE GROOT

**SYRACUSE KS 67878-1227** 

PO BOX 1227

Names and Address:

•	



Garden City Field Office 2508 Johns Street Garden City, Kansas 6784<u>6-2804</u>

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

Phone: (620) 276-2901

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.

thai	agraph N n 100 fee nt(s) of div	t, or if p	olace o	of use	will be	e chan	ted. ( ged, i	Compl nclude	l <b>ete al</b> l e a top	other ograpl	applinic ma	cable p or d	portio etailed	ns. If I plat	chanç showir	ge in pang	autho F	rized a	on is greater and proposed EIVED
						F	ile No	. <u>2644</u>	0										8 2017
1.	Application under the The soul	e water	right w	hich is		⊠ Pl µbject o	ace of	Use applic		n acco	Point o	of Dive with t	rsion he cor			D	ivision		Field Office ter Resources
2.		1227 lumber: nd addre	SYRA (620): ess of \	CUSE 384-57 Water	<u>KS 67</u> 46 Use Co	7 <u>878-1</u> orresp	227  onden		Email	addres	ss:								
3.	Owner of Land NAME: see attachments  ADDRESS:  (If there is more than one landowner, attach supplemental sheets as necessary.)																		
				NE	1/4			NV	N¼	r-		SV					=½		TOTAL ACRES
	ec. Twp.	Range	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	
													:		···········				
4.	If this ap	of Land -	NA Addri	AME: : ESS: :	see att	achme	ents												
					= 1⁄4				N¼		J.		V¼	[			E1/4		TOTAL ACRES
S	ес, Тwp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE½	NW1/4	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
	For Offi	ce Use	Only:	Code		Fe	e \$	<b>.</b> 00	TR	#		Re	eceipt	Date _	11/2	8/17	Chec	:k#_4	1148

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.

Application is hereby made for approval of the Chief Engineer to change the      Place of Use											
	(Check one or more)										
	File No. <u>26440</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:										
	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 de Fee \$ TR # Receipt Date Check #										
1	:										

File	No.	26440	

4. The presently authorized place of use is:

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

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

				NE	1/4		NW%					sv	V1/4			SE	1/4		TOTAL
Sec.	Tun	Range	MEN	····		SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
380.	rwp.	Nango	141.74	14474	0		11-7:												
17	25s	43w									31.0	31.0	31.0	31.0	31.0	31.0	31.0	31.0	248.0
- 17	208	-4244																	
21	25s	43w	·		10.0	39.0									39.0	10.0			98.0
		1011																	
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. 16877 & 26440

Owner of Land — NAME: \_\_\_\_\_

ADDRESS:

				N:E	=1/4	,		NW¼				SV	V1/4			SE	=1/4		TOTAL
Sec	Twp.	Range	NE¼	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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											L	<u> </u>	<u> </u>			<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			sv	V%			SE	1/4	,	TOTAL
Sec.	Twp.	Range	NE¼	NW14	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW¼	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	≣¼		NW¼			SW¼				TOTAL					
Sec.	Twp.	Range	NE1/	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE14	NE1/4	NW¼	SW¼	SE1/4	ACRES
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17	25s	43w							,		31.0	31.0	31.0	31,0	31.0	31.0	31.0	31.0	248.0
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21	25s	43w	1		10.0	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

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				1	01174	02/1	112/4	1/	3	1	11		01174	02/1	11/4	/4		012/4	
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Sec.	Twp.	Range	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	NE¾	NW¼	SW1/4	SE¼	ACRES
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Sec.	Twp.	Range	NE1/4	NVV34	SW1/4	SE14	NE¼	NW1/4	SW <sup>1</sup> / <sub>4</sub>	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	
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			ļ	NE	E1/4			N۱	٧%			SV	V¼			SI	Ε¼		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE¼	NW1⁄4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
36	25s	43w	11.0		40.0	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
1	26s	43w	30.5	30.5	30.5	30.5	<b>2-3</b> 30.5	30.5	30.5	30.5									244.0
31	25s	42w	37.0	24.0															90.0
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	wner of	Land -	N/ ADDRI	AME: . ESS: .	Kansa 11501	s Dairi SW R	es I (F D 31,	rontiei Syraci	· Dairy ise, KS	) S 6787	8								
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Page \_\_\_\_

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

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

		File No. <u>26440</u>
ŧ	The presently authorized point(s) of diversion (is) (are) No Change	
		(Provide description and number of points)
7.	The proposed point(s) of diversion (is) (are)	(Provide description and number of points)
	11.4 - 11 authorized point(s) of diversion	
r	List all presently authorized point(s) of diversion:	
3.	Presently authorized point of diversion: [ 신	Quarter of the NF Quarter
	of Section 21 Township 25	South Range 43 W.
	in <u>HAMILTON</u> County, Kansas, <u>3818</u> feet North <u>1</u>	
	in HAMILTON County, Kansas, 3010 leet Notific 1	lest west of countries of the countries
	Authorized Rate 805GPM Authorized Quantity 642AF* Limited  (DWR use only: Computer ID No. GPS -	feet North feet West)
	☑ This point will not be changed ☐ This point will be changed as	follows:
		101101101
	Proposed point of diversion: (Complete only if change is requested)	Overton of the Overton
	One in the Quarter of the	
	of Section, Township	foot Wort of Southeast corner of section
	in County, Kansas, feet North	leet West of Southeast come, of section.
	Proposed Rate Proposed Quantity	 that will use this point
	This point is: Additional Well Geo Center List other water rights	triat will use tris point.
. [	Presently authorized point of diversion: STV	
€.	One in the AVIII Quarter of the	Quarter of the 56 Quarter
	Presently authorized point of diversion: 5TV One in the	South, Range 43
	in 1 M County, Kansas, 919 feet North 1	2 46 feet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	
	(DWR use only: Computer ID No GPS	_ feet North feet West)
	☐ This point will not be changed ☐ This point will be changed as	follows:
	Proposed point of diversion: (Complete only if change is requested)	
	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 Southeast corner of section.
	Proposed Rate Proposed Quantity	_
	This point is: Additional Well Geo Center List other water rights	that will use this point
10.	Presently authorized point of diversion:	
	One in the Quarter of the	Quarter of the Quarter
	of Section Township	South, Range(E/VV),
	in County, Kansas, feet North	feet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	
٠	(DWR use only: Computer ID No GPS	feet North feet West)
	☐ This point will not be changed ☐ This point will be changed as	follows:
	Proposed point of diversion: (Complete only if change is requested)	
	One in the Quarter of the	Quarter of the Quarter
	of Section, Township	South, Range (E/VV),
	in County, Kansas, feet North	feet West of Southeast corner of section.
	Proposed Rate Proposed Quantity	_
	This point is: Additional Well Geo Center List other water rights	that will use this point
11	. Describe the current condition of and future plans for any point(s) of diver	rsion which will no longer be used
	· · · · · · · · · · · · · · · · ·	

12.	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.								
13.		If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  This proposed change in place of use is in accordance with KAR 5-5-11										
				•								
	(Ple	ase s	now any calculations here.)									
14.	It is	req	ested that the maximum annual quantity of water be reduced to	(acre-feet or million gallons).								
15.	It is	req	ested that the maximum rate of diversion of water be reduced to	gallons per minute ( c.f.s.).								
16.	1:24 Kar Dis	4,00 nsas tanc ould a	lication must include either a topographic map or detailed plat. A U.S. of is available through the Kansas Geological Survey, 1930 Constant 66047-3726 ( <a href="https://www.usgs.gov">www.usgs.gov</a> ). The map should show the location of the es North and West of the Southeast corner of the section must be showned by shown. Identify the center of the section, the section lines and the township, and range numbers on the map. In addition the following information.	Avenue, University of Kansas, Lawrence, presently authorized point(s) of diversion. When the presently authorized place of use e section corners and show the appropriate								
	a.	lf 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.	West of the Southeast corner of the section map agrees with the information shown in								
		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 ea mailing address of the property owner or owners. If there are no wells w	ch 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.	ses of all landowner(s) ½ mile downstream								
	b.	lf a cer	change in the place of use is desired, show the proposed place of use ain that the information shown on the map agrees with the information sh	by crosshatching on the map. Please be lown in Paragraph No. 5 of the application.								
17.	loca wei	al so Il log	locumentation to show the change(s) proposed herein will not impair exurce of supply as to which the water right relates. This information may s, test hole logs, and other information as necessary information to show elow.	include statements, plats, geology reports,								
	See	e atta	ched Plat									
18.	ide req	ntify uest	oposed change(s) does not meet all applicable rules and regulations of the rules and regulations for which you request a waiver. State the reashould be granted. Attach documentation showing that granting the requorejudicially and unreasonably affect the public interest.	ason why a waiver is needed and why the								
	Col	mplie	s with current rules									

File No. 26440

File	No.	26440	
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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.

I declare that I am an owner of the currently authorized place of us	e as identified herein, or that I represent all such owners and am
authorized to make this application on their behalf, and declare to complete. By filing this application I authorize the chief engineer to	irther that the statements contained herein are nue, confect, and
	nis 30th day of October 20 15.
Dated at, Kansas, the	his 50 day of (76,1090)
(Owner)	(Spouse)
Enc (seedhart	(Dlanca Drint)
(Please Print)	(Please Print)  (Spouse)
(Owner)	Hoth loss, he GPart
(Please Print)	(Please Print)
	(Spouse)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of	Whitale
I hereby certify that the foregoing application was signed in m	of presence and sworn to before me this day of
	Notary Public
My Commission Expires	
FEE SCH	<u>EDULE</u>
Each application to change the place of use, the point of diversion or the application fee set forth in the schedule below:	use made of the water under this section shall be accompanied by the
<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></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 3 day of November, 20 15, by 2 J. Deforth and Synchology Coedhard, 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)

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S9-T26S-R43W (1)

### 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. 26440 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 Not 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 approach to the Chief Engineer by March 1 following the end of each released records. 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. Applicable Not Applicable The completed well log shall be submitted with the required notice. ☑ Not Applicable 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 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. 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. Date of Issuance: For Use by Register of Deeds State of Kansas Acknowledged before the on Signature: Notary Rublic SUE KEENY NAME OF S My Appointment Expires NOTARY PUBLIC My commission expires June 8, 2018 · Minisia (Notary Seal)