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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poin	ıt(s) of di	version	and/o	r place	of use	Э.		TANDA DI CONTROLO	weeknoosessa esse	en politica de la constanta de	control of the south of	o programación de la companya de la						:23	
							File No	o. <u>266</u> ′	14			······································		-				C 0 8	
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garder Division of Diversion									Garden City Field Office vision of Water Resources									
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	For Offic	ce Use	Only:	Code		Fee	• \$ <u> </u>	00.	_ TR	#		Re	ceipt	Date _	12/8	3/16	Chec	k#_3;	3229

5.	Presently authorized point of diversion:					
	One in the Quarter of the		Quart	er of the		Quarter
	of Section, Township		South	ı, Range		,
	in County, Kansas,	_ feet Norti	ì	feet West of	Southeast co	orner of section.
1	Authorized Rate Authorized Quantity _		Depth o	of well	***	(feet)
	(DWR use only: Computer ID No. GPS	S	feet N	orth	fee	t West)
1	☐ This point will not be changed ☐ This point will	be change	ed as follows:			
	Proposed point of diversion: (Complete only if change	<u>e is reque</u>	sted)			
1	One in the Quarter of the			er of the		Quarter
	of Section, Township		South	i, Range		,
	in County, Kansas,	feet North	1	feet West of	Southeast c	orner of section.
1	Proposed Rate Proposed Quantity	_	Propos	ed well depth	n (feet)	
	This point is: Additional Well Geo Center List of					
Ĺ	The point of Traditional Fresh Discourse					
٦	Presently authorized point of diversion:				De la Conomia	
6.	One in the Quarter of the		Quart	er of the		Quarter
	of Section, Township		South	Range		(FW).
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ĺ	County, Nansas,	_ 1661 (40) (1	Donth o	funll	Coddinador	(feet)
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	Proposed point of diversion: (Complete only if change	e is reque	stea)			Outputon
	One in the Quarter of the		Quan	er of the		Quarter
	of Section, Township		Souti	ı, Kange		(E/VV),
- 1	inCounty, Kansas,	_ feet Norti	,	reet west of	Soumeast co	orner or section.
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L	This point is: Additional Well Geo Center List of	her water r	ights that will t	ise this poin	[and the second second
		130	the proposed	noint of dive	rsion will be r	elocated within 10
7.	Why do you need a new point of diversion?	f	et of the exist	ing point of	diversion, indi	icate its location o
	no change to well location	ţ	ne diagram bel	ow in relation	to the existin	g point of diversion of diagram below
		۱ ۲	epresents pre	sently autho	rized point o	f diversion.)
				•	orth	·
•	If a well, is the test hole log attached? Yes No		100		50	100
გ.	If a well, is the test hole by attached: [] Tes [2] No					
9.	When do you propose to complete the new point	of	E	' -	<u>-</u>	
٠.	diversion?		-, -		1	-l ₅₀
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			E	-	_ _	7
10.	If the point of diversion is a well:		West 0 1		Ziliilii	ı—do East
	(a) What are you going to do with the old well?		· -	· · · · · · · · · · · · · · · · · · ·		,]
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	(b) When will this be done?		<u>E.</u>	l	_ +l.,	, 🗇
11.	Groundwater Management District recommendation	on	100		0 50 outh	100
	attached? Yes No			Scale	1"= 100'	
		13b. 1	f the proposed	point of dive	rsion will be r	elocated more tha
12.	Assisted by tpm	1	00 feet but v	vithin 1320 h a tanagra	feet from the	e existing point o aerial photograpl
		F	or oroundwate	r sources, si	now all wells (including domestic
		V	vithin one-half r	nile of the pr	oposed point	of diversion and th
		V	vater sources.	show the	names and	ners. For surfact addresses of the
		į.	andowner(s) o	ne-half mile	downstream	and one-half mil
		ι	ipstream from y	our property	lines.	

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 diversi	on is 300 or fewer feet fror	n existing point o	f diversion, complete th	e following:
(a) Does the undersigned represent all owr ☐ Yes ☐ No (If no, all ow	ners of the currently author mers must sign this applica	rized place(s) of u ation.)	use identified in this app	lication?
(b) Will the ownership interest of any ownership affected if this application is approved a ☐ Yes ☐ No (If yes, all ownership)			se identified in this app	lication be adversely
(c) If this application is not approved exped ☐ Yes ☐ No (If no, all ow	ditiously, will there be subs mers must sign this applica		property, public health	or safety?
If the application proposes a surface water change or a change in place of use, the application must agent (attach notarized statement authorizing rep	t be signed by all owners o	groundwater char of the currently au	nge in point of diversion uthorized place of use, o	greater than 300 feet or their duly authorized
I hereby verify, being first duly sworn up age and the owner, the spouse of the ow their behalf, in regard to the water right contained in this application are true, con	ner, or a duly authoriz (s) to which this appli	ed agent of the	e owner(s) to make	this application or
Dated at CiMArron	, Kansas, this _	day of	Dec	, 20 <u>//</u>
& Tim Dewy				
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
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(Owner)			(Spouse)	4
(Please Print)		· · · · · · · · · · · · · · · · · · ·	(Please Print)	
State of Kansas County of <u>Gray</u> SS				this 6 th day of
I hereby certify that the foregoing applica	Climity PUBLIC - State of Consos DOUG DAMIDSON Ny Appt. Exp.	Doug	Davidson	uns <u>b</u> day of
My Commission Expires//- 5-2018	•		/ Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCES accurate information; maps, if necessary, must be incluted appropriate fee must be paid.	<u>SSED</u> . To be complete, all of ided; signatures of all the app	the applicable port ropriate owners' mi	ions of the application formust be affixed to the application	n must be completed with ation and notarized; and
Each application to change the place of use or th forth in the schedule below: Make checks payab (1) Application to change a point of dive (2) Application to change a point of dive (3) Application to change the place of us	le to: Kansas Departmer rsion 300 feet or less rsion more than 300 feet .	this section shall		\$100 \$200

Page 3

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. 26614 A change application was received on DECEMBER 3, 2016 requesting that the place of diversion authorized under the above-referenced file number be changed as described in the application. 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 Applicable ☐ Not Applicable on the topographic map accompanying the application to change the place of use. 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 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. 5-5e, 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. Not Applicable 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. ☐ Applicable 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 \square Not Applicable 10. Additional Conditions are attached. ☐ Yes [B]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 is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown 1 HOMAS MAKONS (Print Name): Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: VANUARY For Use by Register of Deeds State of Kansas SS Acknowledged before me on lakens Signature: elm Notary Public SUE KEENY NOTARY My Appointment Expires PUBUC June 3, 2018 My commission expires (Notary Seal)

Page 4

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

File No. ___

26614 Dewey place of use overlap

