CHECK SHEET Short Change

(To be completed and attached to each application)

F	ile No. <u>2</u> 8	3646		•	Fiel	d Office	No. <u>4</u>		(GMD No.	<u>3</u>	
		_	t obtained fo						licable ⊠			
			ct as current e of Use Ove	•				No [·	Addres	s Chan	ge? <u>NO</u>
3.	ls Water	Use Corres	pondent cor	rect as cı	urrently s	hown in	WRIS:	? Yes ⊠		Addres		- —
			on computer									
									n for the new	point(s) o	of diver	sion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	Coun	ty	Qual	lifiers
		PDIV ID	Authorized F	Rate gpm gpm/cfs	Additio	onal Rate	e gpm n/cfs	Authorize	ually assigned duantity af af/mgy af/mgy	Additio	6	af af/mgy
	d. Nam	e of <u>Draina</u> g	ge Basin				Is	this corre	ctly shown in	WRIS?	⊠ Yes	□ No
	e. Form	nation Name	e & No				_ Spec	ial Use Ar	ea			
5.	Distance	s from the	original p/d:		*****************	,		_' N			W	
6,	WATER	RIGHT ACT	ION TRAIL C	OMMENT	<u>s</u>							
	11/28/17	i co.			•	• •		ceived (dat	e accepted for	priority)		
	12/2	<u>B /17</u>				Approve and Proo						
	/				Comple	tion Req	uiremei	nt Remove	d (Change No.	. C))	
7.	METER /		AIL COMMEI	<u>NTS</u>	DWR M	leter Red	luired b	y <u>12/31/18</u>				
8.	Base Acr	es 125	<u> </u>	Yea	ar		_ M	linimum Re	asonable Qua	ntity		
								Date Crea	ated 12/19/17	by tpm	1	
								Date Ente	ered	bv		

CHECK SHEET ATTACHMENT

File Number 28646

Changes to the place of use will be:

TOTAL ACRES 244 SE1/2 SW74 SE1/4 NW74 NE7 SE1/4 NW74 SW74 Z/W/S NE% SE1/4 30.5 30.5 NW74 SW74 NW74 30.5 LOT3 | LOT4 NE% 30.5 SE1/4 30.5 30.5 NE14 NW14 SW14 NE74 30.5 LOT1 LOT2 30.5 Acres Authorized Acres Authorized Acres Authorized Acres Authorized New Acres New Acres New Acres New Acres Twp. Range 43w 26 Sec Place Use ID# 32693 Owner Person ID 57409 Action

			• • • • • • • • • • • • • • • • • • • •
	Person ID #		
	ઌ૽		
	Person ID #		
	<i>c</i> i	***************************************	
Names and Address:	Person ID #		,
Nam	, ;	***************************************	

GENERAL INSTRUCTIONS

- Send to headquarters:
- a. Good, <u>microfilmable</u> 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

Acceptable Meter list

Notice and Proof form

- 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. က်

CONDITIONS

Insert notice and proof date. ٠.;

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. ાં છ
 - Complete notary statement.

Date stamp received and approved. Complete ownership and WUC change information ADDITIONAL PHOTOCOPIES			
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CHECK SHEET SUPPLEMENTAL PAGE

9. Changes to the place of use will be:

File Number 28646

	ACRES	248		86		514		122		480		122		122		480		06	
	SE1/4	31				31				11						11			
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Names and Address:

1. Person ID # <u>58487</u>	2. Person ID # <u>58939</u>	3. Person ID # <u>57409</u>
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	TO THE PROPERTY AND



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 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.

tha	n 100 f	Nos. 1, a eet, or if diversion	place	of use	d lliw	e char	e ted. nged, i	Comp nclude	lete al e a top	l other ograp	r appli hic ma	cable up or c	portic letailed	ns. If d plat	chanç showii	ge in p ng the	oint of autho	f divers orized a	ion is greater and proposed
pon	ni(s) or	liveision	anu/or	place	oi use	•													VED
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						F	File No	. <u>2864</u>	6								NO	V 2 8	2017
1.	Applic	ation is he	ereby r	nade fo	or app	roval o	f the C	chief E	ngine	er to ch	nange f	the (ch	eck or	ie or b	oth):	G	arden	City F	ield Office
							lace o				Point							of Wate	r Resources
	under	the water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	he cor	dition	s desc	ribed I	oelow.		
	The so	urce of s	upply i	s:		⊠ G	iround	water			Surfac	ce wate	er						
2.	Name	and addr	ess of	Applica	ant: Z	ACHAI	RY GA	LE											
		X 1227																	
	Phone	Number:	(620)	384-57	746				Email	addre	ss:								
	Name	and addr	ess of	Water	Use C	orresp	onden												
	<u>PO B</u> (X 1227	SYRA	CUSE	KS 6	7878-1	227												
	Phone	Number:	()					Email	addre	ss								
3.	The p	esently a	uthoriz	ed pla	ce of u	ise is:													
	Owner	of Land	NA	AME:	see at	tachm	<u>ents</u>												
			ADDR																
	(If there	is more th	nan one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)				I				I
				NE	E1/4			, NV	N¼			SV	V1/4			1	<u> </u>		TOTAL ACRES
S	ec. Tw	p. Range	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	AONEO
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	ec. Tw	p. Range	NE74	5NVV 74	30074	SE/4	INE 74	19774	30074	35/4	INE 74	1400/4	GVV/A	OL.74	IXL/4	1444/4	OVV	02/4	
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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.

1.	Application is hereby made for approval of the Chief Engineer to change the
	☑ Place of Use
	(Check one or more) Diversion
	☐ Use Made of Water .
	File No. <u>28646</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:
	City, State and Zip:
	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
Fo	r Office Use Only:
F.C	D GMD Meets K.A.R. 5-5-1 (YES / NO) Use Source G / S County By Date de Fee \$ TR # Receipt Date Check #
Щ	

File	No.	28646	

4. The presently authorized place of use is:

Owner of Land — NAME: Kansas Dairies I (Frontier Dairy)

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

				NE	1/4		<u> </u>	NV	V1/4			SV	V1/4			SE	E1/4		TOTAL
Sec.	Twn	Range	NE1/4		I	SE1/4	NE14	NW¼	SW1/4	SE1/4	NE14	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
36	25s	43w			40.0	36.0				40.0		40.0	40.0	40.0	36.0	40.0	36.0	13.0	535.0
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											<u></u>	<u> </u>	<u> </u>		<u> </u>	<u> </u>	<u> </u>		

List any other water rights that cover this place of use. 12012, 16799 & 28646

Owner of Land — NAME: _____

ADDRESS:

	NE	=1/4			NV	V1/4			sv	V1/4			SE	1/4		TOTAL
NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	ACRES
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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	Ξ1/4			NV	V1/4			sv	٧¼			SE	E1/4		TOTAL
Sec.	Twp.	Range	NE%	NW¼	SW1/4	SE1/4	NE14	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	ACRES
000.	(1)2.	110.115.0																	,
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	34.05	40.0	34.5	11.0	480.0
				`															
27	25s	43w	30.5	30.5	30.5	30.5							<u> </u>	<u> </u>			l	<u> </u>	122.0

List any other water rights that cover this place of use. <u>896,12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646</u>

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

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

				NE	Ξ1/4		NW¼			SW¼			SE1/4				TOTAL		
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE14	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
<u> </u>	TWP.	range	112/4	1111/4								4	OU G	us c	0, 0	1010			
17	25s	43w									31.0	31.0	31.0	31.0	31.0	31.0	31.0	31.0	248.0
		-1011			المرا											LOTZ			
21	25s	43w			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

		ea: The	N/																
			NE¼				NW¼			SW¼			SE¼				TOTAL		
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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									<u> </u>										
4. Co	ontinue wner of	ed: If th f Land -	NA	ication \ME: ESS:	Kansa	s Dair	ies I (F	rontie	· Dairy)		d that	the pla	ace of	use be	chan	ged to:		
				NE	≣1⁄4			N۷	V¼			sv	V1⁄4			SI	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE14	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
36	25s	43w	11.0		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
1	26s	43w	30.5	30.5	30.5	30.5	ፈ - 3 30.5	30.5	30.5	30.5									244,0
31	25s	42w	37.0	24.0	11.0	18.0													90.0
Oı	wner of	Land -		ME: !							8								
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<u>Sec.</u>	25s	Range 43w	30.5				NE1/4	JNVV74	SVV%	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	400.0
- 30	208	43W	30.3	30.5	30.5	30.5									<u> </u>				122.0
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				NE	3/4			NV	V1¼			SV	1½			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4		SE¼	NE¼	NW1/4		SE¼	NE¼	NW1/4	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	ACRES
	· ·· · · · ·			,.	1/4	5-/-		.,,,,,,,	2.1/4	<u> </u>	116-/9	,119/4	31174	VI-14	111-/4	1111/4	011/4	U-/4	
						<u> </u>	<u> </u>				<u></u>	1			<u> </u>			<u> </u>	

Page ____

File No. _____

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

2	The presently authorized point(s) of diversion (is) (are) !	No Change	•				
ο.	The presently authorized point(s) of diversion (is) (all 9) 1		(Provide description and number	er of points)			
7.	The proposed point(s) of diversion (is) (are)		(Provide description and number	er of points)			
	List all presently authorized point(s) of diversion:						
. [Presently authorized point of diversion:						
8.	One in the Quarter of the	SE	Quarter of the	NE Quarter			
	of Section 35 , Township	25	South Range	43 W,			
	in <u>HAMILTON</u> County, Kansas, <u>2703</u>	feet North	416 feet West of S	outheast corner of section.			
	Authorized Rate 825GPM Authorized Quantity	250AF					
	(DWR use only: Computer ID No G	PS	— feet North	feet West)			
	☐ This point will not be changed ☐ This point will	II he changed :	s follows:	•			
	Proposed point of diversion: (Complete only if chan	ige is requeste	<u>a)</u>	Quarter			
	One in the Quarter of the		Quarter of the	Quarter			
	of Section, Township		South, Range	(E/VV),			
	in County, Kansas,		Southeast corner of section.				
	Proposed Rate Proposed Quantity						
	This point is: Additional Well Geo Center List	other water righ	ts that will use this point				
,							
9.	Presently authorized point of diversion:			Ougutan			
	One in the Quarter of the		Quarter of the	Quarter			
	of Section, Township		South, Range	,			
	in County, Kansas,	feet North _	feet West of S	Southeast corner of section.			
	Authorized Rate Authorized Quantity	/ <u> </u>	with the same of t				
	(DWR use only: Computer ID No G	PS	feet North	feet West)			
	☐ This point will not be changed ☐ This point wi	ill be changed	as follows:				
	Proposed point of diversion: (Complete only if char	<u>nge is requeste</u>	<u>d)</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 corner of section.			
	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							
	Thio point ic						
10.	Presently authorized point of diversion:						
	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 corner of section.			
	Authorized Rate Authorized Quantity						
	(DWR use only: Computer ID No G	PS	feet North	feet West)			
	☐ This point will not be changed ☐ This point w	ill be changed	as follows:	•			
	Proposed point of diversion: (Complete only if chai						
	One in the Quarter of the	ilge is requeste	Ouarter of the	Quarter			
	of Section, Township		South Range	(F/\\/)			
	in County, Kansas,	feet North	feet West of S	Southeast corner of section			
	In County, Kansas,	ieer ivoitii _	leer west of c	Journal Control of Coolings.			
	Proposed Rate Proposed Quantity	الله والمالية	to that will was this point				
	This point is: Additional Well Geo Center List						
11	. Describe the current condition of and future plans for a	ny point(s) of di	version which will no long	jer be used			

File No. <u>28646</u>

12.	The	e pre	sently authorized use of water is for <u>IRR</u>	_ purposes.
	It is	s pro	osed that the use be changed to <u>IRR</u>	purposes.
13.			ing the place of use and/or use made of water, describe how the consumpt posed 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.	1:2 Kar Dis	4,00 nsas tanc	lication must include either a topographic map or detailed plat. A U.S. G., is available through the Kansas Geological Survey, 1930 Constant A 66047-3726 (www.usgs.gov). The map should show the location of the personant North and West of the Southeast corner of the section must be shown lists be shown. Identify the center of the section, the section lines and the township, and range numbers on the map. In addition the following inform	Avenue, University of Kansas, Lawrence, presently authorized point(s) of diversion. The presently authorized place of use 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 Womust be shown. Please be certain that the information shown on the magnaph Nos. 9, 10 and 11 of the application.	
		2)	If the source of supply is groundwater, please show the location of exdomestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each mailing address of the property owner or owners. If there are no wells with	h well as to its use and furnish name and
		3)	If the source of supply is surface water, the names and mailing addresse and ½ mile upstream from your property lines must be shown.	es of all landowner(s) ½ mile downstream
	b.	If a	change in the place of use is desired, show the proposed place of use bain that the information shown on the map agrees with the information shown.	by crosshatching on the map. Please be wn in Paragraph No. 5 of the application.
17.	loca wel	al so	ocumentation to show the change(s) proposed herein will not impair exisurce of supply as to which the water right relates. This information may irest hole logs, and other information as necessary information to show elow.	nclude 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 the rules and regulations for which you request a waiver. State the reas should be granted. Attach documentation showing that granting the reque prejudicially and unreasonably affect the public interest.	son why a waiver is needed and why the
	Coi	mplie	s with current rules	

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File	No.	2864	16	

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.

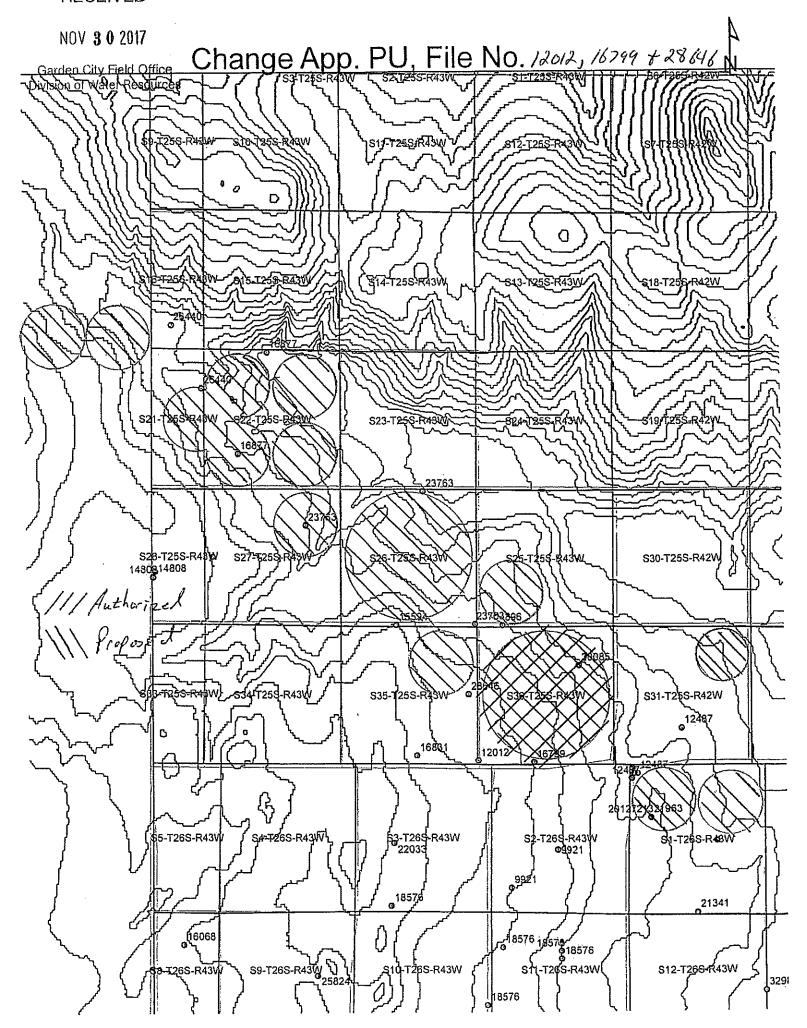
In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

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, and complete. By filing this application I authorize the chief as specified in sections 14 and 15 of this application.	d declare further t engineer to perma	nat the statement inently reduce th	ne quantity of water and/o	or rate of diversion
as specimen in solutions		TOWN days of	October	20 15
Dated at	, Kansas, this	aay or _		
EIIC GORDANT			(Spouse)	a - philate
X (Please Print)		tate le	(Please Print)	
E. T De GRant		Hath	Leen De GR	007
(Please Print)			(Please Pfint)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	•
State of Kansas) SS	Centi	trad	e	
I hereby certify that the foregoing application was s	signed in my pres	sence and sworr	n to before me this	day of
My Commission Expires		u-w-	Notary Public	
	FEE SCHEDULI	<u> </u>		
Each application to change the place of use, the point of divapplication fee set forth in the schedule below:				
 (1) Application to change a point of diversion 300 f (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 water 	e than 300 leet ,			\$200

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 daylof November, 20 15, by # 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) Signature



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 the conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 28646 A change application was received on <u>November 28, 2017</u> 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 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. 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 _______ foot radius of the authorized point(s) of diversion.

Applicable

Not Applicable 3. 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. ☐ 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 Additional Conditions are attached. ☐ Yes 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 Ouly 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, VECEMBER 28, 2017 Date of Issuance: For Use by Register of Deeds State of Kansas Acknowledged before me on Signature: Notary **R**ublic WHIP IN SUE KEENY My Appointment Expires NOTARY PUBLIC My commission expires: June 8, 2018 · Minan