NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

than		t, or if	place	of use	will b	e chai													sion is greater and proposed
ропп	.(3) OI UI	VC131011	aria/or	piace	or use	•											W A		ESOURCES EIVED
						ı	File No	o. <u>3177</u>	<u>'1</u>					-			1		3 0 2017
1	Applicat	ion is he	ereby r	nade f	or app	roval c	of the C	Chief E	ngine	er to cl	hange	the (ch	neck o	ne or b	oth):		'		55p
						⊠ F	lace o	f Use			Point	of Div	ersion			k	(S DEF		AGRICULTURE
	under th	e water	right v	vhich i	s the s	ubject	of this	applic	ation i	n acco	ordanc	e with	the co	ndition	s desc	ribed l	oelow.		
	The sou	rce of s	upply i	s:		\boxtimes G	Ground	water			Surfa	ce wat	er						
2.	Name a	nd addr	ess of	Applic	ant: <u>T</u>	ED C	NOOE	BURY	/										
	4317 S (
	Phone N																		
l	Name a	nd addr	ess of	Water	Use C	orresp	onden	it: <u>TEI</u>	O C &	KAYE	MOOI	DBUR'	Υ						
	4317 S (ROKE	N ARE	ROW C												
	Phone N								Email	ail address:									
	The pres	•		•															
1	Owner o																		
					<u>4317 S</u>							N OK	74011	<u>-1449</u>					
	(If there is	more th	nan one	landov	wner, at	tach su	ppleme	ental sh	eets as	neces	sary.)				n				
			<u></u>	NE	E¼		NW1/4			SW¼			,	<u></u>	SE	<u> </u>		TOTAL	
Sec	. Twp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	ACRES
17	16	38w	40	40	40	40	40	25	40	40					<u></u>				305
					<u>.</u>							:							
	If this ap Owner o	•			-			•		ed that	the pl	ace of	use be	e chan	ged to	:			
					<u>4317 S</u>							N OK	74011	<u>-1449</u>					
((If there is	more th	nan one	landov	wner, at	tach su	ppleme	ental sh	eets as	neces	sary.)						_		
				NE	E1/4			NV	V¼			SV	V¼			SE	=1/4		TOTAL
Sec	. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	ACRES
7	16	38w	40	40	40	40									40	40		20	260
8	16	38w	l	I	I			20	20		40	40	40	40	40	40	40	40	360

For Office Use Only: Code CP Fee \$ 100 TR # Receipt Date RECEIVEROCK # 3405

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

38w

17

FO

16

Page 1

MAY **17** 2017 File No. _____

40

320

Garden City Field Office
Division of Water Resources

6/2/2017 UM

5.	Presently authorized point of diversion:			
	One in the Quarter of the			
	of Section, Township			
	in County, Kansas,			
	Authorized Rate Authorized Quantity _		Depth of well	(feet)
i	(DWR use only: Computer ID No GPS	s	feet North	feet West)
-	\square This point will not be changed \square This point will	be chan	ged as follows:	
- 1	Proposed point of diversion: (Complete only if change	e is requ	<u>ested)</u>	
ı	One in the Quarter of the		Quarter of the	Quarter
١	of Section, Township			
	in County, Kansas,			
- 1	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List of			
6. [Presently authorized point of diversion:			
۲. ا	One in the Quarter of the		Quarter of the	Quarter
- 1	of Section, Township			
- 1	inCounty, Kansas,	feet No	th feet West of Sou	theast corner of section.
-	Authorized Rate Authorized Quantity _			
- 1	(DWR use only: Computer ID No GPS			
ļ	☐ This point will not be changed ☐ This point will			
	Proposed point of diversion: (Complete only if change			
	One in the Quarter of the			Quarter
:	of Section, Township			
	in County, Kansas,			
ļ	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List of			
-				
7.	Why do you need a new point of diversion?	13a.	If the proposed point of diversion	
	no change to water well		feet of the existing point of divers the diagram below in relation to the	e existing point of diversion.
	no change to water well		(PLEASE NOTE: The "X" in	center of diagram below
			represents presently authorized	point of diversion.)
_			North	FO 400
8.	If a well, is the test hole log attached? Yes No		100 50 0	
a	When do you propose to complete the new point	of	E	`'' ' ''' 🗐
٥.	diversion?	OI .	<u> </u>	
			50 = + =	+
			F =	7
10.	If the point of diversion is a well:			
	(a) What are you going to do with the old well?		West □ FIII III I I X II	IIIII D East
	(a) What are you going to do man the old wen.		E =	3
			50 + =	+ = 50
			30 F 7 =	⁺ ¬¬¬
	(b) When will this be done?		F =	
			<u> </u>	шш
11.	Groundwater Management District recommendation	on	100 50 _0	50 100
	attached? Yes No		South Scale: 1 " =	100'
		13h	If the proposed point of diversion	
12.	Assisted by	130.	100 feet but within 1320 feet	from the existing point of
			diversion, attach a topographic	map or aerial photograph.
			For groundwater sources, show a within one-half mile of the propos	ed point of diversion and the
			names and mailing addresses o	f the owners. For surface
			water sources, show the nam landowner(s) one-half mile dow	es and addresses of the
			upstream from your property lines	

14. If the proposed groundwater poi	nt of diversion is 300 or fewer feet f	rom existing point of div	ersion, complete the f	following:
	esent all owners of the currently aut (If no, all owners must sign this app		dentified in this applic	cation?
affected if this application is	of any owner of the currently authors approved as requested? (If yes, all owners must sign this ap		dentified in this applic	ation be adversely
	roved expeditiously, will there be su (If no, all owners must sign this app		perty, public health or	r safety?
If the application proposes a surface or a change in place of use, the appl agent (attach notarized statement au	ication must be signed by all owner	a groundwater change rs of the currently author	in point of diversion grized place of use, or	reater than 300 fee their duly authorize
I hereby verify, being first duly age and the owner, the spouse their behalf, in regard to the w contained in this application ar	of the owner, or a duly autho vater right(s) to which this ap	rized agent of the overlication pertains.	wner(s) to make th	is application o
Dated at Dated at	Kansas, this	s day of	May	, 2017
Ma 100	11/2		4	
///ardel	Mogling			
(Owner)	11.		(Spouse)	
/ grs lig // // // (Please Prin	360H		(Please Print)	
(Flease Fill	ιι)		(Flease Fillit)	
(Owner)			(Spouse)	
(Please Prin	nt)		(Please Print)	
(Owner)			(Spouse)	
(Please Prin	nt)		(Please Print)	
State of Kansas	,		,	
County of Jinney	SS			
	JULIE JONES My Appointment Expires December 15, 2018	ny presence and swo	rn to before me th Notary Aublic	is <u>17</u> day of
ONLY COMPLETE APPLICATIONS WILL				
accurate information; maps, if necessary, the appropriate fee must be paid.	must be included; signatures of all the	appropriate owners' must b	e affixed to the applicati	on and notarized; and
	FEE SCHED	ULE		
(2) Application to change a		nent of Agriculture et		\$100 \$200
	W ATER RESOURGECEIVED	ces R	ECEIVED	
DWR 1-121 (Revised 06/16/2014)	MAY 3 0 201 Page 3	7 MA	Y 17 2017	File No
,		THE Cardon	City Field Office	

,·•

KS DEPT OF AGRICULTURE

Garden City Field Office Division of Water Resources

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. 31771 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. 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 4 ☐ Not Applicable 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 ☐ 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 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, 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 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 You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filled 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 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 on the Certificate of Service. SUMMARY ORDER ISSUED By: Duly Authorized Designee of the Chief Engineer (Print Name): 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 County of ____ Acknowledged before me on _____ Signature: _____ Notary Public My commission expires: _____ (Notary Seal)

Page 4

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

File No. _____

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.

poniti	(s) of div						ngeu,		z a top	ograp	THE TH	ар ог о	uetalle	u piat	SHOW	ing tile	autin		and proposed CEIVED 3/30 pm
						i	File No	o. <u>3177</u>	1					_				MAY	2 3 2017
1. <i>A</i>	Applicati	ion is he	ereby r	nade f	or app				nginee					ne or b	ooth):		Ga Divis	rden (ion of	Day Field Office
	ınder th	e water	right v	vhich i	s tha s	H ⊠ Ubject	Place o	t Use	ation i	n acco	Point	of Dive	ersion the coi	ndition	e deed	rihad l	aelow		RESOURCES
7	The sou	rce of s	upply i	S:	5 u i e 5		Fround	water	alloni		Surfa	ce wat	er	nation	s uesc	ilibeu i	y oreiow	ATER RE	RESOURCES CEIVED
	Name ar 1317 S (149								MAY	3 0 2017
F	Phone N Name ar	lumber: nd addr	(ess of) Water	Use C	orresp	onden	t: <u>TE</u> C	Email	addre KAYE	<u>000</u>	DBUR	Y						
_	hone N																		
	he pres																		
C	Owner of Land NAME: TED C & KAYE WOODBURY																		
							STNU					<u> </u>	74011	I-1449					
(f there is	more th	an one	landov	vner, at	tach su	ıppleme	ental sh	eets as	neces	sary.)				1			E1	
				T	E1/4	Γ	ļ	NV		Γ		ı	V¼ 	Ι.			Ξ¼ 	Γ.	TOTAL ACRES
Sec. 17	Twp. 16	Range 38w	NE1/4 40	NW1/4 40	SW1/4 40	SE1/4 40	NE¼ 40	NW¼ 25	SW1/4 40	SE1/4 40	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	305
	f this ap Owner o	•			-	•			•	ed that	the pla	ace of	use be	e chan	ged to	:			
	Wile 0						STNU			KEN A	ARRO	N OK	74011	-1449					
(1	f there is																		
				NE	1/4			NV	11/4			SV	V1⁄4			SE	E1/4		TOTAL
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	NE1/4	NW1⁄4	SW1/4	SE1/4	ACRES
7	16	38w	40	40	40	40									40	40		20	260
8	16	38w						20	20		40	40	40	40	40	40	40	40	360
	16	38w	40	40	40	40	I							1	40	40	40	40	320

5.	Presently authorized point of diversion:					
	One in the Quarter of the					
	of Section, Township					
	in County, Kansas,					
	Authorized Rate Authorized Quantity _		Depth of well	(feet)		
	(DWR use only: Computer ID No GPS			feet West)		
	☐ This point will not be changed ☐ This point will		•			
	Proposed point of diversion: (Complete only if chang	e is requ	<u>uested)</u>			
	One in the Quarter of the		Quarter of the	Quarter		
	of Section, Township		South, Range	(EM),		
	in County, Kansas,					
	Proposed Rate Proposed Quantity					
	This point is: ☐ Additional Well ☐ Geo Center List of	her wate	r rights that will use this point _			
6.	Presently authorized point of diversion:					
	One in the Quarter of the					
	of Section, Township					
	in County, Kansas,					
	Authorized Rate Authorized Quantity _					
	(DWR use only: Computer ID No GPS			feet West)		
	☐ This point will not be changed ☐ This point will	be chan	ged as follows:			
	Proposed point of diversion: (Complete only if change	<u>e is requ</u>	<u>iested)</u>			
	One in the Quarter of the					
	of Section, Township					
	in County, Kansas,					
	Proposed Rate Proposed Quantity					
į	This point is: Additional Well Geo Center List ot	her wate	r rights that will use this point _	<u> </u>		
_		40-	If the annual residue of divinuis			
1.	Why do you need a new point of diversion?	13a.	If the proposed point of diversi- feet of the existing point of div			
	no change to water well		the diagram below in relation to	the existing point of diversion.		
			(PLEASE NOTE: The "X" i represents presently authorize	eed point of diversion.)		
			Nortl	•		
8.	If a well, is the test hole log attached? Yes No		100 50 0	50 100		
•						
9.	When do you propose to complete the new point of	of	E	· 📑		
	diversion?		50 + =	+ = = 50		
			⁵⁰ F	7 730		
40	16 the constant of all constant to a conflict		F =	7		
10.	If the point of diversion is a well:		West 0 -	디디		
	(a) What are you going to do with the old well?		<u> </u>	· 📑		
			E =	Ⅎ		
			50 = + =	+ →50		
	(b) When will this be done?			_		
	(b) When will also be done:					
11	Groundwater Management District recommendatio	n	100 50 _0	50 100		
	attached? Yes No	"	Sout	h		
			Scale: 1"			
12.	Assisted by	13b.	If the proposed point of diversion 100 feet but within 1320 feet	on will be relocated more than et from the existing point of		
	WATER RESOURCES		diversion, attach a topographi	c map or aerial photograph.		
	RECEIVED		For groundwater sources, show within one-half mile of the proportion	all wells (including domestic)		
	MAY 3 0 2017		names and mailing addresses	of the owners. For surface		
	MAI 3 U ZUII		water sources, show the na landowner(s) one-half mile do	mes and addresses of the		
			upstream from your property line			
	*** DEDT OF AGRICULTURE					

14.	If th	ne proposed groundwater point of diversion is 300 or few	er feet fro	m existing point of div	ersion, complete t	the following:
	(a)	Does the undersigned represent all owners of the curred Yes No (If no, all owners must sign			dentified in this ap	oplication?
	(b)	Will the ownership interest of any owner of the currer affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign	•		dentified in this ap	pplication be adversely
	(c)	If this application is not approved expeditiously, will the ☐ Yes ☐ No (If no, all owners must sign			perty, public healt	th or safety?
or a	cha	plication proposes a surface water change in point of di inge in place of use, the application must be signed by a ttach notarized statement authorizing representation).				
age the	an ir b	by verify, being first duly sworn upon my oath of d the owner, the spouse of the owner, or a duly ehalf, in regard to the water right(s) to which ned in this application are true, correct and con	/ authori: this appl	zed agent of the ovice the overlies of the ove	wner(s) to make I further verify	this application or
Date	ed a	t	sas, this _		May	, 20/
	bes	Day) million				·
-	<u> </u>	(Owner)			(Spouse)	
		(Please Print)			(Please Print)	
		(Owner)	-		(Spouse)	
		(Please Print)	_		(Please Print)	
		(Owner)	_		(Spouse)	
		(Please Print)	_		(Please Print)	
Stat	e of	Kansas)				
Cou	nty (of <u>Scott.</u>				
- 1	here	eby certify that the foregoing application was signed	ed in my	presence and swo	rn to before me	this <u>/८</u> day of
		May 20 /7 Nota	ALORIE	ROLFS State of Kanage S/05/2021	Valorie Rolf	
Μv	Com	mission Expires05/05/2021 My Appt.	Expires 0	5/05/2021	Notary Public	
		1	mploto all a	of the applicable portions	of the application fo	rm must be completed wit
accu	rate	OMPLETE APPLICATIONS WILL BE PROCESSED. To be cor information; maps, if necessary, must be included; signatures or priate fee must be paid.	npiete, all d of all the app	propriate owners' must b	e affixed to the appl	ication and notarized; and
		<u>FEE</u>	SCHEDU	<u>LE</u>		
		plication to change the place of use or the point of diversible schedule below: Make checks payable to: Kansas l			accompanied by th	ne application fee set
	(Application to change a point of diversion 300 feet c Application to change a point of diversion more than 	r less			\$100
	((3) Application to change the place of use		WATER RES	OURCES	\$200
				MAY 3 (
				MAI	, 2011	
DWF	R 1-1:	21 (Revised 06/16/2014)	Page 3	KS DEPT OF AG	RICULTURE	File No

14.	If th	e proposed groundwater point of diversion is 300 or f	ewer feet fro	m existing point of	diversion, complete th	e following:
	(a)	Does the undersigned represent all owners of the cual Yes No (If no, all owners must significantly in the control of the cual Yes).			se identified in this app	olication?
	(b)	Will the ownership interest of any owner of the curraffected if this application is approved as requested? Yes No (If yes, all owners must s	?		e identified in this app	lication be adversely
	(c)	If this application is not approved expeditiously, will t ☐ Yes ☐ No (If no, all owners must sig			property, public health	or safety?
or a	cha	plication proposes a surface water change in point of nge in place of use, the application must be signed b ttach notarized statement authorizing representation)	y all owners			
age thei	and r be	y verify, being first duly sworn∕upon my oatl d the owner, the spouse of the owner, or a do ehalf, in regard to the water right(s) to whic ned in this application are true, correct and c	uly authori h this app	zed agent of the lication pertains	owner(s) to make I further verify t	this application on
Date	d at	= Scott City K	ansas, this	16 70 day of	May	, 20 <u>/7</u> .
_ 1	 	Day) million				
	<u></u>	(Owner)			(Spouse)	
		(Please Print)			(Please Print)	
	1	Owner)		· · · · · · · · · · · · · · · · · · ·	(Spouse)	
-	((Please Print)			(Please Print)	
<u></u>		(Owner)			(Spouse)	
		(Please Print)			(Please Print)	
State	of I	Kansas) , SS				
		f scott				d
_ I	nere	by certify that the foregoing application was sign	ned in my	presence and s	worn to before me .	this 22^{n} day of
					Isi. Rolly	
Му С	omr	mission Expires 5/5/202/ My	VALOR Notary Public Appt. Expires	E ROLFS - State of Kansas	Notary Dublic	
accur	ate i	MPLETE APPLICATIONS WILL BE PROCESSED. To be on information; maps, if necessary, must be included; signature or interesting the must be paid.				
	in th (1	Dilication to change the place of use or the point of divide schedule below: Make checks payable to: Kansa 1) Application to change a point of diversion 300 fee 2) Application to change a point of diversion more th 3) Application to change the place of use	s Departme t or less an 300 feet	this section shall b nt of Agriculture	DURCES	\$100 \$200
				MAY 3 0	2017	
				KS DEPT OF AGE	RICUITURE	
DIMO	1 10	1. (Paying 06/16/2014)	Dogo 2	NO INCLEDENCE		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. 31771 A change application was received on _____ 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. A change application was received on 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 2. 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 ☐ Not 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
 ☐ 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 8. 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 ☐ Yes 10. Additional Conditions are attached. ☐ 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
shown on the Certificate of Service attached hereto. If a hearing By: __ Duly Authorized Designee of the Chief Engineer 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 (Print Name): 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 County of Acknowledged before me on _____ WATER RESOURCES RECEIVED MAY **3 0** 2017 Signature: _____ Notary Public KS DEPT OF AGRICULTURE My commission expires: _____ (Notary Seal) DWR 1-121 (Revised 06/16/2014) Page 4

1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700



900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

TED C & KAYE WOODBURY 4317 S CHESTNUT AVE BROKEN ARROW, OK 74011 FILE COPY

May 31, 2017

Dear Sir or Madam

RE: File No 31771

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

☐ place of use PU ☐ point of diversion ☐ use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.

Change Applications Unit Supervisor

Water Appropriation Program

Month Juney

BAT: DLW

pc: GARDEN CITY Field Office GMD1