

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

Fax: (620) 276-9315 www.agriculture.ks.gov

Phone: (620) 276-2901

Sam Brownback, Governor

June 22, 2017

HARDEN FARMS INC PO BOX 458 **OGDEN KS 66517**

> RE: Change in Point of Diversion Water Right, File No 23038 & 42042

Dear Mr. Harden;

Enclosed you will find a Summary Order Approving Application for Change in Point of Diversion for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

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.

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. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely.

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm **Enclosures** GMD#3

CERTIFICATE OF SERVICE

On this day of June 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 23038 & 42042 dated June 22, 2017 was mailed postage prepaid, first class, US mail to the following:

HARDEN FARMS INC P O BOX 458 OGDEN KS 66517

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.

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2.	Name and address of Applicant: HARDEN FARMS INC % DEAN HARDEN																			
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r	Burnally sufficient water of discustors				
5.	Presently authorized point of diversion:	0111	Quarter of the	CW	Quarter
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	In Meade County, Kansas, 1320	_ icet Norti	Donth of wall	oourieasi coll //	eet)
	Authorized Rate Authorized Quantity		feet North	(!	Voet
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1	☐ This point will not be changed ☐ This point will				
	Proposed point of diversion: (Complete only if change	e is reque	Steul Overden of the		Outside
	One in the Quarter of the	nw_	Quarter of the	SW	Quarter
	of Section 22 , Township	34	South, Range	SU f Coutboost so-	VV,
	in Meade County, Kansas, 1474	_ feet Norti	n <u>5260</u> teet west o	r Southeast cori	ner of section.
	Proposed Rate Proposed Quantity _	U	Proposed well dept	n (ieet)	·
Ĺ	This point is: ☐ Additional Well ☐ Geo Center List o	iner water	rights that will use this poir	<u> </u>	
r					
6.	Presently authorized point of diversion:		0		^
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	Proposed point of diversion: (Complete only if change				<u> </u>
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	of Section, Township		South, Range	6 David 1 :	(E/W),
	in County, Kansas,	_ teet Nort	n feet West o	r Southeast cor	ner or section.
	Proposed Rate Proposed Quantity _		Proposed well dept	n (1eet)	·
	This point is: ☐ Additional Well ☐ Geo Center List of	tner water	rights that will use this poi	nt	·
_	san de la companya de	122	If the proposed point of dive	ersion will he rel	ocated within 100
7.	Why do you need a new point of diversion?		feet of the existing point of	diversion, indic	ate its location or
	Old well needs to be replaced		the diagram below in relatio (PLEASE NOTE: The ")	n to the existing	point of diversion
			represents presently auth	orized point of	diversion.)
			•	Iorth	·
Q	If a well, is the test hole log attached? ⊠ Yes □ No		100 50	n 50	100
ø.	ii a wali, is the test hole by attached: My 165 No			11111111	
9.	When do you propose to complete the new point	of	þ		4
	diversion?		50 - +	_ +	= 50
	June 1, 2017		00	_ '	∃"
			F	_	7
10	If the point of diversion is a well:		West 0 - 111 1111	$\overline{X} \cap \overline{X} \cap $	ı <mark>—</mark> 0 East
	(a) What are you going to do with the old well?		L '		7
	olug		<u> </u>	_	
	plug		50 - +	_ +	∃ 50
	the Miles will this he done? 2047		F	_	_
	(b) When will this be done? 2017		F 111111	_ 	ı A
	O during Management District annumental	lion	100 50	0 50	100
11	Groundwater Management District recommendat attached? ☐ Yes ☒ No	uOH	ç	South	100
	attached?			x 1" = 100'	
12	Assisted by tpm	13b.	If the proposed point of div 100 feet but within 1320	rersion will be re	located more that existing point o
			diversion, attach a topogram for groundwater sources,	raphic map or	aerial photograph
			For groundwater sources, within one-half mile of the	show all wells (i	ncluding domestic
			names and mailing addre	sses of the ow	ners. For surfac
			water sources, show the	e names and	addresses of the
			landowner(s) one-half mil	e downstream tv lines.	and one-nair mili

14. If t	the proposed groundwater point of diversion is 3	00 or fewer feet fron	existing point of diversion,	complete the following:
) Does the undersigned represent all owners of		zed place(s) of use identific	
(b)) Will the ownership interest of any owner of the affected if this application is approved as requestressisting. Yes ⊠ No (If yes, all owners remainded in the context of	ne currently authoriz ested? must sign this applic		d in this application be adversely
(c)	If this application is not approved expeditiously ⊠ Yes □ No (If no, all owners m	y, will there be subst oust sign this applica	antial damage to property, tion.)	public health or safety?
or a ch	pplication proposes a surface water change in p ange in place of use, the application must be sig attach notarized statement authorizing represen	ined by all owners o	roundwater change in poin f the currently authorized pi	t of diversion greater than 300 feet ace of use, or their duly authorized
age an	by verify, being first duly sworn upon my nd the owner, the spouse of the owner, o behalf, in regard to the water right(s) to Ined in this application are true, correct a	r a duly authorize which this applic	ed agent of the owner(s	s) to make this application or
Dated a	at	, Kansas, this	day of	, 20
$\times \mathcal{L}$	Dear Harden			
	(Owner)		(Sp	oouse)
	(Please Print)		(Plea	se Print)
	(Owner)		(Sp	oouse)
	(Please Print)		(Plea	se Print)
	(Owner)	<u> </u>	(Sp	oouse)
	(Please Print)		(Plea	se Print)
State o County	f Kansas of Riley ss			
I he	reby certify that the foregoing application w	as signed in my	presence and sworn to	before me this $\frac{29}{2}$ day of
My Cor	nmission Expires <u>3/17/2</u> 62-7	My,	Matthew Parra NOTARY PUBLIC STATE OF KANSAS Appl Exp. 3/17/2021	y Public/
accurate	OMPLETE APPLICATIONS WILL BE PROCESSED. e information; maps, if necessary, must be included; sigopriate fee must be paid.	To be complete, all of gnatures of all the appr	the applicable portions of the a opriate owners' must be affixed	pplication form must be completed with do the application and notarized; and
		FEE SCHEDUL		
Each a forth in	pplication to change the place of use or the point the schedule below: Make checks payable to: It (1) Application to change a point of diversion 3 (2) Application to change a point of diversion m (3) Application to change the place of use	Kansas Departmen 00 feet or less nore than 300 feet	t of Agriculture	\$100 \$200
			WATER RESOURCES RECEIVED	
•			MAY 1 5 2017	
DWR 1-	121 (Revised 06/16/2014)	Page 3	KS DEPT OF AGRICULTUR	File No

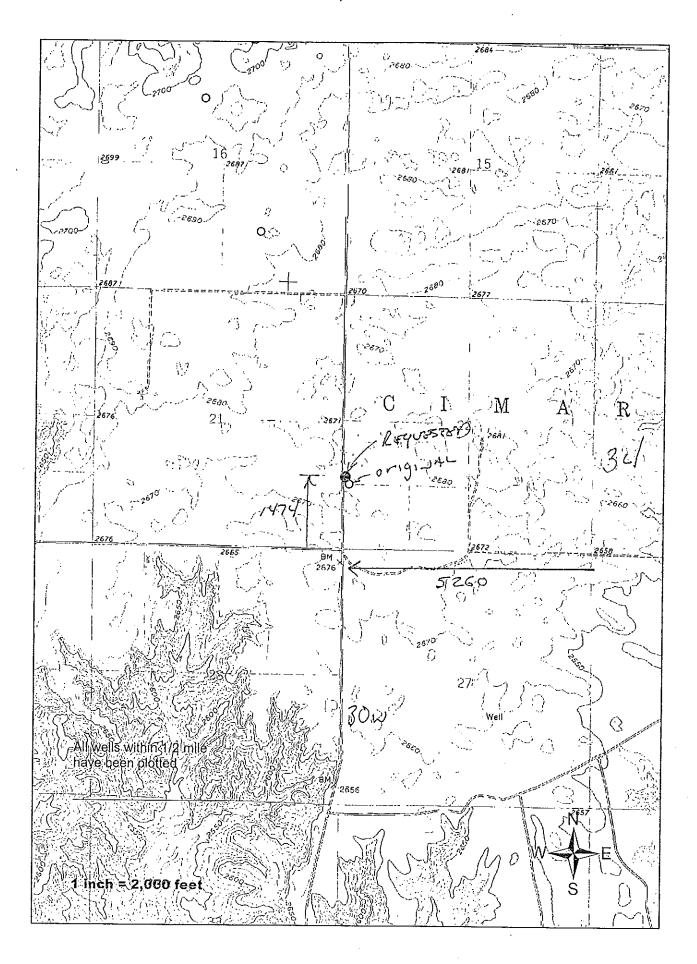
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov K.A tern	visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-70</i> .R. 5-1-1 <i>et.seq.</i> With the exception of those conditions expresses, conditions and limitations of File No. <u>42042</u> .	708b, as amended, and K.A.R. 5-14-3 and other applicable of et. seq., and rules and regulations promulgated thereunder, asly contained herein, this Summary Order does not change the
1.		requesting that the place of use and / or point of the changed as described in the application.
2.	On and after the effective date of this summary order, the aut on the topographic map accompanying the application to chan	horized place(s) of use shall be located substantially as shown ge the place of use. Applicable Not Applicable
3.	previously authorized. The point of diversion authorized by thi radius of the authorized point(s) of diversion.	
4.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. Applicable	e located more than feet from the previously Applicable
5.	tube or other device suitable for making water level measuren with K.A.R. 5-6-13.	well with a diversion rate of 100 gallons per minute or more, a nents shall be installed, operated and maintained in accordance
6.	operated and maintained in accordance with K.A.R. 5-1-4 through K.A.R. 5-3-5e, the owner shall maintain records and report the diverted annually to the Chief Engineer by March 1 following the Applicable \(\sum \text{Not Applicable}\)	·
7.	works for diversion has been completed, on the form provided Applicable Not Applicable	
	The completed well log shall be submitted with the require	
9.	with an in-line automatic quick-closing check valve capable	reign substance will be injected into the water shall be equipped of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. Applicable \(\Bar{\text{N}}\) Not Applicable
	Additional Conditions are attached. 🔲 Yes 📉 No	
11.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summ Appropriation Law and the Rules and Regulations promulated the supplementations or a supplementation of the supple	R. 5-5-14, all of the owners of the authorized place(s) of use of are responsible for compliance with its terms, conditions and ary Order, and with applicable provisions of the <i>Kansas Water</i> ated thereunder. Failure to comply with these provisions may ided, and/or the suspension or revocation and dismissal of the authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
Yo	u have the right to a hearing in accordance with K.A.R. 5-14-3	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
het	ore this Summary Order becomes final action of the Kansas partment of Agriculture. Any request for a hearing must be	· ·
file	d with the Chief Engineer. Division of Water Resources,	7(-M
Dri	nsas Department of Agriculture, 1320 Research Park ve, Topeka, Kansas 66502, within 15 days after the date	By: Duly Authorized Designee of the Chief Engineer
ist	own on the Certificate of Service attached hereto. If a hearing not requested in accordance with K.A.R. 5-14-3, this Summary	(Print Name): THOMAS P. MAKENS
Ore	der will become effective on the 15 th day after the date shown the Certificate of Service.	Division of Water Resources - Kansas Department of Agriculture
	For Use by Register of Deeds	Date of Issuance: VUNE 77, 2017
		State of Kansas)) SS
		County of <u>Stinney</u>)
		Acknowledged before me on
		by Thomas P. Makens.
		Signature:
		Nation Rublic Julie Jones
		My Appointment Expires December 15, 2018
		My commission expires: (Notary Seal)

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File No. _____



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