CHECK SHEET Short Change

(To be completed and attached to each application)

File No. <u>5162</u>	Fie	ld Office No. <u>4</u>		GI	GMD No. <u>3</u>		
Plugging agreement obtained for 0	GMD? Yes □	No □	Non Appli	cable ⊠			
2. Is Landowner correct as currently			No □		Address Change? <u>NO</u>		
If applicable, list Place of Use Overla							
3. Is Water Use Correspondent corre Name of Former WUC	-						
4. a. Point of diversion computer ID	No(s)	for po	int(s) being	changed.			
b. Show feet distances from the		corner of	the section	for the new po	oint(s) of diversion:		
Action PDIV ID Geo Ctr?	Sec Twp	Rng 'N	'W	County	Qualifiers		
c. If multiple points of diversion e	exist and rates a	ınd quantities a	re individua	ally assigned,	show:		
Old PDIV ID Authorized Rat	te Additi	ional Rate	Authorized	Quantity	Additional Quantity		
	gpm	gpm		af	af		
gpi	m/cfs	gpm/cfs		af/mgy _	af/mgy		
gpı	m/cfs	gpm/cfs		af/mgy	af/mgy		
d. Name of <u>Drainage Basin</u>		Is	this correc	tly shown in V	VRIS? ⊠ Yes □ No		
e. Formation Name & No		Spec	ial Use Area	a			
5. Distances from the original p/d:			', N		' W		
6. WATER RIGHT ACTION TRAIL CO					·		
9/22/17		Application Rec	ceived (date	accepted for p	riority)		
10/1/17	Change	Approved and Proof by	·	, ,	,		
		tion Requireme			<u> </u>		
7. METER ACTION TRAIL COMMENT	S						
10/17/17		leter Required b	y <u>12/31/17</u> ~	18			
8. Base Acres	Year	M	inimum Rea	sonable Quant	ity		
			Date Create	ed 9/29/17	by tpm		
			Date Entere	ed	by		

CHECK SHEET ATTACHMENT

File Number 5162

Changes to the place of use will be:

								NE%	74			NW1%	4			SW%				SE1/4		ŀ	ŀ
Action	Owner Person ID	Place Use		Sec. Twp. Range	Range		NE¼	NW% SW%	SW74	SE¼	NEW NWW SWW	VW7.	SW% S	SE% N	NE% NW% SW% SE%	WX S	N% St		NE% N	NW% SW%	W% S	SE¼ A	ACRES
<u>!</u>			,	8		Acres Authorized	40	40	40	40					40		7	40 4	40	40	40	40	400
	27.508	2/408	ડ	3	cs C	New Acres	40	40	40	40					40		7	40	40	40	40	40	400
į.		90000				Acres Authorized																	
DEL		20000				New Acres																	Ĭ
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						Acres Authorized																	
*****						New Acres																	

	Person ID #				
	<u>ن</u>	<u> </u> 			
	Person ID #				
	5				
Names and Address:	1. Person ID # <u>27508</u>	OTIS H & MARY LEE MOLZ LIVING TRUST	2359 ROAD 200	DEERFIELD KS 67838-3818	

GENERAL INSTRUCTIONS

a. Original application/approval Give to Applicant:

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- 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:

- Good, microfilmable copy of application and/or approval and this check sheet
 - 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. Ć.
- Type or print applicant's/owner's name on line. લં હ
 - Complete notary statement.

5. Complete ownership and WUC change ADDITIONAL PHOTOCOPIES			
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information.

Date stamp received and approved.



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 www.agriculture.ks.gov

Phone: (620) 276-2901

Fax: (620) 276-9315

Sam Brownback, Governor

October 17, 2017

OTIS H & MARY LEE MOLZ LIVING TRUST 2359 ROAD 200 DEERFIELD KS 67838-3818

RE: Change the Place of Use, File Nos File 5162, 11798

Dear Mr. Molz;

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 October 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 5162, 11798, dated October 17, 2017, was mailed postage prepaid, first class, US mail to the following:

OTIS H & MARY LEE MOLZ LIVING TRUST 2359 ROAD 200 DEERFIELD KS 67838-3818

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

Filling 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		t, or if	place	of use	will b	e cha											autho		
						ı	File No	. <u>5162</u>	<u> </u>					-			-	22	•
1.	Applicati	on is he	ereby r	nade f	or app				inglne		=	•		ne or b	oth):	Ga	rdea (Dity Fi	eld Office
						_	lace o			_	Point								Resources
	under the	e water	right v	vhich i	s the s	-				n acco	rdance	e with t	the co	ndition	s desc	ribed l	oelow.		
	The soul	ce of s	upply i	s:		\boxtimes 0	Ground	water			Surfac	ce wat	er						
2.	Name ar								E MOL	Z LIVI	NG TE	RUST							
	2359 ROAD 200, DEERFIELD KS 67838-3818																		
	Phone Number: () Email address:																		
	Name and address of Water Use Correspondent: OTIS H & MARY LEE MOLZ LIVING TRUST																		
	2359 ROAD 200, DEERFIELD KS 67838-3818 Email address:																		
3.																			
•	Owner o	•		•			ARY L	EE MO	DLZ LI	VING 1	rrust	•							
					2359 F														
	(If there is	more th	nan one	landov	wner, al	tach su	ppleme	ental sh	eets as	neces	sary.)								
				N	Eγ			NV	٧%			sv	٧%			SE	<u>'</u>		TOTAL
Se	c. Twp.	Range	NE%	NW%	sw¼	SE¼	NE%	NW%	SW1/4	SE¼	NE¼	NW14	SW1/4	SE¼	NE¼	NW14	SW1/4	SE%	ACRES
3	5 23 S	35 W	40	40	40	40						1							160
		- An	L		L						L								
4.	If this ap Owner o	f Land ·	N/	AME:	OTIS I	1 & M/	ARY L	EE MC	DLZ LI	VING 7	RUST	-	use be	chan	ged to	:			
					<u>2359 f</u>							318							
	(If there is	more th	an one	landov	wner, at	tach su	ppleme	ental sh	eets as	neces	sary.)				Ι				
	NE% NW% SW% SE% TOTAL Sec. Twp. Range NE% NW% SE% NE% NE% NE% NE% NE% NE% NE% ACRES							TOTAL ACRES											
Se							NE%	NW%	SW¼	SE%		NW¼	SW1/4						
3	23.5	35 W	40_	40	40	40					40			40	40_	40	40	40	400
			l	1	<u> </u>			<u> </u>	<u> </u>	1	<u> </u>							<u> </u>	<u> </u>
	For Offic	ce Use	Only:	Code		Fe	e \$ <u></u>	00	_ TR	#		Re	celpt	Date _	9/2	2/17	Chec	k# <u>/</u>	108

	Presently authorized point of diversion:			
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township		South, Range	(EW),
	in County, Kansas,	feet No	th feet West of Southeast c	orner of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet)
	(DWR use only: Computer ID No GPS		feet North fee	t West)
	☐ This point will not be changed ☐ This point will b	e chan	ged as follows:	
	Proposed point of diversion: (Complete only if change	is requ	ested)	
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
	in County, Kansas,	feet No	rth feet West of Southeast c	orner of section.
	Proposed Rate Proposed Quantity		Proposed well depth (feet)	
	This point is: Additional Well Geo Center List oth			
3. F	Presently authorized point of diversion:			
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township		South, Range	(EW),
	in County, Kansas,	feet No	rth feet West of Southeast c	orner of section.
	Authorized Rate Authorized Quantity			
- 1	(DWR use only: Computer ID No GPS		feet North fee	t West)
-	☐ This point will not be changed ☐ This point will be	e chan	ged as follows:	
1	Proposed point of diversion: (Complete only if change	is requ	ested)	
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
	in County, Kansas,			
	Proposed Rate Proposed Quantity			
L	This point is: Additional Well Geo Center List oth	er wate	r rights that will use this point	
_	The second of the second of	120	If the proposed point of diversion will be r	ologotod within 100
7.	Why do you need a new point of diversion?	100.	feet of the existing point of diversion, ind	icate its location on
	NC		the diagram below in relation to the existin (PLEASE NOTE: The "X" in center	a point of diversion.
			represents presently authorized point of	of diversion.)
	A distribution of the second o		North	·
8.	If a well, is the test hole log attached? Yes No		100 50 O 50	100
~.			[] 	1
9.	When do you propose to complete the new point of	f	E =	4
	diversion?		50 - + - +	-1 50
			36 E = 1	∃"
40	If the well-t of dispusion is a walls			
10.	If the point of diversion is a well:		West 0 - [I—O East
	(a) What are you going to do with the old well?		<u> </u>	7
			F0 = -	٦,,
			50 - + - +	-]50
	(b) When will this be done?		<u> </u>	<u> </u>
			<u> </u>	<u> </u>
11.	Groundwater Management District recommendation	1	100 50 _0 50	100
• • •	attached?	•	South Scale: 1" = 100'	
		19h	If the proposed point of diversion will be a	rologated mare then
12.	Assisted by BSC	130.	100 feet but within 1320 feet from th	e existing point of
			diversion, attach a topographic map or For groundwater sources, show all wells	aerial photograph.
			within one-half mile of the proposed point	of diversion and the
			within one-half mile of the proposed point names and mailing addresses of the overtex courses and the proposed point names and mailing addresses of the overtex courses and the proposed point names and mailing addresses of the overtex courses and the proposed point names and mailing addresses of the overtex courses and mailing addresses and mailing addres	vners. For surface
			water sources, show the names and landowner(s) one-half mile downstream	and one-half mile
			upstream from your property lines.	

14. If the proposed groundwater point of diversion is 300 or fewer feet from	om existing point of diversion, complete the following:
 (a) Does the undersigned represent all owners of the currently authorized Yes ☐ No (If no, all owners must sign this application) 	
 (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application) 	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly authoritheir behalf, in regard to the water right(s) to which this appropriate in this application are true, correct and complete. Dated at	ized agent of the owner(s) to make this application on lication pertains. I further verify that the statements
Dated at Landen City, Kansas, this	23 day of <u>Neptember</u> , 20 17.
Otos A Woh	
dÓwner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of <u>Jinney</u> SS	nd
I hereby certify that the foregoing application was signed in my	v presence and sworn to before me this <u> </u>
My Commission Expires My Commission Expires December 15, 2018	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
Each application to change the place of use or the point of diversion unde forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	er this section shall be accompanied by the application fee set ent of Agriculture \$100 \$200

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. 5162. A change application was received on 5 GPTGMBGN2 22 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. 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 _ radius of the authorized point(s) of diversion. ☐ Applicable ☑ 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 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, 20_18, 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, 20_____, or within any authorized extension of time. By March 1, 20_____ 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 \(\subseteq \) Not Applicable ☐ Yes **MNo** Additional Conditions are attached. 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 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 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 (Print Name): THOMAS MAKENS Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. OCTOBER2 Date of Issuance: For Use by Register of Deeds State of Kansas SS Acknowledged before me on Signature: 19116 Notary Rublic WITE'G JULIE JONES

My commission expires:

(Notary Seal)

My Appointment Expires

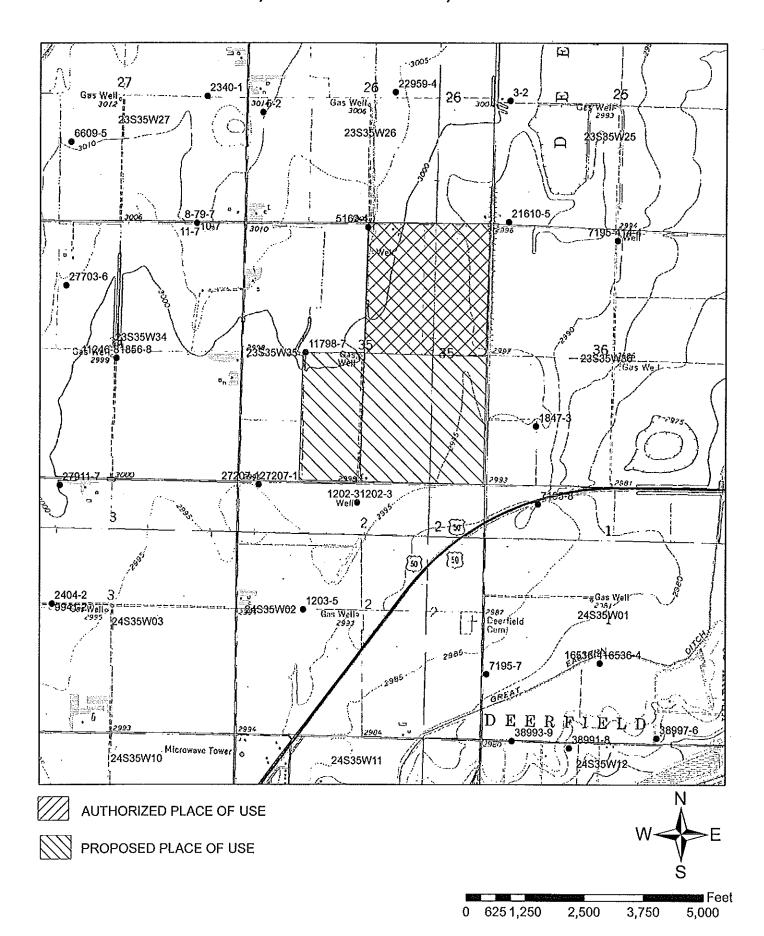
December 15, 2018

NOTARY

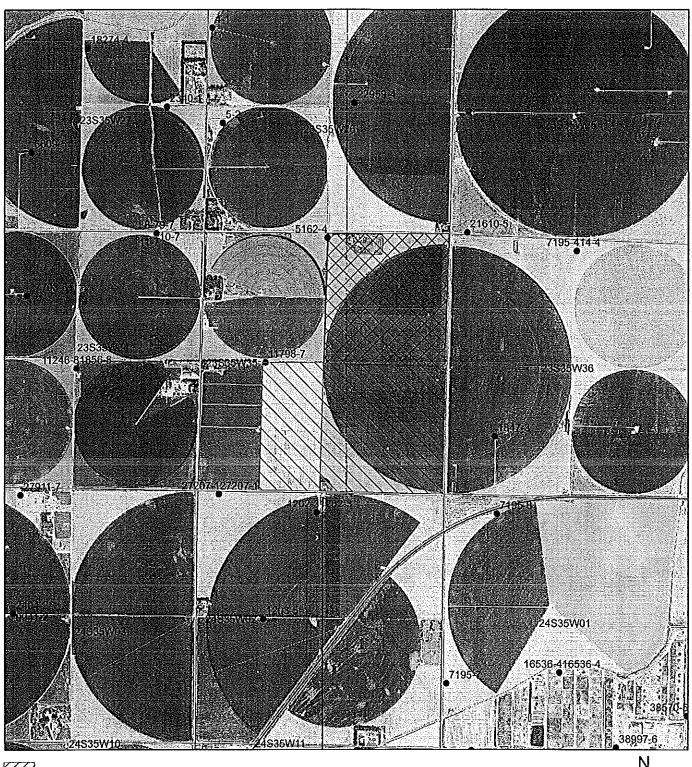
PUBLIC

tzi eks

CHANGE IN PLACE OF USE WATER RIGHT # 5162 SECTION 35, TOWNSHIP 23 W, RANGE 35 W



CHANGE IN PLACE OF USE WATER RIGHT # 5162 SECTION 35, TOWNSHIP 23 W, RANGE 35 W



AUTHORIZED PLACE OF USE



PROPOSED PLACE OF USE

