CHECK SHEET Short Change

(To be completed and attached to each application)

F	ile N	No. <u>7548</u>				Fiel	d Office	No. <u>4</u>		(GMD No.	<u>1</u>	
1.	Plug	ging	agreement	obtained fo	r GMD?	Yes □	No		Non App	licable ⊠			
2.	is La	andov	vner correc	ct as current	iy shown	in WRIS?	Y e	s 🛛	No []	Address	Chan	ge? <u>NO</u>
	If ap	plicab	le, list Plac	e of Use Ove	rlap File I	Nos							
3.				•		-				No 🗌	Address	`	
A													
4.				on computer									_
	b. \$	Show	feet distar	ices from th	e		cor	ner of t	he section	n for the new	point(s) o	of diver	sion:
	Ac	ction	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	Coun	ty	Qual	ifiers
		l é marik	tinla nainte	of divorcio	n aviat a	ad rotoc o	nd auan	tition o	ro individu	lally acciones	d chowr		
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										af/mgy			
	gpm/cfs												
	d. I	Nama	of Drainac	ıo Rasin				le	this corre	ctly shown in	WRIS2 I	Ves	П№
						Is this correctly shown in WRIS? 🛛 Yes Special Use Area							
	e. I	Forma	ation Name	e & No									
5.	Dist	ances	from the	original p/d:					', N	***************************************	, /	W	
6.	WA1	ΓER R	IGHT ACT	ION TRAIL C	OMMEN	<u>TS</u>							
	<u>12/0</u>	<u>1/17</u>	7			Ū			eived (date	e accepted for	priority)		
		_/	/17			Change Notice a							
		_/	/			Comple	tion Req	uiremer	nt Removed	d (Change No.	C)		
7.	MET	ER A	<u>CTION TRA</u>	AIL COMMEI	<u>NTS</u>	DWR M	eter Req	uired by	y <u>12/31/18</u>				
8.	Base	e Acre	s		Yea	ar		Mi	inimum Re	asonable Qua	ntity		
									Date Crea	ited 12/19/17	by tpm		
									Date Ente	red	by		

CHECK SHEET ATTACHMENT

File Number 7548

9. Changes to the place of use will be:

Owner Place Use		9,						NE%	1/4			NW7.	17/4		ľ	SW74	1,74			SE1/4	1/4		TOTAI
	# 🔾		Twp. Range	Range	1		NE%	NW74	NW1/4 SW1/4 SE1/4	SE%	NE74	NW74	NW14 SW14 SE14		NE74	NE% NW% SW%	SW74	SE%	NE74	NW74 SW74	SW7/4	SE1/4	ACRES
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			······································			Acres Authorized																	
						New Acres																	

Names and Address:					
1. Person ID # 40155	2.	Person ID #	3.	Person ID #	ı
R & M MILLER FARMS INC					I
PO BOX 7B					·····
LEOTI KS 67861-0602					

GENERAL INSTRUCTIONS

a. Original application/approval

Give to Applicant:

- 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)

- a. Good, microfilmable copy of application and/or Send to headquarters:
- b. Original check and copy of receipt

approval and this check sheet

- 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.
- Type or print applicant's/owner's name on line.
- Complete notary statement.

Date stamp received and approved. Complete ownership and WUC change information ADDITIONAL PHOTOCOPIES				
-------------------------------------------------------------------------------------------------------------	--	--	--	--



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

January 9, 2018

R & M MILLER FARMS INC PO BOX 7B LEOTI KS 67861-0602

RE: Change the Place of Use, File Nos File 7548, 17076, 21150

Dear Mr. Miller;

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#1

CERTIFICATE OF SERVICE

On this day of January 2018, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 7548, 17076, 21150 dated January 9, 2017, was mailed postage prepaid, first class, US mail to the following:

R & M MILLER FARMS INC PO BOX 7B LEOTI KS 67861-0602

Copy provided to GMD#1

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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						⊠ P	lace o	f Use			Point	of Dive	ersion		l.	Vivision	of Wa	ater Re	sources
	under th	ne water	right v	vhich i	s the s	ubject	of this	applic	ation i	n acco	ordance	e with	the co	ndition	s desc	ribed l	below.		
	The sou	irce of s	upply i	s:		\boxtimes G	round	water			Surfa	ce wat	er						
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	Phone N	Number:	<u></u> ()	0010		·····	•	Email	addre	ss:								
3.	The pre																		
	Owner o						ent												
	(If there i	s more th	nan one	landov	vner, at	tach su	ıppleme	ental sh	eets as	neces	sary.)								
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	For Off	ice Use	Only.	Code		<i>F</i> e	e \$Z	ල	_ TR	#		Re	ceipt	Date_	141	111	Chec	k# <u>7</u>	1195

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.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) Point of Diversion Use Made of Water NOV 2 8 2017
	Ose Made of Water
	File No. 7548
2.	Name of applicant: R + M Miller Forms Inc.
	Address: P.O. Box 7B
	City, State and Zip: Leoti, Ks. 67861
	Phone Number: <u>(620) 874 - 1569</u> E-mail address:
	What is your relationship to the water right; 🗵 owner 🔲 tenant 🔲 agent 🔲 other? If other, please explain.
	What is your relationship to the water right, 25 owner tenant agent other: if other, please explain.
	Name of water use correspondents & A - / - +
	Name of water use correspondent: Some as Applicant
	Address:
	City, State and Zip:
	Phone Number: () E-mail address:
3.	The change(s) proposed herein are desired for the following reasons (please be specific):
	More efficient to run 2 wells
	The change(s) (was) (will be) completed by 3-1-2018
	The change(s) (was) (will be) completed by 3-1-2018
Fo	Office Use Only:
Co	D GMD Meets K.A.R. 5-5-1 (YES / NO) Use Source G / S County By Date de Fee \$ TR # Receipt Date Check #

DWR 1-120 (Revised 06/16/2014)

RECEIVED

Assisted by:

DEC 0 1 2017

The	a nrase	ently au	thoriz	ed nla	ce of I	ise is.									i	File No	o. <u>7</u>	54	8
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List any other water rights that cover this place of use.

					File No. <u>/5 4/8</u>
6.	The presently authorized	point(s) of diversion (is) (are)	I Irriac	ition Well	
7	The man and weighter of	-111 (1-) () A	-1	(Provide description and nu	mber of points)
7.	the proposed point(s) of	diversion (is) (are) <u>No</u>	C panale	(Provide description and nur	mber of points)
		ized point(s) of diversion:			
8.	Presently authorized po	int of diversion:			
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		NW	Quarter of the	NW Quarter
	of Section2	Z Township	16	South, Range	36 (E(V))
					Southeast corner of section.
		<u> ΡΟ ΥΡΜ</u> Authorized Quantit			
	(DWR use only: Compu	ter ID No G	SPS	feet North	feet West)
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	Proposed point of diver	sion: (Complete only if cha	nge is requested	<u>n</u> .	
					Quarter
					(E/W),
					Southeast corner of section.
		Proposed Quantity			
	This point is: Additiona	al Well 🔲 Geo Center List	t other water rights	s that will use this poin	t
1					
9.	Presently authorized po				
					Quarter
					(E/W),
	n	County, Kansas,	feet North	feet West of	Southeast corner of section.
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							File No	7548
12.			rized use of water			pur		
	It is pr	roposed that th	e use be changed	to <u>NO</u>	2 hange		purposes.	
13.	If char		of use and/or use			, ,	se will not be incre	eased.
		WON	t De	MUNUL	ing	wells	aky	
	, ,	More	than More	Cur	Vently	1 Jus	+ (c) ()	
		De	More	etti	rieutu	$\varepsilon + e $, * 1 D 10	
	(Please	e show any calcul	ations here.)					
4.	It is re	equested that the	ne maximum annu	al quantity of w	ater be reduced	0 <u>N.A.</u>	(acre-feet	or million gallons).
15.	It is re	equested that th	ne maximum rate o	of diversion of v	vater be reduced	to <u><i>N. A.</i></u>	gallons per mi	nute (c.f.s.).
16.	1:24,0 Kansa Distar should	000, is availab as 66047-3726 nces North and d also be show	le through the Ka (<u>www.usgs.gov</u>). I West of the Sou	nsas Geologic The map show theast corner of the secti	al Survey, 1930 Ild show the local of the section muon, the section li	Constant Avenuation of the present to shown. The sand the sections	ue, University of I ently authorized po he presently autho on corners and sh	graphic Map, scale Kansas, Lawrence, pint(s) of diversion. prized place of use low the appropriate wn on the map.
	a. If	a change in th	e location of the p	oint(s) of divers	ion is proposed,	show:		
	1)	must be she		ertain that the	information show			orner of the section formation shown in
	2)	domestic we	ells, within 1/2 mile	of the propose	d well or wells.	ldentify each wel	ll as to its use and	any kind, including I furnish name and ate so on the map.
	3)		e of supply is surfa upstream from you				all landowner(s) 3	≨ mile downstream
								e map. Please be of the application.
17.	local s	source of supp	ly as to which the	water right rela	ates. This inform	ation may includ	e statements, plat	elates to the same s, geology reports, comments may be
8.	identif reque	fy the rules and est should be gr	d regulations for v	vhich you required to the commentation should be commentation should be commented to the comment of the comment	est a waiver. St owing that granti	ate the reason w	vhy a waiver is ne	oriation Act, please reded and why the ng water rights and

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.

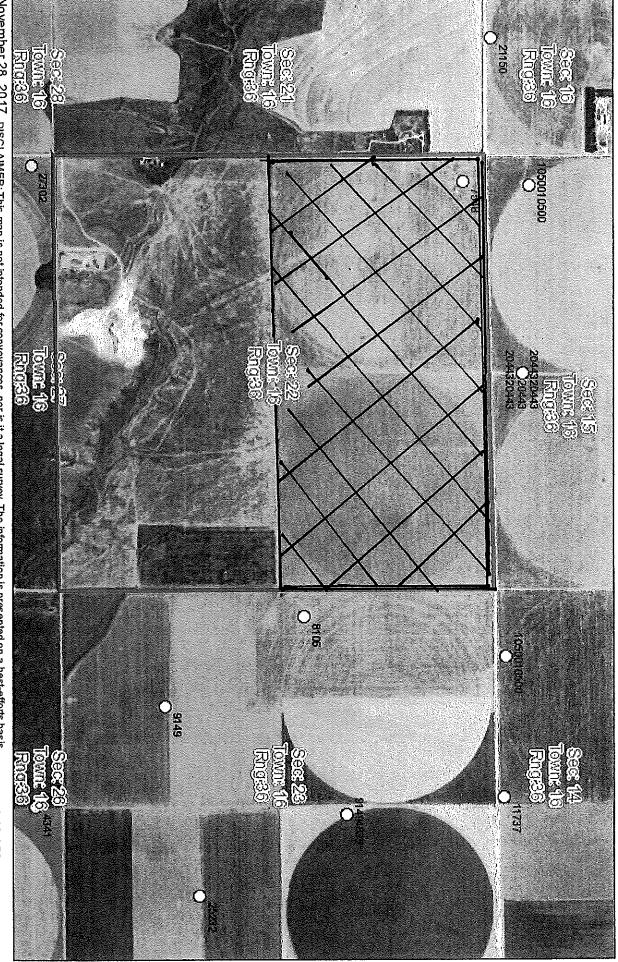
The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

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.

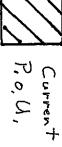
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

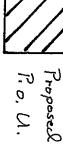
I declare that I am an owner of the currently authorized authorized to make this application on their behalf, and complete. By filing this application I authorize the chief as specified in sections 14 and 15 of this application.	d declare furth	er that th	e stateme	nts contai	ned herein a	re true, co	rrect, and
Dated at Scott Crty KS	_, Kansas, this	28	day of _	Nov	ember	, 20_	17.
Richard Miller							
Richard Miller Richard Miller				(Sp	ouse)		
Mark Miller				(Pleas	se Print)	·· · · ·	
Mul Muller				(Sp	ouse)	, , , , , , , , , , , , , , , , , , , ,	
(Please Print)				(Pleas	se Print)	· · · · · · · · · · · · · · · · · · ·	
(Owner)	•			(Sp	ouse)		
(Please Print)				(Pleas	se Print)		
State of Kansas County of Scott I hereby certify that the foregoing application was s	क्टाक शिक्षी १	E SPEN	CER of Kansas	to before	e me this _	28+h	_ day of
My Commission Expires $\frac{9}{26}$ $\frac{2018}{2018}$.	му Аррг. Ехр		My				
	FEE SCHEDL	<u>LE</u>					
Each application to change the place of use, the point of diversible application fee set forth in the schedule below:	rsion or the use	made of th	ne water un	ider this se	ction shall be	accompani	ed by the
 (1) Application to change a point of diversion 300 fee (2) Application to change a point of diversion more to the place of use	et or less han 300 feet			· · · · · · · · · · · · · · · · · · ·		\$10 \$2 \$3	00 00 00 00

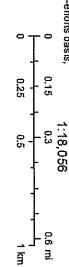
Make check payable to Kansas Department of Agriculture.

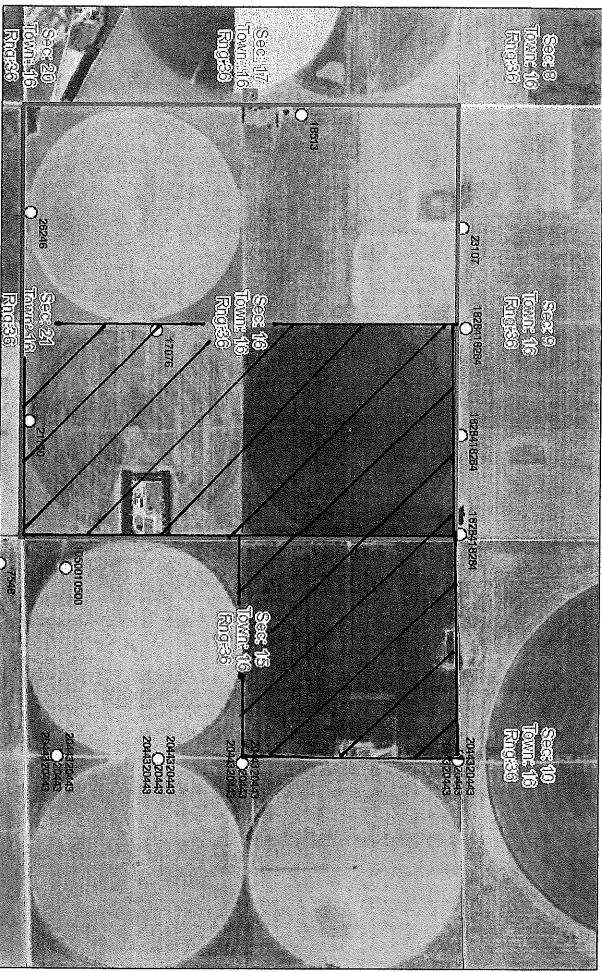


November 28, 2017 DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, 09:20 AM and should not be relied upon for making financial, survey, legal or other commitments.









November 28, 2017 DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, 09:16 AM P. o U. Current P. o. U. Proposed 0.15 0.25

1:18,056 0.3

0.6 mi

0.5

EXE T

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. 7548 A change application was received on <u>December 1, 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. ☐ 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. Not Applicable ☐ 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 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 | N Installation of the works for diversion of water shall be completed on or before December 31, 20 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. 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 \bowtie 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 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing SUMMARY ORDER ISSUED must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9th Street, Topeka, Kansas 66612, within 15 days after the date shown on the Certificate of Service attached hereto. If a Duly Authorized Designee of the Chief Engineer hearing is not requested in accordance with K.A.R. 5-14-3, (Print Name): Thomas P Makens this Summary Order will become effective on the 15th day Division of Water Resources - Kansas Department of Agriculture after the date shown on the Certificate of Service. VANUARY Date of Issuance: 2018 For Use by Register of Deeds State of Kansas County of Acknowledged before me on Signature: Notary Public SHEO JULIE JONES NOTARY My Appointment Expires PUBLIC December 15, 2018 14/64 My commission expires: (Notary Seal)

File No.