STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777



900 SW Jackson, Room 456 Торека, KS 66612 Рнопе: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

May 2, 2018

OMER & TAA SCHWIETERMAN PO BOX 330 SYRACUSE KS 67878

RE: Water Right HM17, 1501, 11649, 29461.

Dear Mr. & Mrs. Schwieterman:

This is to advise you that the Thomas Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged 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

Environmental Scientist III

pc: GMD#3

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



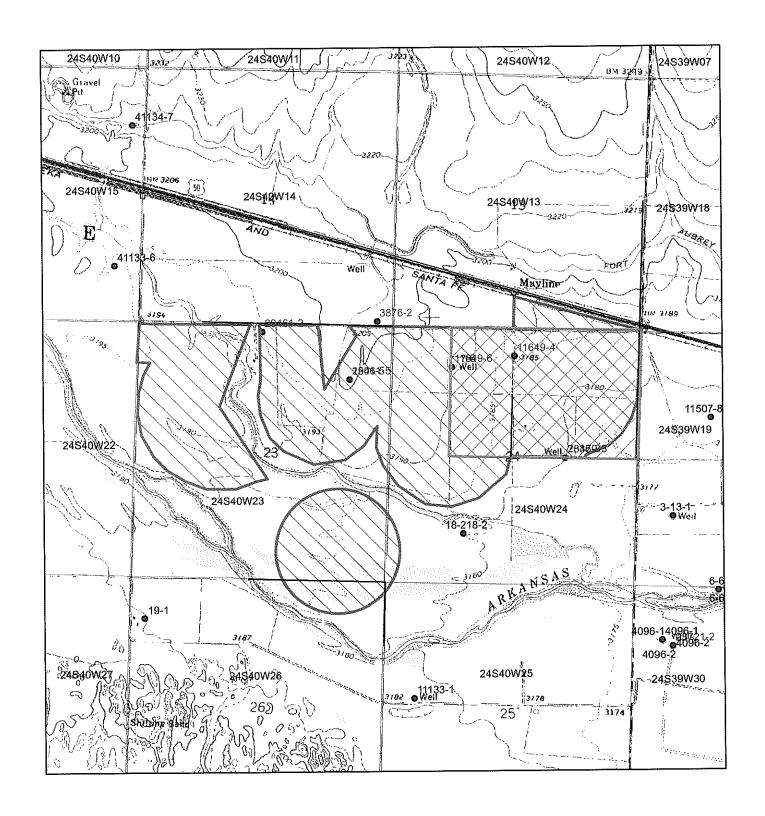
STATE OF KANSAS

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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poin	t(s) of di	version a	and/or	place	of use.		ile No	. 1164	9								1)	OEIV	₩)
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5.	Presently authorized poin	<u>t of diversion:</u>											
	One in the	Quarter of the		Quarter of the	Quarter								
	of Section	, Township		South, Range _	(E/W),								
	in	County, Kansas,	feet No	orth feet West	of Southeast corner of section								
	Authorized Rate	Authorized Quantity		Depth of well	(feet)								
	(DWR use only: Compute	r ID No G	PS	feet North	feet West)								
		☐This point will not be changed ☐This point will be changed as follows: ☐ No change, point better described with GPS as follows:											
	Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)												
	One in the	Quarter of the		Quarter of the	Quarter								
	of Section	, Township		South, Range	(E/W),								
	in	County, Kansas,	feet No	orth feet West of	of Southeast corner of section.								
	Proposed Rate	Proposed Quantity		Proposed well dep	th (feet)								
	This point is: Additional \	Well ☐ Geo Center List	other wate	er rights that will use this po	int								
6.	Presently authorized point	of diversion:											
O.				Quarter of the	Quarter								
	of Section	Township		Couth Dongs	Quarter (E/W),								
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	Authorized Rate	Authorized Quantity	reet ive	Don'th of we'll	or Southeast comer of section.								
	Authorized Rate	Authorized Quantity		Depth of well	(feet)								
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					is better described by GPS)								
	one in the	Quarter of the		Quarter of the _	Quarter								
	of Section	, I ownship		South, Range	(E/W),								
	In	County, Kansas,	teet No	orth feet West o	of Southeast corner of section.								
	Proposed Rate	Proposed Quantity _		Proposed well dept	th (feet)								
l	This point is: Additional v	Vell	other water	r rights that will use this poi	nt								
-7	The changes berein are dec	inad fan Han fellending gere	-0 120	If the proposed point of div	annian will be not out to 1 Mill 400								
7.	The changes herein are des	ned for the following reason	18? 13a.	feet of the existing point of	ersion will be relocated within 100 diversion, indicate its location on								
	(please be specific)			the diagram below in relatio	n to the existing point of diversion								
				represents presently auth	(" in center of diagram below orized point of diversion)								
					orth								
				100 50									
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8.	If a well, is the test hole log att	ached? 🗌 Yes 🔲 No		******	<u> </u>								
9.	The change(s) (was)(will be) c	ompleted by?		50 - +	<u> </u>								
					-								
				Most of Little									
10.	If the point of diversion is a we	ll:		Avest n = 1111111	XIIIIIII ☐ DEast								
	(a) What are you going to do	with the old well?											
				50 - +	_ + _= 50								
				-	-								
	(b) When will this be done? _				<u> </u>								
				100 50	0 50 100								
11.	Groundwater Management		on	S Sealer	outh '1" = 100'								
	attached? Yes No		12h		ersion will be relocated more than								
12	Assisted by BSC		100.	100 feet but within 1320	feet from the existing point of								
14.	Alogioted by DOC			diversion, attach a topogra	aphic map or aerial photograph.								
				within one-half mile of the nu	how all wells (including domestic) roposed point of diversion and the								
				names and mailing addres	ses of the owners. For surface								
				water sources, show the	names and addresses of the downstream and one-half mile								
				upstream from your property	tlinge								

Change in Place of Use WR 11649 Sections 13, 23, 24, 25, 26 - Township 24 S - Range 40 W

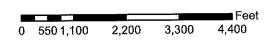




Authorized Place of Use



Proposed Place of Use





APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 11649
MAKE ADDITIONAL COPIES AS NECESSARY

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Ov Sec.	Twp.	Range 40W	NE½	NE NEW 3.5 PLOT 3	I DAVI PO BO	D BR(DX 962	NE%	EE, FC ACUS NW%	DRT AI	UBRE` 67878 SE¼	Y RAN	SV NW1/4	V¼ SW¼	SE¼		SI	E¼		ACRES
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On ecc. 226 Or 225 Or Sec. Sec.	Twp. 24 wner o Twp. 24 24 24 24 wner o	Range 40W f Land Range 40W 40W 40W f Land Range	NE% NE% 11 LOT 2 ADDR NE% NE% NE%	AME: ESS: NE NW1/A 3.5 LOT 3 AME: ESS: NW1/A AME: ESS: N NW1/A	STAT	SE½ SE½ SE½	NE%	NW% AS (OF NW% AS (OF	PRT AIE, KS N/A SW/A RIGINA RIGINA W/A	SE½ SE½ SE½ SE½	VERNI	SV NW% MENT SI MENT SI MENT	SURV SW¼ SURV SURV	SE¼ EY)	NE½	SI NW%	E¼ SW¼ SW¼ 11	SE½ SE½ 15	14.5 TOTA ACRE 26 3.5 .5

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO.

Presently authorized	<u>d point of diversion</u>	on:			
One in the	Qu	arter of the		Quarter of the	Quarter W.
of Section	, Т	ownship		South, Range	· W
in	County, Kar	nsas,	feet North	feet West of So	outheast corner of section.
Authorized Rate	Auth	orized Quantit	<u>v</u>	Depth of well	(feet)
(DWR use only: Co	mputer ID No.	G	SPS	feet North	feet West)
This point will no	t be changed	This point w	ill be changed :	Depth of well feet North as follows:	
Proposed point of d					
One in the	Qu	arter of the		Quarter of the	Quarte
of Section	, т	ownship		South, Range	(E/W)
in	County, Kar	nsas,	feet North	feet West of So	utheast corner of section.
Proposed Rate	Prop	osed Quantity		Proposed well depth (feet)
This point is: Add	itional Well 🔲 Ge	eo Center List	other water righ	ts that will use this point	(E/W) utheast corner of section. feet)
D	1 1 4 6 52 7				
Presently authorized					
One in the	Qu	arter of the		Quarter of the	Quarter
of Section	, T	ownship		South, Range	W.
in	County, Kar	ารลร,	feet North	feet West of So	wtheast corner of section.
Authorized Rate	Auth	orized Quantity	У	Depth of well	(feet)
(DWR use only: Cor	mputer ID No	G	PS	Depth of well feet North	feet West)
This point will no	t be changed	This point w	ill be changed a	as follows:	
Proposed point of d		-			
One in the	Qua	arter of the		Quarter of the	Quarter
of Section	, T	ownship		South, Range	(E/W),
in	County, Kar	nsas,	feet North	feet West of So	(E/W), utheast corner of section. eet)
Proposed Rate	Prop	osed Quantity		Proposed well depth (f	eet)
This point is:	tional Well _ Ge	o Center List	other water righ	ts that will use this point	
Presently authorized	noint of diversio	n:			
				Ougston of the	0
of Section	\Qua	arter Orthe		Quarter of the	Quarter
in Section	County Kon	ownsnip	£1 N141_	South, Range	
Authorized Rete	County, Nai	orized Overtite	reer north	feet West of So	utneast corner of section.
/DMP use only. Cor	Autro	orized Quantity	/	Depth of well feet North	(feet)
This point will no	t be showard	U This paint w	::: ba abanaa i	teet North	teet west)
☐ This point will no	_	•	-		
Proposed point of di	iversion: (Comple	te only if char	nge is requested	<u>(k</u>	
One in the	Qua	arter of the		Quarter of the	Quarter
of Section	T/	ownehin		South Dange	/E AA/\
in	County, Kan	isas.	feet North	feet West of Sol	utheast corner of section
Proposed Rate	Prop	osed Quantity		Proposed well depth (f	eet)
This point is: Addi	tional Well □ Ge	o Center List	other water right	s that will use this point	utheast corner of section.
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D					
Presently authorized	·····				
One in the	Qua	arter of the		Quarter of the	Quarter
of Section	, To	ownship		South, Range	(E/W).
in	County, Kan	isas,	feet North	feet West of So	utheast corner of section.
Authorized Rate	Autho	orized Quantity	/	Depth of well	(feet)
(DWR use only: Cor	nputer ID No	Ğ	PS	feet North	feet West)
☐ This point will not	t be changed 🔲	This point w	ill be changed a	s follows:	(E/W), utheast corner of section (feet) feet West)
Proposed point of di	version: (Complet	te only it char	ige is requested	<u>1)</u>	
One in the	Qua	arter of the		Quarter of the	Quarter
of Section	, To	ownship		South, Range	(E/W),
in	County Kan		foot Ni-uil-	6 1141 1 60	theast corner of section
	Oddrity, Itali	ısas,	reet North	feet West of Soi	atticast confict of section.
Proposed Rate	Propo	isas, osed Quantity _.	reet Nonn	Quarter of the South, Range feet West of Sou Proposed well depth (for sthat will use this point	eet)

14. If the proposed groundwater point of diversion is 300 or fewer feet from e	
 (a) Does the undersigned represent all owners of the currently authorize ☐ Yes ☐ No (If no, all owners must sign this application) 	on.)
 (b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this applicat 	
(c) If this application is not approved expeditiously, will there be substar ☐ Yes ☐ No (If no, all owners must sign this application)	ntial damage to property, public health or safety?
If the application proposes a surface water change in point of diversion, a groor a change in place of use, the application must be signed by all owners of agent (attach notarized statement authorizing representation).	oundwater change in point of diversion greater than 300 feet, the currently authorized place of use, or their duly authorized:
I hereby verify, being first duly sworn upon my oath or affirmatic age and the owner, the spouse of the owner, or a duly authorized their behalf, in regards to the water right(s) to which this application are true, correct and complete.	d agent of the owner(s) to make this application on ation pertains. I further verify that the statements
Dated at, Kansas, this	day of
$\mathcal{C} = \mathcal{C} = \mathcal{C} = \mathcal{C}$	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas)	
County of DNN 454	and
I hereby certify that the foregoing application was signed in my	oresence and sworn to before me this day of
The same of the sa	J 4
KEVIN L. SALTER My Appointment Expires	Seryft
My Commission Expires November 2, 2021	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the apprethe appropriate fee must be paid.	the applicable portions of the application form must be completed wit opriate owners' must be affixed to the application and notarized; and
FEE SCHEDUL!	Ē
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	his section shall be accompanied by the application fee set t of Agriculture \$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

Wit	s Summary Order is issued under authority of K.S.A. 82 visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> h the exception of those conditions expressly contained a limitations of File No.	828-701 et. seq., and rules and reg	ulations promulanted the columber
1.	A change application was received on diversion authorized under the above-referenced file r	requesting that	the place of use and / or point of the application.
	On and after the effective date of this summary order, to on the topographic map accompanying the application	he authorized place(s) of use shall h	ne located substantially as shown
3.	The change in point of diversion shall not impair existing previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. ☐ Appl	rights and shall be limited to the sai	me source or sources of water as
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	ally be located more than	feet from the previously
5.	As required by K.A.R. 5-3-5d, if the works for diversion tube or other device suitable for making water legaccordance with K.A.R. 5-6-13.	vel measurements shall he installa	00 gallons per minute or more, a ed, operated and maintained in
	The owner of the authorized place(s) of use shall December 31, 20, or before the first use of wa operated and maintained in accordance with K.A.R. and K.A.R. 5-3-5e, the owner shall maintain records a water diverted annually to the Chief Engineer by Marc Applicable Not Applicable	ater, whichever occurs first. The wa 5-1-4 through 5-1-12. As required be and report the reading of the water floor that following the end of each calend	ater flow meter shall be installed, by K.S.A. 82a-732, as amended, by meter and the total quantity of ar year.
7.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 20_works for diversion has been completed, on the form papelicable \(\subseteq \text{Not Applicable} \)	be completed on or before Decer the applicant shall notify the Chief I provided by the Chief Engineer, as re	mber 31, 20, or within any Engineer that construction of the equired by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the re	equired notice.	☐ Not Applicable
9.	All diversion works into which any type of chemical or off with an in-line, automatic, quick-closing check valve check valve(s) shall be installed, operated and mai Applicable	anable of preventing polition of the	course of the water cupply. The
10.	Additional Conditions are attached. ☐ Yes ☐ No.	0	
11.	In accordance with K.S.A. 82a-708a, as amended, and water appropriated under the above-referenced file n limitations, as amended and/or supplemented by this <i>Appropriation Law</i> and the <i>Rules and Regulations</i> procesult in civil penalties pursuant to K.S.A. 82a-737, as water or appropriation right or any other enforcement as	umber are responsible for complian Summary Order, and with applicable omulgated thereunder. Failure to co amended and/or the suspension of	ce with its terms, conditions and provisions of the Kansas Water
<u> </u>	Administrative Appeal and Effective Date of Order		ICE USE ONLY
lf yo	u are aggrieved by this order, pursuant to K.S.A. 82a-1901,		APPROVED AND
you	may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of	SUMMARY	ORDER ISSUED
Agri	culture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for		
adm	inistrative review by the Secretary must be filed within 30	By:	gnee of the Chief Engineer
revie	s pursuant to K.S.A. 77-531. Any request for administrative w must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):	
Lega	any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS	Division of Water Resources	- Kansas Department of Agriculture
6650 prec	02. Failure to timely request a hearing or review may lude review under the Kansas Judicial Review Act.		
-	For Use by Register of Deeds	State of Kansas)) SS
		County of)
		Acknowledged before me on _	
		by	,
		-13.33.31	Notary Public
		My commission expires:	
רואיר	1 121 /Paying 07/10/2012)		(Notary Seal)
אאע	1-121 (Revised 07/10/2017)	Page 4	File No