DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET

GARDEN CITY, KS 67846-2804

STATE OF KANSAS



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

June 1, 2018

Vath Farms Inc 18003 14 Road Cimarron KS 67835

RE: Water Right 12818

Dear Mr. Vath:

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

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

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

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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Proposed point	of diversion:	(Complete only if chang	ge is requeste	ed or if existing point is b	oetter describe	ed by GPS)
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If the proposed po	int of diversion v	vill be relocated more than	300	300011	Jeure, I Musimiul	K-10/L

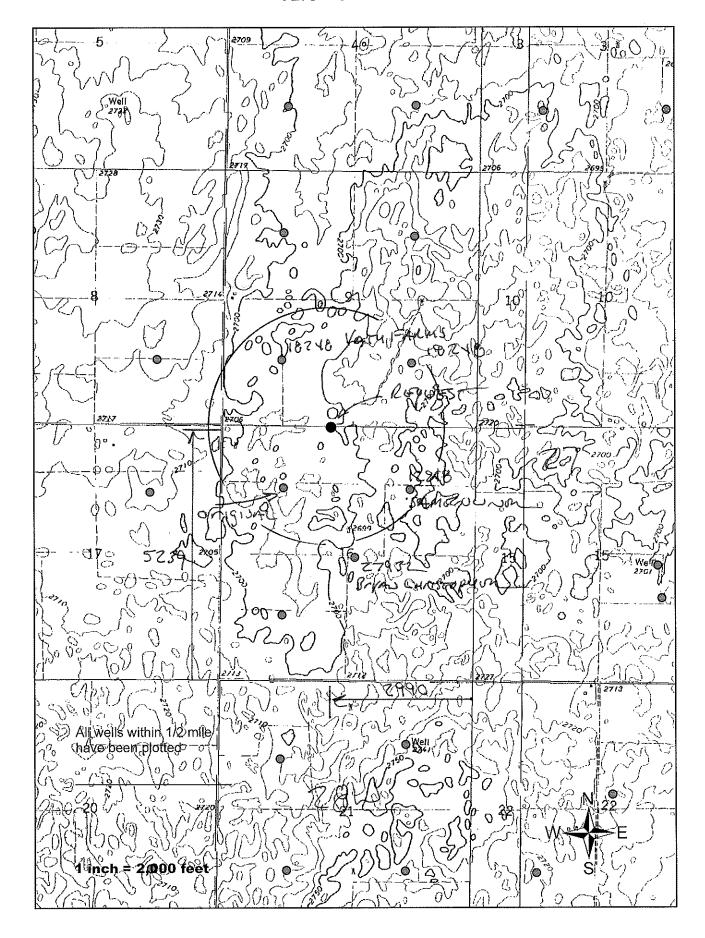
feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a- visions of the <i>Kansas Water Appropriation Law, K.S.A. 82</i> h the exception of those conditions expressly contained her tations of File No. <u>12818</u>	?a-701 et. sea and rules and requ	lations promulgated thereunder.
1.	A change application was received on diversion authorized under the above-referenced file nu	requesting that t	he place of use and / or point of he application.
2.	On and after the effective date of this summary order, the a the topographic map accompanying the application to c	authorized place(s) of use shall be leading the place of use.	ocated substantially as shown on licable ☐ Not Applicable
3.	The change in point of diversion shall not impair existing ripreviously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. Application	d by this summary order shall be lo	me source or sources of water as cated within a 300 foot
4.	The point(s) of diversion described herein is administrat Positioning System (GPS), as described in the application	ively corrected to be more accura on.	ately described using the Global e
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion. ☐ Applicable ☐	ly be located more than Not Applicable	feet from the previously
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurer K.A.R. 5-6-13. Applicable Not Applicable	nents shall be installed, operated a	allons per minute or more, a tube nd maintained in accordance with
7.	The owner of the authorized place(s) of use shall proceed to be a shall proceed and maintained in accordance with K.A.R. 5-1-4 throug 5-3-5e, the owner shall maintain records and report the manually to the Chief Engineer by March 1 following the Applicable Not Applicable	chever occurs first. The water flow h 5-1-12. As required by K.S.A. 8; eading of the water flow meter and t	meter shall be installed, operated 2a-732, as amended, and K.A.R.
8.	Installation of the works for diversion of water shall authorized extension of time. By March 1, 20 <u>19</u> the ap for diversion has been completed, on the form provided ☐ Applicable ☐ Not Applicable	plicant shall notify the Chief Engine	eer that construction of the works
9.	The completed well log shall be submitted with the rec	quired notice. 🔲 Applicable	□ Not Applicable
10.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve cap check valve(s) shall be installed, operated and maintained	pable of preventing pollution of the	source of the water supply. The
11.	Additional Conditions are attached. $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$		
12.	In accordance with K.S.A. 82a-708a, as amended, and K water appropriated under the above-referenced file null limitations, as amended and/or supplemented by this S Appropriation Law and the Rules and Regulations progresult in civil penalties pursuant to K.S.A. 82a-737, as a water or appropriation right or any other enforcement according to the supplementation of th	mber are responsible for complian ummary Order, and with applicable mulgated thereunder. Failure to c amended, and/or the suspension o	ce with its terms, conditions and e provisions of the <i>Kansas Water</i> omply with these provisions may
:	Administrative Appeal and Effective Date of Order		E USE ONLY
If yo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,		APPROVED AND RDER ISSUED
you End	may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of	 	
Agr	iculture. A request for hearing by the Chief Engineer must be a within 15 days of service of this Order and a request for	By:	ignes of the Chief Engineer
adr	ninistrative review by the Secretary must be filed within 30		
revi	s pursuant to K.S.Á. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name): Division of Water Resources	- Kansas Department of Agriculture
File Lec	any request with Kansas Department of Agriculture, jal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance:	
665	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas)) SS
	For Use by Register of Deeds	County of) 33
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		Signature:	
		olynature.	Notary Public
		My commission expires:	
		My commission expires:	(Notary Seal)
DW	R 1-121 (Revised 04/5/2018) F	Page 4	File No.

14. If the proposed groundwater	r point of diversion is 300	or fewer feet fro	m the existing	, point of di	version, comple	te the following:
(a) Does the undersigned ≀ ☐ Yes ☐ No	represent all owners of the (If no, all owners mus			of use ide	ntified in this ap	olication?
(b) Will the ownership inte affected if this applicatio ☐ Yes ☐ No	rest of any owner of the on is approved as request (If yes, all owners mu	ted?		of use iden	tified in this app	olication be adversely
(c) If this application is not ☐ Yes ☐ No	approved expeditiously, v (If no, all owners mus			ge to prope	rty, public health	or safety?
If the application proposes a sur or a change in place of use, the agent (attach notarized statemen	application must be signe	d by all owners				
I hereby verify, being first c age and the owner, the spo their behalf, in regards to t contained in this applicatio	use of the owner, or a he water right(s) to w n are true, correct and	a duly authori hich this app d complete.	zed agent o lication per	f the own tains. I f	er(s) to make urther verify t	this application or
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Dated at Dodge (Ow	vner)	_, Kansas, this _	× Kpi:	tin L	Spouse)	ke)
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State of Kansas	} ss					
County of For d						2016
I hereby certify that the foof	oregoing application wa	s signed in n	ny presence	and swor	n to before n	ne this <u>29</u> day
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My Commission Expires	-1-17 My Appl	l. Exp. 10-1-19	, , ,	Ŋ	lotary Public	
ONLY COMPLETE APPLICATIONS accurate information; maps, if necess the appropriate fee must be paid.						
		FEE SCHEDU	<u>LE</u>			
(2) Application to chang		nsas Departme feet or less re than 300 feet	nt of Agricul	ture		\$100



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3795 W. Jones Ave. Garden Chy, KS 67846 PH: 620-277-2389

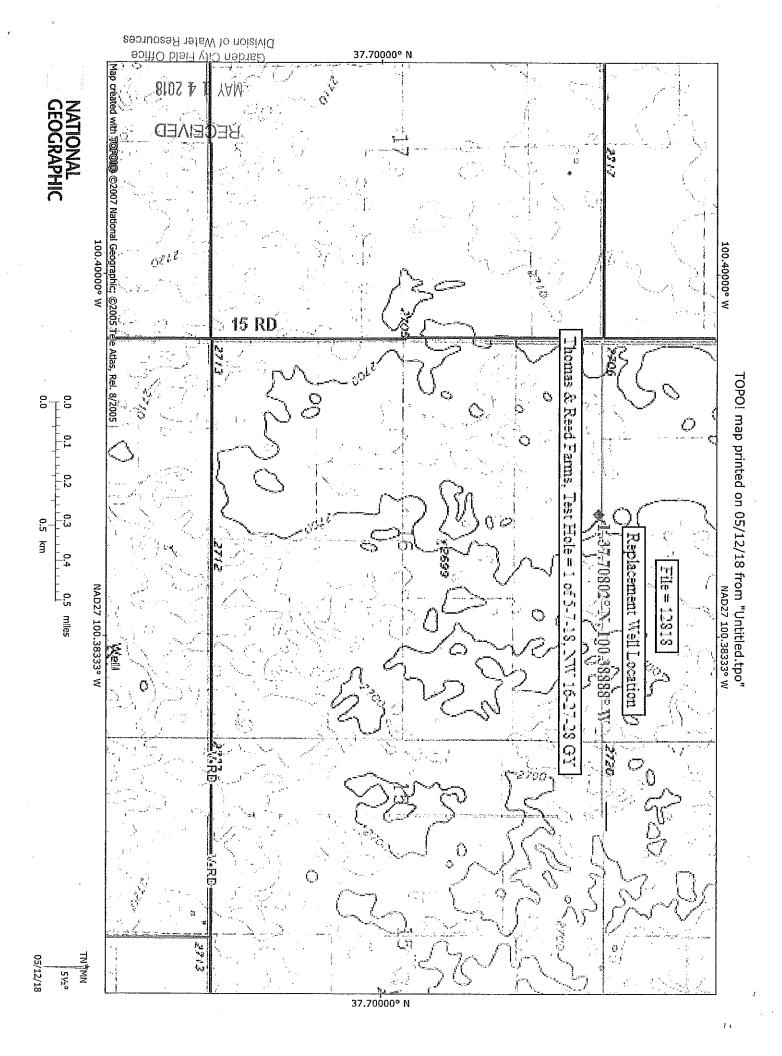


PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

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