Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 21389 D4	2. Status Change Date: 9/46//8	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 9/24/18
8a. Applicant(s) New to system □ DALE & CYNTHIA G YOS 1142 ROAD AA LAKIN KS 67860-6220	Person ID 36995 Add Seq# 1	1142 R		
8b. Landowner(s) New to system CHRISTOPHER DALE & 1106 ROAD AA LAKIN KS 67860-6220	Person ID 36995 Add Seq# 1 LARESSA YOST	1142 R	vstem □ & CYNTHIA G YO OAD AA KS 67860-6220	
9. Documents and Enclosure(s):	Seal	□ N & P Form	☐ Water Tube ☐ I	o Comply: H & E Letter
10. Use Made of Water From:		To:		
			Date Prepared: 9/24/ Date Entered:	18 ву: ТРМ Ву:

File No	. 209	42		1	1. Cou	ınty: K	Œ	Ва	sin: ar	kansa	s				S	tream:							Fo	rmation (Code: 2	11 Special Use:	
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STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804



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

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

September 26, 2018

CHRISTOPHER DALE & LARESS YOST 1106 ROAD AA LAKIN KS 67860-6220

RE:

Application to Change the Place of Use

Water Right, File Nos. 20941, 20942, 21389 D4

Dear Sir and Madam:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since this order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate. Please also submit a copy of the current ownership deed to have our records changed.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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,

Michael A. Meyer Water Commissioner

MAM: enclosures

pc:

DALE & CYNTHIA G YOST

DALE YOST 1142 ROAD AA

LAKIN KS 67860-6220

Groundwater Management District No. 3

CERTIFICATE OF SERVICE

On this 26th day of September, 2018, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 20941, 20942, 21389 D4, dated 26th day of September, 2018 was mailed postage prepaid, first class, US mail to the following:

CHRISTOPHER DALE & LARESS YOST 1106 ROAD AA LAKIN KS 67860-6220 With photocopies to:

DALE & CYNTHIA G YOST DALE YOST 1142 ROAD AA LAKIN KS 67860-6220

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

DWR 1-121 (Revised 04/5/2018)

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

File No. _____

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.

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						l	File No	o. <u>2138</u>	39 D4					_			SE	P 24	2018
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both): Solution and Point of Diversion Garden City Field Office Division of Water Resources under the water right which is the subject of this application in accordance with the conditions described below.																		
	The source of supply is:																		
2.	2. Name and address of Applicant: DALE & CYNTHIA G YOST 1142 ROAD AA LAKIN KS 67860-6220 Phone Number: (Email address:																		
	Name and address of Water Use Correspondent: DALE & CYNTHIA G YOST																		
	1142 ROAD AA LAKIN KS 67860-6220																		
_	Phone Number: () Email address:																		
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	Owner of Land NAME: DALE & CYNTHIA G YOST																		
	ADDRESS: 1142 ROAD AA LAKIN KS 67860-6220																		
	(If there is more than one landowner, attach supplemental sheets as necessary.)																		
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4.	4. If this application is for a change in place of use, it is proposed that the place of use be changed to: Owner of Land NAME: DALE & CYNTHIA G YOST ADDRESS: 1142 ROAD AA LAKIN KS 67860-6220 (If there is more than one landowner, attach supplemental sheets as necessary.)																		
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5. Presently authorized point of diversion:

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

SUPPLEMENTAL SHEET FILE NO. 2/389/4 MAKE ADDITIONAL COPIES AS NECESSARY

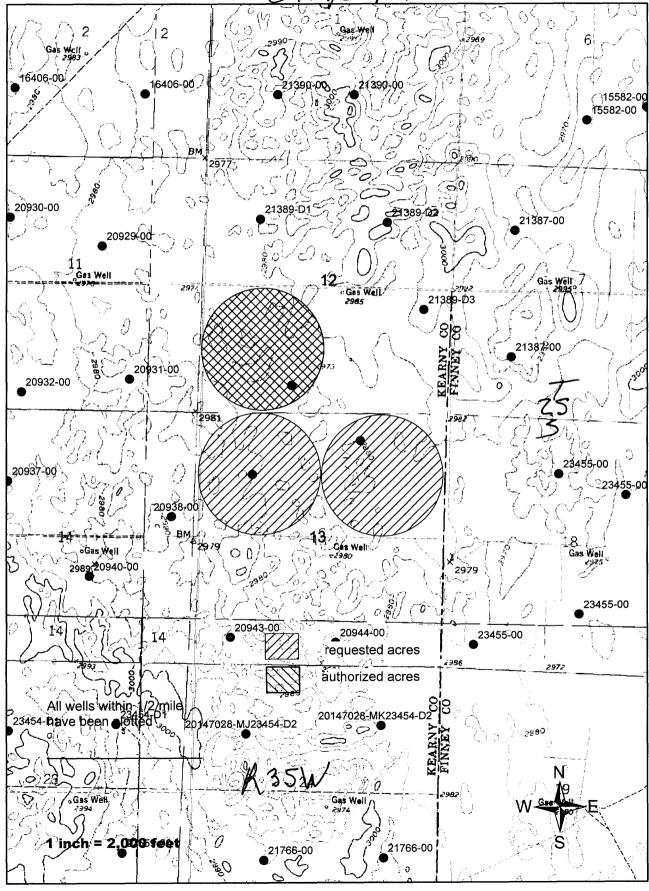
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DWR 1-121-2 (Rev. 01/23/2008)

File No. ____

21389 D4 Change PU



14. If the proposed groundwater point of diversion is 300 or fewer feet	from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently aut	
 (b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved as requested?) 	
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this all contained in this application are true, correct and complete.	orized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at sandon Co., Kansas, thi	s 21 st day of Sestember, 2018.
* Mistiph Del Ja	Barossa 4087 (Sportse)
CHRISTOPHER DALE YOST	LARESS YOST
(Please Print)	(Please Print) Jost
DALE YOST (Please Print)	CYNTHIA G YOST (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of France, SS	
I hereby certify that the foregoing application was signed in of, 20_18	my presence and sworn to before me this 213 day
SUE KEENY My Appointment Expires	Notary Public
My Commission I June 8, 2022	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	
FEE SCHED	DULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departr (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use	ment of Agriculture

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. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 21389 D change application was received on <u>September 24,208</u> 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. A change application was received on 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 ______ foot radius of the authorized point(s) of diversion.

Applicable

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.

Applicable More Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable feet from the previously 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 X Not 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 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. ☐ Applicable Not Applicable The completed well log shall be submitted with the required notice. ☐ Applicable Not Applicable 10. 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 11. Additional Conditions are attached. ☐ Yes TZNO 12. 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 If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief SUMMARY ORDER ISSUED Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 MICHAEL A-MEYER days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on & Notary Publicitue Jones Signature: JULIE JONES My Appointment Expires December 15, 2018 My Appointment Expires My commission expires: L ember 15, 2018 (Notary Seal)



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

September 25, 2018

Michael A. Meyers Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RE: Applications for Change in Place of Use

Water Right, File Nos. 20941, 20942 & 21389 D4

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for a complete overlap in irrigation acres is in accordance with K.A.R. 5-5-11. It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest Assistant Manager

RECEIVED

SEP 2 5 2018

Garden City Field Office Division of Water Resources

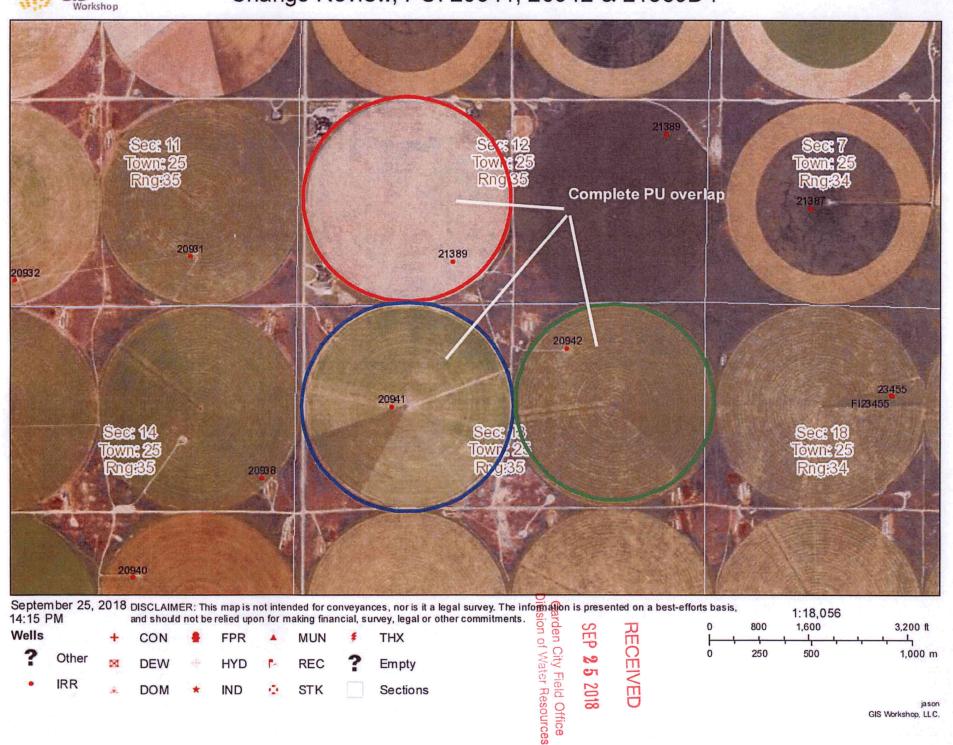
GMD3 Change Review

File No(s).: 2094	41, 20942 & 2	1389D4.		DWR office: <u>GC</u> .
App filed to chan	ge: PU.			
Is Landowner(s)	correct in WR	IS: Yost.		
If NO, is o	documentation	included?		
Is Water Use Cor.	respondent co	rrect in WRIS	S?	
If NO, is o	documentation	included?		
Regulation(s) Rev	viewed: KAR	5-5-11		
Point of diversion	ID No(s)	being change	ed.	
	ft. North	ft. West		
Authorized PD				
Proposed PD				and demandary services
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a2 + b2 = c2	0	0	0	
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between the 3 WI	many to the same of the same of			
Is Proposed PU o	verlapping ex	isting WRs?	allocation to the	
Land Owner(s) no	otified:			
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Neighboring certi	fied well(s) no	otified:		
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Domestic well(s)				
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Base Acres:				
Perfected Acres:				
Irr. Return-Flow	%			
No new acres are	e being broug	ht in. this w	ill make a co	omplete overlap in PU for all 3
WRs.				
Is a waiver neede	d: <u>No</u> .			
Final Recommend	dation: After	review of al	l available inf	formation, it appears current
				of the applications.

Jan



Change Review, PU: 20941, 20942 & 21389D4



GIS Workshop, LLC.

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901 FAX: (620) 276-9315 www.agriculture.ks.gov

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

September 25, 2018

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 409 CAMPUS DRIVE, SUITE 106 GARDEN CITY KS 67846

Re: Water Right File Nos. 20941, 20942, 2138 D4

Dear Mr. Norquest;

This is to advise you that Christopher Dale & Laressa Yost has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use for the above referenced files.

We are delaying action on the change application to allow you time to review and provide a recommendation.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer

Water Commissioner

MAM Enclosure