Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 29855-D1	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved Der	nied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 31-AUG-2018
8a. Applicant(s) New to system □	Person ID <u>61989</u> Add Seq# <u>1</u>	8c. Landown New to sy		Person ID 62080 Add Seq# 1
JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851		РО ВО	N P & MARGARE OX 1098 ETTE KS 67877	T LOEWEN
8b. Landowner(s) New to system SANDYHILL ENTERPRIS JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851	Person ID 64846 Add Seq# 1	8d. WUC New to sy	ystem CHANGE	Person IDAdd Seq#
9. Documents and Enclosure(s): 🛛 D	WR Meter(s) Date to Comp	oly:	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter☐ ☐ Conservation Plan Date Requi		□ N & P Form		Oriller Copy
10. Use Made of Water From:		To:		
			Date Prepared: 12/03 Date Entered: は入	

File No. 29855-D1	11. County:	FI Bas	in: ARKANSA	AS RIVER	St	tream:					Formation (Code:	Special Use:
12. Points of Diversion CHK MOD DEL PDIV ENT Qualifier	S	T R	ID 'N	'W	Comment	(AKA Line	e) F					antity /mgy	Overlap PD File s
No changes													
					300		1 2.9						
						12.3	hard.				1 TEN .	- 1	
13. Storage: Rate	N	F Quan	tity		_ac/ft A	dditional I	Rate			_NF A	dditional Qua	antity	ac/ft
14. Limitation:	af/yr at		gp	om (cfs) w	hen comb	ined with fil	e number(s)				
Limitation:	af/yr at	631 74 18	gp	om (cfs) w	hen comb	ined with fil	e number(s					<u> </u>
15. 5YR Allocation: Allocation	Туре	Start Year	5	YR Amount _	Amo	ount Unit	Ва	ase Acres		Comme	nt		
16. Place of Use CHK		NE	1/4	NW1/4		sw	1/4	5	E1/4	Tot	al Owner	Chg?	Overlap Files
MOD DEL ENT PUSE S T F	ID	NE NW 1/4	SW SE 1/4 1/4	NE NW SW 1/4 1/4			SW SE 1/4	NE NW 1/4	SW 1/4	SE 1/4	22576-	DA; 225	22576-D2; 22576-D3; 576-DB; 22577-D1; 50; 28620; 29855-D1 ;
ENT 29974 13 26 34	W 1				32.0	0 32.00	32.00	32.00 32.0	32.00	32.00 256.	.00 8B	NO	see above
√ 17483 22 26 34	W 1	34.00 34.00	34.00 34.00 34	4.00 34.00 34.0	0 34.00					272.	.00 8B	NO	see above
ENT 30897 23 26 3	4W 1	34.00 34.00	34.00 34.00 34	4.00 34.00 34.0	0 34.00 34.0	34.00	34.00	34.00 34.0	34.00	34.00 544.	.00 8B	YES	see above
ENT 24287 24 26 3	34W 1	34.00 34.00	34.00 34.00		34.0	34.00	34.00	34.00 34.0	34.00	34.00 408.	.00 8B	YES	see above
ENT 518 25 26 3				4.00 34.00 34.0						Section 1		YES	see above
ENT 33001 26 26 3	4W 1	34.00 34.00	34.00 34.00 34	4.00 34.00 34.0	0 34.00 34.0	34.00	34.00	34.00 34.0	34.00	34.00 544.	00 8B	YES	see above
Base Acres: Year:	Mir	nimum Reaso	onable Quanti	ty:									

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources MEMORANDUM

TO: Files

FROM: Richelle A. Krueger

DATE: December 6, 2018

RE: Water Right

File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813;

28,620; 29,855-D1 and 30,157

Jacob and Aganetha Neufeld, on behalf of Sandyhill Enterprises, L.L.C., and Johan and Margaritha (Margaret) Loewen, water right owners, filed applications to change the place of use for the referenced file numbers along with a division request for File No. 22,577 and reductions in place of use for File Nos. 24,050 and 28,620. The ultimate goal of the submitted package is to remove the overlap in place of use which exists between Sandyhill Enterprises L.L.C.(Neufeld) and Loewen water rights; to create exact overlaps in place of use among water rights owned solely by Loewens (File Nos. 22,233; 22,577-D2; and 24,813); and to create exact overlaps in place of use among water rights owned solely by Sandyhill Enterprises L.L.C.(File Nos. 16,157; 20,890;22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-D1; 22,578-D2; 24,050; 28,620; 29,855-D1 and 30,157).

The referenced files do not appear abandoned as per K.S.A. 82a-718.

The referenced files are all authorized groundwater for irrigation use in Finney County, Kansas. None of the referenced file numbers have overlaps in their authorized points of diversion and the following files have no overlaps in their authorized places of use: File Nos. 16,157(256 acres); 22,576 DA(136 acres); File No. 22,577-D2(136 acres); 29,855-D1 (272 acres) and 30,157 (136 acres). File Nos. 20,890 and 22,578-D2 overlap in their 272-acre place of use; File Nos. 22,576-DB; 22,576-D2 and 22,576-D3 overlap in their 408-acre place of use; File Nos. 22,577-D1; 24,050 and 28,620 overlap in their 952-acre place of use; and File Nos. 22,233 and 24,813 overlap in their 272-acre place of use.

The water right owners propose exact overlaps among rights owned solely by Sandyhill Enterprises and exact overlaps among water rights owned solely by the Loewens, pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. The 4,611 acre-feet authorized by Sandyhill Enterprises water rights will irrigate their proposed 2,432-acre place of use with 1.89 acre-feet per acre and the 802 acre-feet authorized by Loewen water rights will irrigate their proposed 408-acre place of use with 1.96 acre-feet per acre. Both proposals appear reasonable since the 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Finney County is 1.42 acre-feet per acre. Feet distances for wells with be updated with g.p.s. feet distances per WRIS as appropriate.

No nearby well owners were notified of the proposed changes since the proposals are for exact overlaps in the authorized places of use.

The same local source of supply will not change.

Southwest Kansas Groundwater Management District No. 3 recommended approval of the referenced applications in a letter dated November 27, 2018 from Jason Norquest, Assistant Manager.

In an e-mail dated November 29, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office, recommended approval of the applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, and if the reduction requests and division agreement are approved, it is recommended the applications be approved.

Richelle A. Krueger Environmental Scientist DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700

Fax: (785) 564-6777

STATE OF KANSAS

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

GOVERNOR JEFF COLYER, M.D.

Jackie McClaskey, Secretary of Agriculture FILE COPY

SANDYHILL ENTERPRISES LLC JACOB AND AGANETHA NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

January 2, 2019

RE: Water Right, File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813; 28,620; 29,855-D1 and 30,157

Dear Sir or Madam:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Since these orders modify the original document referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.G.

Change Application Unit Supervisor

Water Appropriation Program

BAT:rak

pc: Garden City Field Office

Groundwater Management District No. 3 Johan P. and Margaritha(Margaret) Loewen



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 29,855-D1



The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jacob and Aganetha Neufeld, on behalf of Sandyhill Enterprises, L.L.C., 10165 West River Road, Holcomb, Kansas 67851, and Johan and Margaritha Loewen, P.O. Box 1098, Sublette, Kansas 67877, received in this office on August 31, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Findings and Order of the Chief Engineer dated January 17, 2018, determining the interest in Water Right, File No. 29,855, and by the Order of the Chief Engineer dated October 1, 2018, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

		Tack of		N	Ξ1/4			NV	V1/4			SV	V1/4			SI	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
13	268	34W									32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00
22	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00			- 1				784		272.00
23	26S	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00
24	268	34W	34.00	34.00	34.00	34.00					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00
25	268	34W					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00
26	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00

a total of 2,432.00 acres in Township 26 South, Range 34 West, Finney County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 29,855-D1, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated November 18, 1992, as modified and amended by the aforementioned orders.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

request an evidentiary hearing before the Chief Engineer, or

2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 174 day of December

, 2018, in Manhattan, Riley County, Kansas.

Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program

Division of Water Resources Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this day of leave to the day of le

DANIELLE WILSON

NOTARY

My Appointment Expires

My Appointment Expires
August 23, 2020

Notary Public

RE: File No. 29,855-D1

CERTIFICATE OF SERVICE

On this Thday of December , 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 29,855-D1, dated December 17, 2018 was mailed postage prepaid, first class, US mail to the following:

SANDYHILL ENTERPRISES LLC JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

With photocopies sent to:

JOHAN P & MARGARET LOEWEN PO BOX 1098 SUBLETTE KS 67877

Garden City Field Office Groundwater Management District No. 3

Division of Water Resources

Krueger, Richelle [KDA]

From:

Meyer, Mike [KDA]

Sent:

Thursday, November 29, 2018 3:50 PM

To:

Krueger, Richelle [KDA]

Subject:

RE: Request for Recommendation Change in PU File No. 16157 etal Sandyhill Enterprises

LLC (Jacob Neufeld); Loewens

Approve thanks

Mike

From: Krueger, Richelle [KDA]

Sent: Thursday, November 29, 2018 12:22 PM **To:** Meyer, Mike [KDA] < Mike.Meyer@ks.gov>

Subject: Request for Recommendation Change in PU File No. 16157 et al Sandyhill Enterprises LLC (Jacob Neufeld);

Loewens

Hi Mike,

Attached is a draft memo for the referenced changes in pu, division and reductions in pu for the Sandyhill Enterprises and Loewen package. Do you recommend approval?

Thanks, Richelle



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

November 27, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502 Water Resources Received

NOV 30 2018

KS Dept Of Agriculture

RE: Change Application

Water Right, File Nos. 16157, 20890, 22233, 22576 D2, 22576 D3, 22576 DA, 22576 DB, 22577 (D1), 22577 (D2), 22578 D2, 24050, 24813, 28620, 29855 D1 & 30157

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The Division of 22577 and reduction requests for 24050 & 28260 is being applied for to separate out the land for the two owners. Then the proposals for change in place of use, will create a complete overlap in current place of use for the individual land owners. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b)(1). There is no new acres being proposed. It is therefore recommended that 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

SCANNED

Krueger, Richelle [KDA]

From:

Jason Norquest < norquest@gmd3.org>

Sent:

Tuesday, November 27, 2018 11:00 AM

To:

Krueger, Richelle [KDA]

Subject:

Neufeld apps

Attachments:

16157_ReviewMat_PU_112718.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Richelle, hope you are all thawed out up there. We really didn't get much snow, but a lot of wind. Seems we were right on the edge.

Attached is my review for all these applications. I will put the signed cover in the mail to you. Let me know if I missed something.

Have a good day.

Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289 Office: 620-275-7147

www.gmd3.org

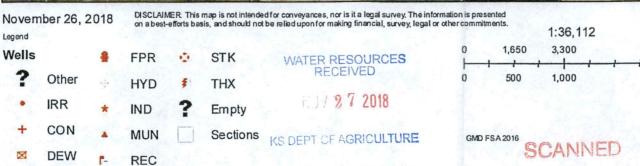
WATER RESOURCES
RECEIVED ROLL
NOV 27 2018
KS DEPT OF AGRICULTURE



DOM

PU changes





6,600 ft

2,000 m



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

November 27, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502

RE: Change Application

Water Right, File Nos. 16157, 20890, 22233, 22576 D2, 22576 D3, 22576 DA, 22576 DB, 22577 (D1), 22577 (D2), 22578 D2, 24050, 24813, 28620, 29855 D1 & 30157

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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

WATER RESOURCES

NO7 2 7 2018

KS DEPT OF AGRICULTURE

GMD3 Change Review

File No(s).: 16157, 20890, 2	22233, 22576D2, 22576D3, 22576D	A, 22576DB, 22577D1,
22577D2, 22578D2, 24050, 2	24813, 28620, 29855D1 & 30157.	DWR office: HQ/GC.
App filed to change: PU, D	vivision & reductions.	
Is Landowner(s) correct in W	RIS: Yes.	
If NO, is documentation	on included?	
Is Water Use Correspondent	correct in WRIS?	
If NO, is documentati	ion included?	
Regulation(s) Reviewed: KA	R 5-5-11 & KSA 82a-742	
Is Proposed PU overlapping	existing WRs? Yes, after division	and reductions, the
applications will create comp	lete overlap.	
Land Owner(s) notified:		
Name	Name	
Address	Address	
Zip	Zip	
Neighboring certified well(s)	notified:	
Name	Name	
Address	Address	
Zip	Zip	
Domestic well(s) notified: _		
Name	Name	
Address	Address	
Zip	Zip	
Base Acres:		
Perfected Acres:		
Irr. Return-Flow%		
The reductions will reduce	acres only on28620.	
Division only on 22577.		
	te ground to then be completely ov	verlapped in place of
used between the two owne		
	se overlap on WRs: 22233, 22577D	
	feld) will have place of use overlap	
	22576DA, 22576DB, 22577D1, 225	78D2, 24050, 29855D1
& 30157.		
Is a waiver needed: No.		4
	ter review of all available informatio	
	a rules. Staff therefore recommends	approval of the
applications, division and rec	luctions.	

WATER RESOURCES RECEIVED NOV 2 7 2018

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

STATE OF KANSAS



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

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO 3 ATTN JASON NORQUEST 2009 E SPRUCE ST GARDEN CITY KS 67846 November 8, 2018

Re: Water Right, File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813; 28,620; 29,855-D1 and 30,157

Dear Jason:

We are enclosing copies of the applications to change the place of use for the referenced file numbers along with a division request for File No. 22,577 and reductions in place of use for File Nos. 24,050 and 28,620. The ultimate goal of the applications is to remove the overlap in place of use which exists between Sandyhill Enterprises L.L.C.(Neufeld) and Loewens water rights; to create exact overlaps in place of use among water rights owned solely by Loewens (File Nos. 22,577-(D2); 22,233 and 28,620); and to create exact overlaps in place of use owned solely by Sandyhill Enterprises L.L.C.(Neufeld-remaining file numbers).

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger Environmental Scientist

(Kille a. of

Water Appropriation Program

Enclosures

pc: Garden City Field Office

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

10/1/2018 UM

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.

												_				Tig.		9pm	ED
						F	File No	. 2985	5 D1				100				AUG	3 1 2	U10
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							lace o			-		of Dive							
ur	nder the	e water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	dition	s desc	ribed b	pelow.		
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N	ame ar	nd addre	ess of	Applica	ant: J/	АСОВ	NEUF	ELD											gen da
10	0165 W	RIVER	RD	HOLC	OMB H	KS 67	851				Park)				- Callaga India				
		umber:										cob@s	andya	cresllc	.com				
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	J. Sandara	f Land -					FNTE	RPRIS	SESTI	C I	ACOR	NELIE	FID						
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				ESS:											er.				
(If	there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)							4	
				NE	E1/4			NV	N1/4			SV	V¼			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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5.		ed point of diversion:			
		Quarter of the			
	of Section	, Township		South, Range	(E/W),
		County, Kansas,			
	Authorized Rate	Authorized Quantity		Depth of well	(feet)
	(DWR use only: Co	mputer ID No GPS		feet North	feet West)
		e changed This point will be changed			
		liversion: (Complete only if change			
		Quarter of the			
		, Township			
		County, Kansas,			
		Proposed Quantity			
		litional Well Geo Center List oth			
L	This point is. Add	Geo Ceriter List of	iei water right	s that will use this point	Water Control of the
1 2	Presently authorize	d point of diversion:			
6.	STREET, STREET	Quarter of the		Quarter of the	Quarter
	in	, Township	foot North	South, Range	Couth and corner of postion
	Authorized Date	County, Kansas,	reet North	Death of well	Southeast corner of section.
	Authorized Rate	Authorized Quantity		Depth of well	(feet)
		mputer ID No GPS			
		changed This point will be changed			
		liversion: (Complete only if change			
		Quarter of the			
		, Township			
		County, Kansas,			
	Proposed Rate	Proposed Quantity	of the second	Proposed well depth	(feet)
	This point is: Add	itional Well Geo Center List oth	ner water right	s that will use this point	
7.	(please be specific)	are desired for the following reasons' vots. No change to water wells.	300	200 100 North	100 200 300
8.	If a well, is the test hol	e log attached? Yes No			1 + 1 + 1 = 200
9.	The change(s) (was)(v	vill be) completed by?	F	=	- 100
	At approval of applicat	ion	100	1+1+1=	1 + 1 + 1 = 100
	The approval of applicat		E		1 1 1
10.	If the point of diversion	n is a well:	E		
	(a) What are you goir	ng to do with the old well?	West 0	վում ավառիավայիս 🗱 ս	ı ıııı ıııı ııı ıн <mark>+</mark> 0 East
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	na		E		1+1+1=100
	(b) When will this be	done?	100	1+1+1=	1 + 1 + 1 = 100
			E	- - - - - - - - - - - - - - - - - - - -	
11	Groundwater Manager	ment District recommendation attached	200	1+1+1=	1 + 1 + 1 = 200
	Yes		E		
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12.	Assisted by tpm		300 ETT	<u>duuluuluuluuTuu</u> 200 100 0	100 200 300
13a	feet but within 2,640 fe a topographic map of sources, show all wells of the proposed point addresses of the owne names and addresses	f diversion will be relocated more than 30 tet of the existing point of diversion, attacor aerial photograph. For groundwates (including domestic) within one-half more diversion and the names and mailingers. For surface water sources, show the softh the landowner(s) one-half mile upstream from your properties.	ch 13b.If the per of the diagram diversing above divers	roposed point of diversion existing point of diversion shown above in relation. (PLEASE NOTE:	Scale: 1 hashmark=10 ft

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

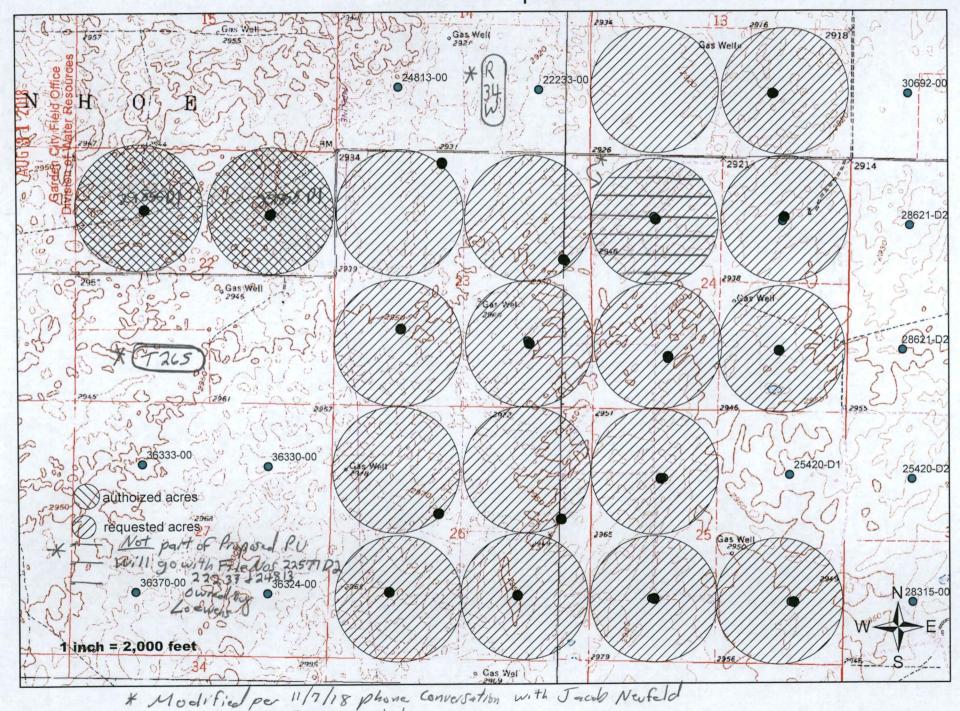
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29855 D1 place of use



* Modified per 11/7/18 phone conversation with Jacob Neufeld * RAK/DWK 11/7/18

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14. If the proposed groundwater point of diversion is 300 or fewer feet from	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this applie	orized place(s) of vise dentified by 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 application)	
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).	a groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm 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 application are true, correct and complete.	ized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at Sublette , Kansas, this	30th day of August 20 18
X (Owner)	Mergaritha Roeller
Tohan Lochten (Please Print)	Margaritha Loewen (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Haskell SS	
I hereby certify that the foregoing application was signed in roof August, 20	my presence and sworn to before me this 30^{10} day
DEBBIE RINEHART	Dophie Ringhost
My Commission Expirespt. By0-12-20	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 ppropriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	<u>ILE</u>
Each application to change the place of use or the point of diversion under	
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	
(-)	

14.	If th	ne proposed groundwater point of diversion is 300 or fewer fee	t from the existing point of diversion, complete the following:
		Does the undersigned represent all owners of the currently a Yes No (If no, all owners must sign this approximation)	oplication.)
	(b)	Will the ownership interest of any owner of the currently au	thorized place(s) of use identified in this application be adversely
		affected if this application is approved as requested? Yes No (If yes, all owners must sign this a	garden City Field Office
	(c)	If this application is not approved expeditiously, will there be	Division of water Resources
		Yes No (If no, all owners must sign this ap	
or a	cha	oplication proposes a surface water change in point of diversion ange in place of use, the application must be signed by all own attach notarized statement authorizing representation).	n, a groundwater change in point of diversion greater than 300 feet ers of the currently authorized place of use, or their duly authorized
age thei	an r b	d the owner, the spouse of the owner, or a duly auth	irmation and under penalty of perjury, that I am of lawful norized agent of the owner(s) to make this application on application pertains. I further verify that the statements
Date	d a	t, Kansas, t	his day of, 20
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X	_	(Owner)	(Spouse)
		(Please Print)	(Please Print)
		(Owner)	(Spouse)
		(Please Print)	(Please Print)
		(Owner)	(Spouse)
-		(Please Print)	(Please Print)
		Kansas SS	
Cour of _		eby certify that the foregoing application was signed in the control of the contr	n my presence and sworn to before me this 31 day
		SUE KEENY	Sue Kremy
МуС	om	My Appointment Expires June 8, 2022	Notary Public
accui	ate	OMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, information; maps, if necessary, must be included; signatures of all the opriate fee must be paid.	all of the applicable portions of the application form must be completed with e appropriate owners' must be affixed to the application and notarized; and
F		FEE SCHE	#####################################
	in t	the schedule below: Make checks payable to: Kansas Depar (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300	

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. 29855 D1 1. A change application was received on 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.

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

Applicable
Not Applicable feet from the previously 6. 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 7. 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 8. 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 9. 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 Additional Conditions are attached. ☐ Yes □ No 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, SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief 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 By: Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may Date of Issuance: State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on by_ Signature: ___ Notary Public My commission expires: _ (Notary Seal)

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

File No.