## CHECK SHEET Short Change

(To be completed and attached to each application)

| Fi          | le No. <u>75</u>         | 11                 |               | _           | Fiel       | d Office   | No. <u>4</u> |                 | GMD No. <u>3</u>    |                              |                   |  |  |
|-------------|--------------------------|--------------------|---------------|-------------|------------|--|--------------|-----------------|---------------------|------------------------------|-------------------|--|--|
| 1. [        | Plugging                 | agreement          | t obtained fo | r GMD?      | Yes □      | No   |              | Non Appl        | icable ⊠            |                              |                   |  |  |
| 2. <b>I</b> | s Lando                  | wner correc        | ct as current | ly shown    | in WRIS?   | ? Ye   | s⊠           | No □            | ]                   | Address                      | Change? NO        |  |  |
| I           | f applicat               | ole, list Plac     | e of Use Ove  | rlap File N | los        |  |              |                 |                     |                              |                   |  |  |
|             |                          |                    | •             |             | -          |  |              |                 | No 🗌                |                              | Change? <u>NO</u> |  |  |
|             |                          |                    |               |             |            | Name of New WUC for point(s) being changed.              |              |                 |                     |                              |                   |  |  |
|             |                          |                    |               |             |            | corner of the section for the new point(s) of diversion: |              |                 |                     |                              |                   |  |  |
|             |                          |                    |               |             | Twp        | Rng  | 'N           | 'W              | Coun                | ty                           | Qualifiers        |  |  |
| -           |                          |                    |               |             |            |  |              |                 |                     | -                            |                   |  |  |
|             |                          |                    |               |             |            |  |              |                 |                     |                              |                   |  |  |
|             |                          |                    |               |             |            |  |              |                 |                     |                              |                   |  |  |
| Ó           |                          |                    |               |             |            | gpm/cfsgpm/cfs   |              |                 |                     | af/mgyaf/mgy<br>af/mgyaf/mgy |                   |  |  |
| €           | . Form                   | ation Name         | & No          | -,,         |            | Special Use Area   |              |                 |                     |                              |                   |  |  |
| 5. <b>I</b> | Distance                 | s from the         | original p/d: |             |            |  |              | N               |                     |                              | N                 |  |  |
| 6. <u>\</u> | VATER F                  | RIGHT ACT          | ION TRAIL C   | OMMENT      | <u>'S</u>  |  |              |                 |                     |                              |                   |  |  |
| _           | 1 <u>2/8</u> / <u>17</u> |                    |               |             | <br>Change | Applicat   | ion Rec      | eived (date     | accepted for        | priority)                    |                   |  |  |
| -           | / }                      | 7/17               |               |             |            | Approve  |              | _//_            |                     |                              |                   |  |  |
| -           | /                        | /                  |               |             | Comple     | tion Req   | uiremen      | t Removed       | l (Change No.       | . C)                         |                   |  |  |
| 7. <u>I</u> | METER A                  | CTION TRA<br>7 /17 | AIL COMME     | <u>NTS</u>  | DWR M      | eter Req   | uired by     | <u>12/31/18</u> |                     |                              |                   |  |  |
| 8. I        | Base Acre                | es <u>comp ove</u> | erlap         | Yea         | ar         |  | Mir          | nimum Rea       | asonable Qua        | ntity                        |                   |  |  |
|             |                          |                    |               |             |            |  |              | Date Crea       | ted <b>12/20/17</b> | by <b>tpm</b>                |                   |  |  |
|             |                          |                    |               |             |            |  |              | Date Ente       | red                 | by                           |                   |  |  |

# CHECK SHEET ATTACHMENT

File Number 7511

9. Changes to the place of use will be:

SW1/2 6 40 NW74 40 4 NE% 4 9 SE14 40 4 SW74 56 26 NW% 40 40 NE% 40 40 SE1/4 40 40 SW7/4 25.4 25.4 NW7 82.4 82.4 lot4 NE% ار الم 8 95 SE1/4 40 40 NW14 SW14 40 40 NE72 052 76 76 NE% <u>F</u> 88 8 Acres Authorized Acres Authorized Acres Authorized New Acres New Acres New Acres Range 22 32W 32w Τwp 28 26 Š Sec. က ന Place Use ID# \$0755 58393 23621 Person ID Owner 10522 59392 Action MOD 766 DEL

Acres Authorized

New Acres

TOTAL ACRES 797.8 797.8

> SE1/4 4 6

| Names and Address:   |                               |     |  |
|--|-------------------------------|-----|--|
| 1. Person ID # 10522   | - 2. Person ID # <u>59392</u> | ю́. | Person ID #  |
| D LIGHTNER FARMS INC   | KYLE J & KIMBERLY K LIGHTNER  |     |  |
| 12505 S HUTTON RD  | 3075 E PLYMELL RD             |     |  |
| PIERCEVILLE KS 67868   | GARDEN CITY KS 67846-8913     |     | and the state of t |
|  |                               |     |  |
| A Administration of the Control of t |                               |     |  |
|  |                               |     |  |

## GENERAL INSTRUCTIONS

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

b. Original receipt (one for each application)

a. Original application/approval

Give to Applicant:

<del>~</del>:

c. Information packet containing:

Water Meter Specifications

Acceptable Meter list

Notice and Proof form

- 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. က်

## CONDITIONS

Insert notice and proof date.

Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

Pink Sheet - K.S.A. 82a-728 letter

Check Valve specifications

Water level measurement tube specifications

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

| 90    |
|-------|
| Ó     |
| a     |
| and   |
| ved   |
| recei |
| stamp |
| Date  |
| 4.    |

Complete ownership and WUC change information. ı()

## ADDITIONAL PHOTOCOPIES

|  | ٦Ę |  |  |
|--|----|--|--|



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 17, 2018

D LIGHTNER FARMS INC John Lindner Lindner, Marquez & Koksal 505 N 6<sup>th</sup> Street Garden City KS 67846

RE: Change the Place of Use, File Nos File 7511, 29194, 31934

Dear Mr. Lindner;

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#3

## 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 7511, 29194, 31934 dated January 17, 2018, was mailed postage prepaid, first class, US mail to the following:

D LIGHTNER FARMS INC John Lindner Lindner, Marquez & Koksal 505 N 6<sup>th</sup> Street Garden City KS 67846

Copy provided to GMD#3

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

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.

| thar | agraph N<br>1 100 fee<br>nt(s) of div  | t, or if | place       | of use           | will b          | e cha         | e <b>ted.</b><br>nged, | Comp<br>include | letea<br>eato | ll othe<br>pograp | r appl<br>hic m                       | icable<br>ap or | portion portio | ons. I      | f chan<br>showi | ge in ping the | authe<br>RE | of diversions of diversions of the contract of | sion is greater<br>and proposed<br>VED<br>(°M  |
|------|--|----------|-------------|------------------|-----------------|---------------|------------------------|-----------------|---------------|-------------------|---------------------------------------|-----------------|--|-------------|-----------------|----------------|-------------|--|--|
|      |  |          |             |                  |                 | ı             | File No                | . <u>7511</u>   |               |                   |                                       |                 |  | -           |                 |                | DE          | C 08   | 2017   |
|      | Applicati  |          | -           |                  |                 | ⊠F            | lace o                 | f Use           |               |                   | Point                                 | of Div          | ersion   |             | ·               | Divi           | sion o      | f Wate   | ield Office<br>r Resources   |
|      | The sour   | ce of s  | upply i     | s:               |                 | $\boxtimes$ C | round                  | water           |               |                   | Surfa                                 | ce wat          | er   |             |                 |                |             |  |  |
|      | Name and address of Applicant: D LIGHTNER FARMS INC  12505 S HUTTON RD PIERCEVILLE KS 67868  Phone Number: (620)290-3527 Email address:  Name and address of Water Use Correspondent: D LIGHTNER FARMS INC  12505 S HUTTON RD PIERCEVILLE KS 67868  Phone Number: ( ) Email address: |          |             |                  |                 |               |                        |                 |               |                   |                                       |                 |  |             |                 |                |             |  |  |
|      |  |          |             |                  |                 |               |                        |                 | Email         | addre             | ss:                                   |                 |  |             |                 |                |             |  |  |
|      | The pres<br>Owner or<br>(If there is   | f Land - | NA<br>ADDRI | AME:<br>ESS:     | D LIGI<br>12505 | S HU          | TTON                   | RD I            | PIERC         |                   |                                       | 67868           | <del></del>  |             |                 |                |             |  | the state of the s |
|      | <u>·                                     </u>  |          |             | NE               | = 1/4           |               |                        | NV              | V¼            |                   |                                       | SV              | N¼   | <del></del> | <u> </u>        | ŞI             | Ξ¼          |  | TOTAL  |
| Sec  | c. Twp.  | Range    | NE¼         | NW14             | SW1/4           | SE¼           | NE¼                    | NW¼             | SW1/4         | SE¼               | NE14                                  | NW¼             | SW1/4  | SE%         | NE1/4           | NW¼            | sw¼         | SE¼  | ACRES  |
| 3    | 26   | 32w      | 93          | 66               | 40              | 40            |                        |                 |               | 20                | 20                                    |                 | 26   | 40          | 40              | 40             | 40          | 40   | 505  |
|      |  |          | lot 1       | lot 2            |                 |               |                        |                 |               |                   |                                       |                 |  |             |                 |                |             |  |  |
|      | If this ap<br>Owner o  | f Land - | NA<br>ADDRI | AME:  <br>ESS: . | D LIGI<br>12505 | HTNEF<br>S HU | R FARI                 | MS IN           | O<br>PIERC    | EVILL             | E KS                                  |                 |  | chan        | ged to          | :              |             |  |  |
|      |  |          |             | NE               | 1/4             |               |                        | NV              | 11/4          |                   |                                       | sv              | V1/4   |             |                 | SE             | <u> </u>    |  | TOTAL  |
| Sec  |  | Range    | NE%         |                  | SW¼             |               |                        |                 |               | SE¼               |                                       |                 | SW1/4  |             |                 | T              | SW¼         | 1  | ACRES  |
| 3    | 26   | 32w      | 93          | 76               | 40              | 40            | 95                     | 82.4            | 25,4          | 40                | 40                                    | 40              | 26   | 40          | 40              | 40             | 40          | 40   | 797.8  |
|      | ·····  |          | lot 1       | lot2             |                 |               | lot3                   | lot4            |               |                   |                                       |                 |  |             |                 |                |             | <del> </del>   | ····   |
|      |  |          | <u></u>     |                  |                 | <u> </u>      |                        |                 |               |                   |                                       | <u> </u>        |  | L           | I               | <u> </u>       | L           | <u></u>  |  |
|      | For Offic  | e Use    | Only:       | Code             |                 | Fee           | s <u>Z</u>             | 00              | _ TR          | #                 | · · · · · · · · · · · · · · · · · · · | Re              | ceipt  | Date _      | 12/8            | 10             | Chec        | k#_9   | 337  |

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

## FILE NO. <u>7511</u> MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

DEC 0.8 2017

Garden City Field Office

| 3. C                            | Continu<br>Owner (                     | ed: The<br>of Land   | N  | AME:                     | uthoriz<br><u>KYLE</u><br><u>3075</u> | J&K          | <u>IMBEF</u> | RLYK          | LIGHT<br>SARDI | NER<br>EN CI           | ΓΥ KS   | 67846          | S-8913       |                | Di       | vision                                | of Wa        | ter Re       | onice<br>sources |
|---------------------------------|--|----------------------|--|--------------------------|---------------------------------------|--------------|--------------|---------------|----------------|------------------------|---------|----------------|--------------|----------------|----------|---------------------------------------|--------------|--------------|------------------|
|                                 | ***                                    |                      | N=1/   | T                        | IE¼                                   | l arız       |              | 1             | W¼             | 1                      | 1.154   |                | W¼           | T              |          | <del></del>                           | E¼           | T .          | TOTAL<br>ACRES   |
| Sec.                            | Twp.                                   | Range                | NE/A   | NVV /4                   | SW¼                                   | SE¼          | NE%          | NW/4          | SW¼            | SE¼                    | NE%     | NW1/4          | 1            | SE¼            | NE1/4    | I NW¼                                 | SWX          | SE¼          | - <b> </b>       |
| 3                               | 26                                     | 32w                  | -  | -                        | <del> </del>                          | <del> </del> | <b> </b>     | <del> </del>  | <del> </del>   | <del> </del>           |         | <del> </del> - | 4            | <del> </del>   | <b></b>  | <del> </del>                          | <del> </del> | <del> </del> | 4                |
|                                 | ······································ | ····                 | -  | -                        | <b> </b>                              |              | -            | <u> </u>      |                | <u> </u>               | ļ       |                | ļ            |                | -        | <del> </del>                          | <del> </del> |              |                  |
| С                               | )wner d                                | of Land              |  |                          |                                       |              |              |               |                |                        |         |                |              |                |          | · · · · · · · · · · · · · · · · · · · |              |              |                  |
|                                 |  |                      | ADDR   | ESS:                     | PO BO                                 | OX 399       | GAF          | RDEN          | CITY           | (S 67                  | 846-03  | 399            |              |                |          |                                       |              |              |                  |
| Sec. Twp. Range NE½ NW½ SW½ SE½ |  |                      | ļ  | 1                        | W¼                                    | T            | SWA          |               |                | SEN<br>NEW NWW SWW SEN |         |                |              | TOTAL<br>ACRES |          |                                       |              |              |                  |
| Sec.<br>2                       | Тwp.<br>26                             | Range<br>32w         | NEX  | NW%                      | SW <sub>1</sub> / <sub>4</sub>        | SE¼          | NE¼          | NW%           | SW1/4<br>20    | SE1/4                  | NE1/4   | NW1/4<br>20    | SW1/4<br>20  | SE¼            | NE¼      | NW%                                   | SW1/4        | SE%          | <b></b>          |
| <u> </u>                        | - 20                                   | JZVV                 | 1  | <b> </b>                 | 1                                     |              | <b> </b>     |               | 2.0            |                        | 1       | 20             | 20           |                | ╂        | <del> </del>                          |              | <b></b>      | 60               |
|                                 |  |                      |  |                          |                                       |              |              |               |                |                        |         |                |              | <b> </b>       |          | 1                                     | <b> </b>     |              |                  |
| 0                               | wner o                                 | f Land               |  |                          |                                       |              |              |               |                |                        |         |                |              |                |          |                                       |              |              |                  |
| ····                            | ·····                                  |                      | ADDR   | ESS:                     |                                       |              |              |               |                |                        |         |                |              |                |          |                                       |              |              | ·*····           |
|                                 |  |                      |  | Ţ                        | E¼<br>T                               | F            | ļ            | N)            | <u> </u>       | 1                      | ļ       | S              | N¼           | т              | ļ        | s                                     | E¼           | т            | TOTAL            |
| Sec.                            | Twp.                                   | Range                | NE%  | NW¼                      | SW¼                                   | SE¼          | NE¼          | NW%           | SW¼            | SE%                    | NE%     | NW1/4          | SW1/4        | SE¼            | NE%      | NW14                                  | SW1/4        | SE¼          | ACRES            |
|                                 | <b></b>                                |                      | <b> </b> -                                   | -                        |                                       |              |              |               |                |                        | Ī       |                | <del> </del> |                |          |                                       |              |              |                  |
|                                 | <del></del>                            |                      | 1  | <del> </del>             |                                       |              |              |               |                |                        | <b></b> | <del> </del>   |              |                |          | <del> </del>                          | <del> </del> |              |                  |
| 4. C                            | ontinue<br>wner o                      | ed: If the<br>f Land | N  | lication<br>AME:<br>ESS; |                                       | a char       | nge in       | place (       | of use,        | it is p                | ropose  | d that         | the pla      | ace of         | use be   | chan                                  | ged to       |              |                  |
|                                 |  |                      |  | N                        | =¼                                    |              | NW¼          |               |                |                        | SW¼     |                |              | SE¼            |          |                                       | TOTAL        |              |                  |
| Sec.                            | Twp.                                   | Range                | NE¼  | NW¼                      | T                                     | SE½          | NE14         | NW14          |                | SE¼                    | NE1/4   | ī .            | SW1/4        | SE¼            | NE¼      | NW%                                   |              | SE14         | ACRES            |
|                                 |  | ,                    |  |                          |                                       |              | ļ            |               |                |                        | ļ       |                |              |                |          |                                       |              |              |                  |
|                                 |  |                      |  |                          |                                       |              | }            |               |                |                        |         | ļ              |              |                |          |                                       |              |              |                  |
|                                 | <del></del>                            |                      | <u>                                     </u> |                          | <u> </u>                              |              |              |               |                |                        | <u></u> | ļ              |              |                | <u> </u> | <u> </u>                              |              |              |                  |
| O <sub>1</sub>                  | wner o                                 | f Land -             | NA<br>Addri                                  |                          |                                       |              |              |               |                |                        |         | ··········     |              |                |          |                                       |              |              |                  |
|                                 |  |                      |  | N                        | =¼                                    |              |              | NW¼           |                |                        | SW¼     |                |              |                | SE       | =1/4                                  |              | TOTAL        |                  |
| Sec.                            | Twp.                                   | Range                | NE¼  | NW1/4                    | SW¼                                   | SE¼          | NE¼          | NW¼           | SW14           | SE¼                    | NE14    |                |              | SE¼            | NE%      |                                       | SW1/4        | SE¼          | ACRES            |
|                                 |  |                      |  |                          |                                       |              |              |               |                |                        |         | ļ              |              |                |          |                                       |              |              |                  |
|                                 |  |                      | ļ  |                          |                                       |              |              |               |                |                        |         | /              |              |                |          |                                       |              |              |                  |
|                                 | wassat                                 | Land -               | L  | NAC.                     |                                       |              |              |               |                |                        |         |                |              |                | <u> </u> |                                       |              |              |                  |
| O                               | MIGI O                                 |                      |  | ESS:                     |                                       |              |              |               |                |                        |         |                |              |                |          |                                       |              |              |                  |
|                                 |  |                      |  | NE                       | <b>'</b> 4                            |              |              | NN            | 11/4           |                        |         | SV             | 1%           |                | SE¼      |                                       |              |              | TOTAL            |
| Sec.                            | Twp.                                   | Range                | NE¼  | NW¼                      | SW¼                                   | \$E¼         | NE¼          | NW¼           | sw¼            | SE¼                    | NE%     | NW¼            | SW¼          | SE¼            | NE¼      | NW¼                                   | SW14         | SE¼          | ACRES            |
|                                 |  |                      |  |                          |                                       |              |              |               |                |                        |         |                |              |                |          |                                       |              |              |                  |
|                                 |  |                      |  |                          |                                       |              |              |               |                |                        |         |                |              |                |          |                                       |              |              |                  |
|                                 |  |                      |  |                          |                                       | <u>l</u>     |              | لِيـــــــــل |                |                        | <u></u> |                | 1            |                |          | 1                                     |              |              |                  |

| 5.  | Presently authorized point of diversion:   |            |                     |   |                              |                   |
|-----|--|------------|---------------------|---|------------------------------|-------------------|
|     | One in the Quarter of the  |            | Qua                 | arter of the  |                              | Quarter           |
|     | of Section, Township   |            | Sοι                 | ith, Range  |                              | (E/W),            |
|     | in County, Kansas,   | _ feet N   | orth                | _ feet West of S  | Southeast corne              | er of section.    |
|     | Authorized Rate Authorized Quantity  |            | Depti               | n of well   | (fee                         | et)               |
|     | (DWR use only: Computer ID No GF   | 's         | feet                | North   | feet We                      | est)              |
|     | ☐ This point will not be changed ☐ This point wil  |            |                     |   |                              | ·                 |
|     | Proposed point of diversion: (Complete only if change  | ge is rea  | uested)             |   |                              |                   |
| Ì   | One in the Quarter of the  |            |                     | arter of the  |                              | Quarter           |
|     | of Section, Township   |            | Soi                 | ith. Range  |                              | (F/M/)            |
|     | in County, Kansas,   |            |                     |   |                              |                   |
|     | Proposed Rate Proposed Quantity  |            |                     |   |                              |                   |
|     | This point is: Additional Well Geo Center List of  | ther wat   | er rights that wil  | luse this noint   |                              |                   |
| ı   | The politics Wilderman Tron Wood Conton Late   | dior was   | or rigitto that wil | rade trio point   |                              |                   |
| 6.  | Presently authorized point of diversion:   |            |                     |   | ····                         |                   |
| о.  |  |            | Oue                 | etar of the   |                              | Ougston           |
|     | One in the Quarter of the<br>of Section, Township  |            |                     |   |                              |                   |
|     | in County, Kansas,   | fact N     | 30u                 | mi, range   |                              | (E/VV),           |
|     | Authorized Date Authorized Quentity  | 166f 146   | JUI                 | _ ieet west of S  | outneast corne               | er of section.    |
|     | Authorized Rate Authorized Quantity  |            | Deptn               | or well   | (166                         | et)               |
|     | (DWR use only: Computer ID No GP   |            |                     |   | teet VVe                     | est)              |
| f   | ☐ This point will not be changed ☐ This point will   |            | -                   | <b>S</b> :  |                              |                   |
|     | Proposed point of diversion: (Complete only if change  |            |                     |   |                              |                   |
|     | One in the Quarter of the  |            | Qua                 | irter of the  |                              | Quarter           |
|     | of Section, Township   |            | Sou                 | th, Range   |                              | (E/W),            |
|     | in County, Kansas,   | _ feet No  | orth                | _ feet West of S  | outheast corne               | r of section.     |
|     | Proposed Rate Proposed Quantity  |            |                     |   |                              |                   |
| Į   | This point is: Additional Well Geo Center List o   | ther water | er rights that wil  | use this point_   |                              | *                 |
| 7   | Why do you need a new maint of diversion?  | 120        | . If the proposed   | d point of divorci  | on will be releas            | ntad within 100   |
| 7.  | Why do you need a new point of diversion?  | ısa.       | feet of the exis    | sting point of div  | ersion, indicate             | its location on   |
|     | no changes to well   |            | the diagram be      | elow in relation to   | the existing po              | int of diversion. |
|     |  |            | represents pr       | TE: The "X"<br>esently authoria   | in center of divided         | lagram below      |
|     |  |            |                     | Nort  |                              | ,                 |
| ρ.  | If a well, is the test hole log attached? Yes No   |            | 100                 | 50 0  | •                            | חח                |
| u.  | in a well, to the test hole log attached: [] Tes [] No   |            |                     | <del>– – – – – – – – – – – – – – – – – – – </del>                           |                              |                   |
| 9.  | When do you propose to complete the new point  | of         | F                   | Ι Τ   | I                            |                   |
|     | diversion?   |            | [                   |   | _                            |                   |
|     |  |            | 50 🛌                | + =   |                              | 50                |
|     | Million Control of the Control of th |            | <u> </u>            | ****  |                              |                   |
| 10. | If the point of diversion is a well:   |            | Most n E            |   |                              | O Coat            |
|     | (a) What are you going to do with the old well?  |            | West 0 - 1          | ·   |                              | 0 East            |
|     |  |            | _                   | =   | <del></del>                  |                   |
|     |  |            | 50 上                |   |                              | 50                |
|     |  |            |                     | '   | ·                            |                   |
|     | (b) When will this be done?  |            | F                   | . =   | ,                            |                   |
|     |  |            |                     | <u> </u>  |                              |                   |
| 11. | Groundwater Management District recommendation   | on         | 100                 | 50 _0   | , 50 10                      | 00                |
|     | attached? Yes No   |            |                     | Sout<br>Scale: 1"   | ከ<br>== 100'                 |                   |
|     | A constant that the con-   | 13b.       | If the proposed     |   |                              | ited more than    |
| 12. | Assisted by tpm  | 100.       | 100 feet but        | within 1320 fea   | et from the exi              | istina point of   |
|     | RECEIVED   |            | diversion, atta     | ch a topograph<br>er sources, shov<br>mile of the propo<br>ailing addresses | c map or aeria               | al photograph.    |
|     |  |            | within one-half     | mile of the prop  | osed point of div            | ersion and the    |
|     | DEC 0 8 2017   |            | names and ma        | ailing addresses  | of the owners                | . For surface     |
|     | DEC A 9 VAIL   |            | landowner(s)        | , show the na<br>one-half mile do   | mes and addi<br>wastream and | one-half mile     |
|     | Garden City Field Office   |            | upstream from       | your property lin   | es.                          |                   |

Garden City Field Office DWR 1-121 (Revised 06/16/20 19) vision of Water Resources

Page 2

File No. \_\_\_\_\_

File No. \_\_\_\_\_

| 14. If the proposed groundwater point of diversion is 500 of fewer feet t  | roll existing point of diversion, complete the officiality 198 2017   |
|--|---|
| (a) Does the undersigned represent all owners of the currently aut ☐ Yes ☐ No (If no, all owners must sign this app  | ligation \  |
| _ ,  | Garden City Field Office<br>prized place(s) of use identified in thispapplication/violed/forsely/ces  |
| (c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this app   | ibstantial damage to property, public health or safety?<br>lication.)   |
| 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 owner agent (attach notarized statement authorizing representation).  | a groundwater change in point of diversion greater than 300 feet, is of the currently authorized place of use, or their duly authorized               |
| I hereby verify, being first duly sworn upon my oath or affire age and the owner, the spouse of the owner, or a duly author their behalf, in regard to the water right(s) to which this appoint and in this application are true, correct and complete.                          | rized agent of the owner(s) to make this application on   |
| Dated at GUNGEN CITY, KS, Kansas, this   | day of <u>OCTOB</u> 4R, 20 17.  |
| 1 X March Dall   |   |
| X Deads W S (Owner)  | (Spouse)  |
| D LIGHTNER FARMS INC<br>(Please Print)   | (Please Print)  |
| (Owner)  | (Spouse)  |
| (Please Print)   | (Please Print)  |
| (Owner)  | (Spouse)  |
| (Please Print)   | (Please Plint)  |
| State of Kansas  County of Findey  SS  |   |
| I hereby certify that the foregoing application was signed in n  | ny presence and sworp to before me this 30 day of   |
| A JOHN M. LINDNER  | 4/1/1/1   |
| My Commission Expires Notary Public - Stale of Kansas My Appt. Expires 8-7-19  | Notary Public   |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.  | l of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and |
| FEE SCHED  | <u>ule</u>  |
| Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departn (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet | nent of Agriculture   |
| (3) Application to change the place of use   | \$200   |
|  |   |
|  |   |
|  |   |

Page 3

DWR 1-121 (Revised 06/16/2014)

RECEIVED

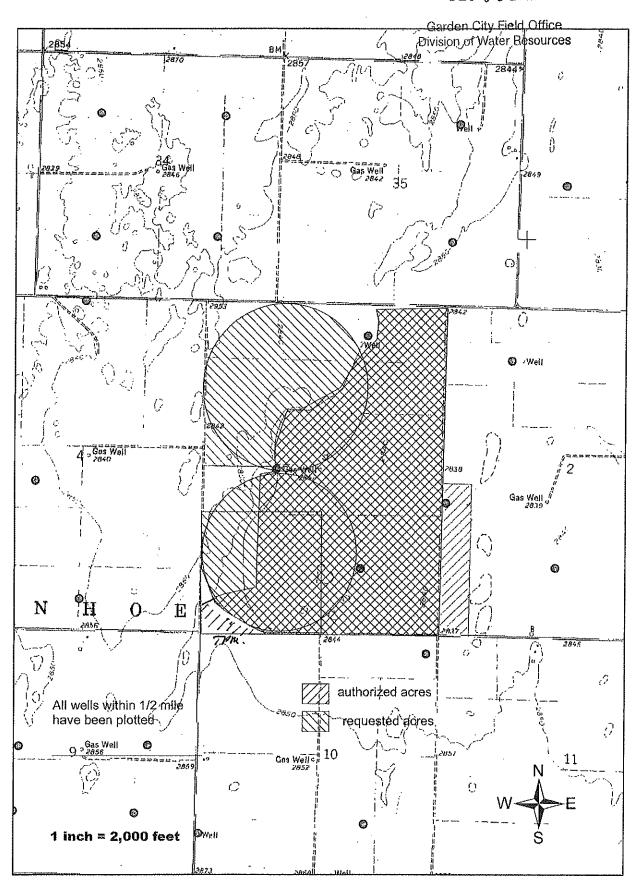
| 14. If the proposed groundwater point of diversion is 300 or fewer feet f   |  |
|---|--|
| <ul> <li>(a) Does the undersigned represent all owners of the currently autinomic in the currentl</li></ul> | horized place(s) of use identified in this application? 0 8 2017 lication.)  |
| <ul> <li>(b) Will the ownership interest of any owner of the currently authoraffected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this approved in the currently authorated)</li> </ul>   | orized place(s) of use identified in this apglination மக்களின்றை.<br>Division of Water Resources                                       |
| (c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this appl   | bstantial damage to property, public health or safety?<br>lication.)   |
| 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 owner agent (attach notarized statement authorizing representation).   | a groundwater change in point of diversion greater than 300 feet, s 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 regard to the water right(s) to which this appropriate true, correct and complete.   | rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements                       |
| Dated at Gardy Crty, Kansas, this   | 30 day of OCTOBER , 20 17.   |
| x Kyli J. Lugar   | X Kimberly Kispouse Signiture  |
| KYLE J LIGHTNER   | KIMBERLY K LIGHTNER  |
| (Please Print)  | (Please Print)   |
| (Owner)   | (Spouse)   |
| (Please Print)  | (Please Print)   |
| (Owner)   | (Spouse)   |
| (Please Print)  | (Please Print)   |
| State of Kansas )   |  |
| County of Findey ss   |  |
| hereby certify that the foregoing application was signed in m   | y presence and sworn to before me this 30 day of   |
| JOHN M. LINDNER   |  |
| My Commission Expires Notary Public - State of Kansas My Appt. Expires 8-7-19   | Notary Public  |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all   | of the applicable portions of the application form must be completed with  |
| accurate information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.   | ppropriate owners' must be affixed to the application and notarized; and   |
| FEE SCHEDU  | <u>JLE</u>   |
| Each application to change the place of use or the point of diversion undeforth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less   | ent of Agriculture   |
| (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use   | t\$200<br>\$200  |
|   |  |

| 14. If the proposed groundwater point of diversion is   | 300 or fewer feet fro  | m existing po                           | RE(<br>int of diversion, complete th                                  | CEIVED<br>e following:  |
|---|--|---|---|---|
| (a) Does the undersigned represent all owners of  |  | rized place(s)                          | of use identified in this agr   | . *   |
| (b) Will the ownership interest of any owner of<br>affected if this application is approved as red<br>☐ Yes ☐ No (If yes, all owners  | the currently authori<br>juested?<br>s must sign this appli  |   |   | lication be adversely<br>ity Field Office<br>Water Resources            |
| (c) If this application is not approved expeditious ☐ Yes ☐ No (If no, all owners   | sly, will there be subs<br>must sign this applic   | stantial damag<br>ation.)               | ge to property, public health   | or safety?  |
| If the application proposes a surface water change in<br>or a change in place of use, the application must be s<br>agent (attach notarized statement authorizing represe  | igned by all owners  | groundwater<br>of the currentl          | change in point of diversion<br>y authorized place of use, o          | greater than 300 fee<br>or their duly authorize                         |
| I hereby verify, being first duly sworn upon nage and the owner, the spouse of the owner, their behalf, in regard to the water right(s) to contained in this application are true, correct  | or a duly authorize<br>which this apples<br>and complete.  | zed agent o<br>ication pert             | f the owner(s) to make<br>ains. I further verify t                    | this application or<br>hat the statements                               |
| Dated at Garden City  | , Kansas, this _   | 135pr qa                                | y of November   | , 20 <u>\^</u>  |
| X Q'Brato Reg Ty LLO  | ı  | Cec                                     | il O'Ari  | La .  |
| (Owner)   | when a second se |   | ( <del>Spous</del> e)   | 1000  |
| OBRATE REALTY LLC (Please Print)  |  | *************************************** | (Please Print)  |   |
| (Owner)   |  |   | (Spouse)  |   |
| (Please Print)  | Manufacture Manufa | *************************************** | (Please Print)  |   |
| (Owner)   | ***************************************  |   | (Spouse).   |   |
| (Please Print)  |  |   | (Please Print)  |   |
| State of Kansas )   |  |   |   |   |
| County of Finney SS   |  |   |   |   |
| I hereby certify that the foregoing application v   | was signed in my   | presence ar                             | nd sworn to before me t   | this 13th day of  |
| Notary Public<br>Enren<br>Ligitude My Appt. Esp.  | - State of Kausas  |   | 0 .   |   |
|   | ار مدمد باراً.<br>آ  | Kare                                    | Notary Public   | lei-  |
| My Commission Expires 1 - 6 - 2020  |  |   | Trotter y 1 cubic   | - 4   |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED, accurate information; maps, if necessary, must be included; sthe appropriate fee must be paid.  | To be complete, all of agnatures of all the app  | the applicable ropriate owners          | portions of the application form<br>s' must be affixed to the applica | must be completed with must be completed with attion and notarized; and |
|   | FEE SCHEDUL  | E                                       |   |   |
| Each application to change the place of use or the poir forth in the schedule below: Make checks payable to: (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use | Kansas Departmen<br>300 feet or less<br>more than 300 feet .   | it of Agricult                          | ure   | \$100<br>\$200  |
|   |  |   |   | 4-44  |
|   |  |   |   |   |
| DWR 1-121 (Revised 06/16/2014)  | Page 3   |   |   | File No.  |

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

| oro<br>K.A | visions of the Kansas Water Appropriation Law, $KSA$ 82a-7 $^{\circ}$  | 708b, as amended, and K.A.R. 5-14-3 and other applicable 01 et. seq., and rules and regulations promulgated thereunder, ssly contained herein, this Summary Order does not change the  |
|------------|--|--|
| 1.         | A change application was received on <u>December 8, 2017</u> diversion authorized under the above-referenced file number by  | requesting that the place of use and / or point of oe changed as described in the application.   |
| 2.         | On and after the effective date of this summary order, the au on the topographic map accompanying the application to char  | thorized place(s) of use shall be located substantially as shown<br>nge the place of use.  |
| 3.         | previously authorized. The point of diversion authorized by th radius of the authorized point(s) of diversion.   Applicable  |  |
| 4.         | The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. $\square$ Applicable $\bowtie$ Not a   | e located more than feet from the previously<br>Applicable   |
| 5.         | As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level measurer with K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable  | well with a diversion rate of 100 gallons per minute or more, a nents shall be installed, operated and maintained in accordance  |
| <b>3</b> . | December 31, 2018, or before the first use of water, whichever and maintained in accordance with KAR 5-1-4 through 5-1-  | perly install an acceptable water flow meter on or before er occurs first. The water flow meter shall be installed, operated 12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-10 of the water flow meter and the total quantity of water diverted f each calendar year.   |
| 7.         | Installation of the works for diversion of water shall be cauthorized extension of time. By March 1, 20 the approximates the provided of | completed on or before December 31, 20, or within any oplicant shall notify the Chief Engineer that construction of the by the Chief Engineer, as required by K.A.R. 5-8-4e.   |
| 8.         | The completed well log shall be submitted with the requir  | ed notice.   Applicable   Not Applicable   |
| 9.         | with an in-line automatic quick-closing check valve capable  | reign substance will be injected into the water shall be equipped of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ☒ Applicable ☐ Not Applicable  |
| 10.        | Additional Conditions are attached.   Yes   No   |  |
| 11.        | water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summ Appropriation Law and the Rules and Regulations promula   | R. 5-5-14, all of the owners of the authorized place(s) of use of are responsible for compliance with its terms, conditions and ary Order, and with applicable provisions of the Kansas Water ated thereunder. Failure to comply with these provisions may aded, and/or the suspension or revocation and dismissal of the authorized by law. |
|            | Administrative Appeal and Effective Date of Order  | FOR OFFICE USE ONLY  |
| Υοι        | have the right to a hearing in accordance with K.A.R. 5-14-3   | APPLICATION APPROVED AND SUMMARY ORDER ISSUED  |
| Dep        | ore this Summary Order becomes final action of the Kansas<br>partment of Agriculture. Any request for a hearing must be<br>I with the Chief Engineer, Division of Water Resources,   | 10 0 0   |
| Kar        | nsas Department of Agriculture, 1320 Research Park   | Ву:  |
| sho        | ve, Topeka, Kansas 66502, within 15 days after the date wn on the Certificate of Service attached hereto. If a hearing   | Duly Authorized Designee of the Chief Engineer   |
| Ord        | ot requested in accordance with K.A.R. 5-14-3, this Summary<br>ler will become effective on the 15 <sup>th</sup> day after the date shown  | (Print Name): <u>Thomas P Makens</u> Division of Water Resources - Kansas Department of Agriculture  |
| on i       | the Certificate of Service.  For Use by Register of Deeds  | Date of Issuance: VANUARY 17, Z018   |
|            | 1 of ode by Megister of Beeds  | State of Kansas )  |
|            |  | County of <u>Jinney</u> ) SS   |
|            |  | Acknowledged before me on  |
|            |  | by Thomas P. Makens.   |
|            |  | Signature: Signature: A comes  |
|            |  | JULIE JONES Noraev My Appointment Expires Pulling December 15, 2018  |
|            |  | My commission expires: (Notary Seal)   |
|            |  |  |

DEC 0 8 2017



## SCHULTZ LAW OFFICE, P.A.

Gerald O. Schultz Zachary D. Schultz

Logan M. Schultz Margaret M. Schultz Attorneys at Law 309 E. Walnut Garden City, KS 67846 (620) 276-3728 Fax: (620) 276-3798

December 8, 2017

### HAND DELIVERED

Kansas Department of Agriculture Division of Water Resources 2508 N John St Garden City, KS 67846

RE: Water Right Nos. 7511, 29194, 31934, 6565, 11684 D2, 14480, 31139, 18504

Dear Kansas Department of Agriculture:

Enclosed please find the original executed DWR Field Office Application for Approval to Change the Place of Use and/or the Point of Diversion for File No. 7511, File No. 29194, File No. 31934, and File No. 6565, File No. 11684 D2, File No. 14480, File No. 31139, and File No. 18504.

Also enclosed is D. Lightner Farms Inc., Check No. 9337 dated October 30, 2017, in the amount of \$400.00, made payable to Kansas Dept. of Agriculture; and O'Brate Realty LLC, Check No. 3522 dated November 15, 2017, in the amount of \$400.00, made payable to Kansas Dept of Ag., and Schultz Law Office, P.A., Check No. 3003 dated December 8, 2017, in the amount of \$800.00, made payable to Kansas Dept. of Agriculture, for the total application fees of the enclosed applications.

Please direct all communication for D. Lightner Farms, Inc. to Mr. John Lindner at Lindner, Marquez & Koksal, 505 N. 6th Street, Garden City, Kansas 67846, and all communication for O'Brate Realty, LLC to the undersigned.

Should you have any questions regarding this matter, please advise.

Sincerely,

Logan M. Schultz

klg

cc: Client

Mr. John Lindner

| • |  |  |  |
|---|--|--|--|
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |
|   |  |  |  |