

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

1. File Number: 18144	2. Status Change Date: 5/15/2019	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 10/29/18
8a. Applicant(s) New to system <input type="checkbox"/> KLEYTEUBER & GILLEN INC 13060 S COUNTY RD 20 GARDEN CITY KS 67846-9711		Person ID 9535 Add Seq# _____		
8b. Landowner(s) New to system <input type="checkbox"/> KLEYTEUBER & GILLEN INC 13060 S COUNTY RD 20 GARDEN CITY KS 67846-9711		Person ID 9535 Add Seq# _____		
8c. Landowner(s) New to system <input type="checkbox"/> IRSIK & DOLL FEED SERVICES INC BEEFLAND 12500 S BEEFLAND RD GARDEN CITY KS 67846		Person ID 28310 Add Seq# _____		
8d. WUC New to system <input type="checkbox"/> KLEYTEUBER & GILLEN INC 13060 S COUNTY RD 20 GARDEN CITY KS 67846-9711		Person ID 9535 Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 2/20/2019 By: LI Date Entered: 5/16/2019 By: UM				

File No. **18144** 11. County: **FINNEY** Basin: **ARKANSAS** Stream: **NA** Formation Code: **211** Special Use: **NA**

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files

NO CHANGE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) **NONE**
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT	7472	22	26	31W	2	34	34	34	34	34	34	34	34					34	34	34	34	408	8b	NO	22737 D1 2737 D2
MOD	29654	21	26	31W	2					40	32.5	32.5	40									145	8b	NO	22737 D1 22737 D2
ENT	31551	22	26	31W	1									34	34	34	34					136	8C	NO	22737 D1 22737 D2

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: **SPECIAL CONDITION: OWNERSHIP AGREEMENT**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: File

DATE: May 1, 2019

FROM: Leslie Ireland

RE: Water Right,
-File Nos. 18,144; 22,737-D1 & 22,737-D2

Dennis Kleysteuber, President of Kleysteuber & Gillen, Incorporated along with John M. Petz, President and CEO of Irsik & Doll Feed Services Incorporated, as owners submitted applications on September 24, 2018, to change the irrigated place of use. The applications propose a complete overlap of the rights with pipelines connecting the pivots and wells. An agreement between the landowners dated October 1, 2018, limits the ownership, quit claim details and termination parameters. The applications were delayed for the removal of File No. 18,144 from the Kleysteuber Farms Water Conservation Area. This was completed on April 29, 2019.

The referenced water rights appear to be in compliance with K.S.A. 82a-732 and the applications comply with K.A.R. 5-5-2a, with the exception of File No. 18,144, enrolled in a Water Right Conservation Plan per K.S.A. 82a-745, on December 26, 2018. This file will be removed from the WCA prior to processing the requested applications for change. As required by K.S.A. 82a-1906 the notifications were sent to nearby well owners. No comments were received.

The referenced files have separate places of use with File No. 18,144 authorized 145 acres in the Northwest Quarter of Section 21, (NW ¼) File No. 22,737-D1 authorized 408 acres in the East Half and the Northwest Quarter of Section 22 (E½) and File No. 22,737-D2 authorized 136 acres in the Southwest Quarter of Section 22 (SW¼), all in Township 26 South, Range 31 West, Finney County. A combined total of 689 acres. The rights do not have any additional limitation. After removal of File No. 18,144 from the WCA, they are not located within a special use area, but are located within the boundaries of Southwest Kansas Groundwater Management District No. 3, (GMD3).

The applications for change will be processed by part (b)(1) of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*, to create identical place of use with no acres added. The complete overlap will continue to authorize a total of 689 acres. The applications appear to comply with all of the requirements of K.A.R. 5-3-5n, *Authorized place of use, as the owners are agreeing to operate together*. The certified rights authorize a combined total quantity of 1,346 acre-feet. Per K.A.R. 5-3-23, *Maximum reasonable annual quantity approvable for irrigation use for an application for change in place of use and a request to reduce a water right*, the overlap will result in 1.95 acre-feet per acre. This exceeds the 80% chance of full irrigation in Finney County per K.A.R. 5-5-12, *Net irrigation requirements*, and is less than the 2.0 acre-foot per acre as allowed by K.A.R. 5-3-19, *Maximum reasonable annual quantity of water for irrigation use*.

The 689 authorized and proposed acres complies with part (b) of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*. No increase in the consumptive should occur thus complying with K.A.R. 5-5-3, *Change in consumptive use*.

In a letter dated February 19, 2019, Jason Norquest, Assistant Manager, Southwest Kansas Groundwater Management District No. 3, recommend approval of the applications, with the contingency of File No. 18,144, being removed from the WCA plan.

Michael Meyer, Water Commissioner of the Garden City Field Office area reviewed the proposed applications. In an email dated April 30, 2019, he recommended the change application proceed.

Water flowmeters will be required for the change approval as new acres will be irrigated. The water use correspondent, will be Kleysteuber & Gillen Inc for all of the files removing the Beef Land designation for File No. 22,737-D2. A check valve will be required, if chemigating. As no new wells will be drilled a water level measurement tube and WWC-5 will not be a condition of the approvals.

Based on the above discussion, that the change to the place of use authorized by all of the referenced files will maintain the complete overlap with no increase in the historical consumptive use with no impairment to existing water rights and no change in the local source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland
Environmental Scientist
Water Appropriation Program

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 20, 2019

KLEYTEUBER & GILLEN INC
DENNIS KLEYTEUBER
13060 S COUNTY RD 20
GARDEN CITY KS 67846-9711

FILE COPY

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

Dear Mr. Kleysteuber:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the reference files. A copy of the orders has been sent to Irsik & Doll.

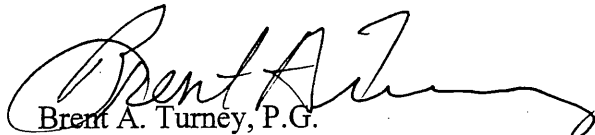
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that an acceptable water flowmeter must be installed on the diversion works authorized under the referenced files.

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

As requested in the application for Water Right, File No. 22,737-D2, the water use correspondent has been changed to be sent to Kleysteuber & Gillen, Inc., at the address listed above.

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Applications Unit Supervisor

BAT:LI:li

Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3
John M. Petz, President/CEO, Irsik & Doll Feed Services

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, 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. 18,144

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Dennis Kleysteuber, President of Kleysteuber & Gillen, Inc., 13060 South County Road 20, Garden City, Kansas 67846-9711, along with John M. Petz, President/CEO, Irsik & Doll Feed Services Inc, 12500 S. Beefland Road, Garden City, Kansas 67846, received in the office of the Chief Engineer on October 29, 2019, 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 Orders of the Chief Engineer dated May 4, 1995 and May 31, 2002, approving the applications to change the place of use, 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:

Sec. Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21 26 31W					40.00	32.50	32.50	40.00									145.0
22 26 31W	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	544.0

a total of 689.0 acres in Sections 21 and 22, in Township 26 South, Range 31 West,
Finney County, Kansas,

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

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the 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. 18,144, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated September 22, 1980, as modified and amended by the aforementioned orders.

Ordered this 15th day of May, 2019, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
County of Riley) SS

The foregoing instrument was acknowledged before me this 15th day of May 2019, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

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:

- 1) 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: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, 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 hearing 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: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, 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.

CERTIFICATE OF SERVICE


On this 20th day May, 2019, I hereby certify that the attached Approval of Application for Change in Place of Use, Water Right, File No. 18,144 dated, May 15th, 2019 was mailed postage prepaid, first class, US mail to the following:

Kleysteuber & Gillen, Inc.
Dennis Kleysteuber, President
13060 S. County Rd 20
Garden City, KS 67846-9711

With copies to:

Irsik & Doll Feed Services Inc
John M. Petz, President/CEO
12500 S. Beefland Rd
Garden City, KS 67846

Garden City Field Office
Groundwater Management District No. 3


Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and/or place of use must accompany this application.

Water Resources
Received
OCT 29 2018
1:17
KS Dept Of Agriculture

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
 Point of Diversion
 Use Made of Water

(Check one or more)

File No. 18144

2. Name of applicant: KLEYTEUBER & GILLEN INC.

Address: 13060 S COUNTY RD

City, State and Zip: GARDEN CITY, KS. 67846

Phone Number: (620)276 0854

E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: KLEYTEUBER & GILLEN INC.

Address: 13060 S COUNTY RD

City, State and Zip: GARDEN CITY, KS. 67846

Phone Number: () _____

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): PLACE OF USE OVERLAP

The change(s) (was) (will be) completed by _____

(Date)

For Office Use Only:

F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES/NO) Use 122 Source G S County FT By DAW Date 10/29/18
Code CPU Fee \$ 200 TR # _____ Receipt Date 10/29/18 Check # 2523

RECEIVED

OCT 22 2018

DWR 1-120 (Revised 06/16/2014)

Garden City Field Office
Division of Water Resources

APPLICATION COMPLETE
A 29 19
Reviewer LI

Assisted by: _____

11/1/2018 WLM SCANNED

- 6. The presently authorized point(s) of diversion (is) (are) no change
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

Water Resources
 Received
OCT 29 2018
 KS Dept Of Agriculture

RECEIVED
 OCT 22 2018
SCANNED
 Garden City Field Office
 Division of Water Resources

12. The presently authorized use of water is for IRRIGATION purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to _____ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

PLEASE NOTE THAT THERE IS A LEGAL OVERLAP AGREEMENT BETWEEN BOTH PARTIES INCLUDED OR PART OF THE DWR FILES. THIS APPLICATION IS CONTIGENT UPON APPROVAL OF FILE NOS. 22737 D1 & 22737 D2

Water Resources
Received

RECEIVED

OCT 29 2018 **OCT 22 2018**

SCANNED

KS Dept Of Agriculture Garden City Field Office
Division of Water Resources

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Garden City, Kansas, this 11th day of October, 20 18.

<u>Dennis Kleystauber</u> (Owner)	President	
		(Spouse)
<u>Dennis Kleystauber</u> (Please Print)		(Please Print)
		(Spouse)
		(Please Print)
		(Spouse)
		(Please Print)
		(Spouse)
		(Please Print)

State of Kansas }
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 11th day of October, 20 18.



Julie Jones
Notary Public

My Commission Expires

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

Water Resources
Received
OCT 29 2018

RECEIVED
OCT 22 2018

KS Dept Of Agriculture Garden City Field Office
Division of Water Resources

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Lawrence, Kansas, this 19th day of October, 2018.

[Signature]

(Owner) (Spouse)

Don M Petz President/CEO

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

(Owner) (Spouse)

(Please Print) (Please Print)

State of Kansas }
County of GRAY } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of OCTOBER, 2018.

[Signature] NOTARY PUBLIC

Notary Public

My Commission Expires 10-13-2022

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture**

RECEIVED
OCT 22 2018
Garden City Field Office
Division of Water Resources

Water Resources
Received
OCT 29 2018
KS Dept Of Agriculture

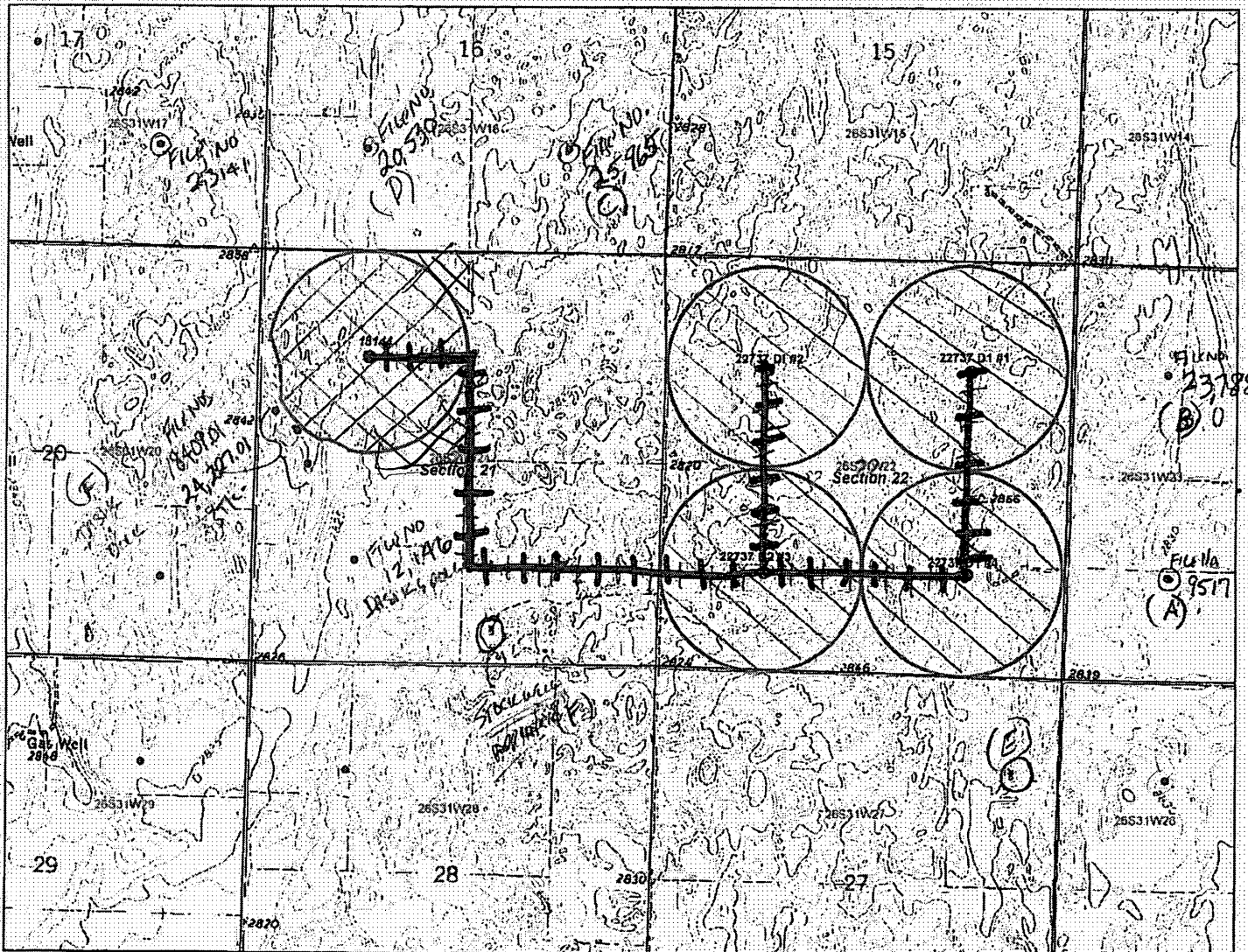
SCANNED

Water Resources
Received

FEB 12 2019

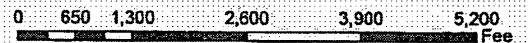
Place of Use Change
File No(s). 18144, 22737 D1 & 22737 D2
T26 R31 Finney Co.

KS Dept Of Agriculture

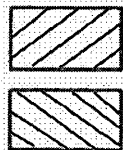


CORNERS OF EYE OF SEC 21 UPDATED PER TABLE LT/AWR 2/21/19
(2006 Scaled air photo)

-|-|-|-|- PIPELINE



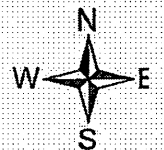
- Authorized PD
- Requested PD
- ⊙ Point of Diversion



Authorized
Requested

RECEIVED

OCT 22 2018



KS Dept Of Agriculture Garden City Field Office
Division of Water Resources

SCANNED

NEARBY WELLS FOR NOTIFICATION A) B) C) D) E) F)

Ireland, Leslie [KDA]

From: Meyer, Mike [KDA]
Sent: Tuesday, April 30, 2019 2:08 PM
To: Ireland, Leslie [KDA]
Cc: Turney, Brent [KDA]
Subject: Fwd: Kleysteuber WCA Addendum
Attachments: Kleysteuber WCA Addendum.pdf

Please proceed with change apps

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

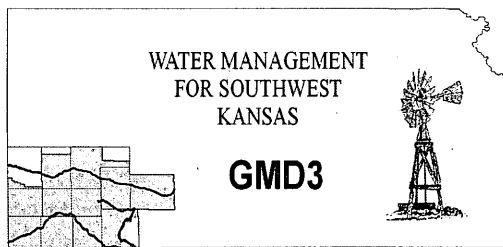
From: "Hunter, Karen [KDA]" <Karen.Hunter@ks.gov>
Date: 4/30/19 1:34 PM (GMT-06:00)
To: "McColloch, Austin [KDA]" <Austin.McColloch@ks.gov>, "Meyer, Mike [KDA]" <Mike.Meyer@ks.gov>
Subject: Kleysteuber WCA Addendum

Good Afternoon,

Here is a copy of the Kleysteuber WCA Addendum. I am putting it in the mail today.

Karen Hunter, Secretary to the Chief Engineer
Kansas Department of Agriculture, Division of Water Resources
1320 Research Park Drive, Manhattan, KS 66502
785-564-6670

karen.hunter@ks.gov
<http://agriculture.ks.gov/dwr>



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

February 19, 2019

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Applications for Change in Place of Use
Water Right, File Nos. 18144, 22737D1 & 22737D2

Dear Leslie:

We have completed a review of the applications for the above referenced water rights. The proposals on the base water rights are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The request for change in place of use will create a complete overlap on irrigated acres, with no new acres being added, meets the criteria set for in K.A.R. 5-5-11. Water Right, File No. 18144 is currently in a WCA that covers more acres and would bring in other water rights. This water right would need to be removed from the WCA or the other two water rights brought into the WCA plan. Communication from the applicants say they want to modify the WCA plan to remove 18144. It is therefore recommended that the applications be approved contingent upon File No. 18144 be removed from the recently approved WCA plan.

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
RECEIVED

FEB 25 2019

KS DEPT OF AGRICULTURE

Ireland, Leslie [KDA]

From: Ireland, Leslie [KDA]
Sent: Tuesday, February 12, 2019 9:10 AM
To: 'John Kleysteuber'
Subject: RE: Water Right Change Applications File Nos. 18,188; 22737-D1 & D2
Attachments: 18144xx gmd 3 PU chg_li sign_ 4_3.pdf

John,

Thank you. The map is what was needed for the applications per the regulation. I think you agree the list of the nearby well owners represents the folks to notify. I've completed that part of the process.

I've attached a letter that will go with the applications to the Southwest Kansas Groundwater Management District No. 3. After I get their recommendation, the documents will be put together for the approval of the Chief Engineer.

If the package hits any hurtles, I'll let you know.

Thanks again,
Leslie Ireland, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov

Water Resources
Received
FEB 12 2019
KS Dept Of Agriculture

From: John Kleysteuber <kleysteuber@gmail.com>
Sent: Tuesday, February 12, 2019 8:56 AM
To: Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov>
Subject: Re: Water Right Change Applications File Nos. 18,188; 22737-D1 & D2

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.

Please let me know if you need any other information.

Thanks,
John

On Fri, Feb 8, 2019 at 12:41 PM Ireland, Leslie [KDA] <Leslie.Ireland@ks.gov> wrote:

Hi,

I'm working your applications. Please find attached the map from the proposed changes. Could you please show on the map any pipelines between the points of diversion. I've add a symbol for "pipeline" to the legend. It is a requirement per K.A.R. 5-5-2a, *Complete change application*. Easements for the pipeline would not appear to be needed as all of the property in the area where the pipeline may go is owned by either you or Irsik & Doll. If I need to contact Irsik & Doll please let me know.

I've also attached a copy of a list and letter for the required nearby notification. Should there be any well owners located within one-half (½) mile of the wells please provide their name and address.

Should you have any questions please don't hesitate to email me or call 785 564-6633.

Leslie Ireland, Environmental Scientist

Kansas Department of Agriculture

Division of Water Resources - Change Unit

(785) 564-6633

Leslie.Ireland@ks.gov

www.agriculture.ks.gov

John Kleysteuber
K2 Farms
6310 East Old Post Road
Garden City, KS 67846
620-272-6552

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 18144 00

#####

AMOUNT STATISTICS REPORT FOR POINTS OF DIVERSION UNDER A 18144 00 IRR

Water Right and Points of Diversion Within 1.25 miles of point defined as:

--NC-NW of Section 21 T 26S R 31W

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A_ 12146 00	STK	NK	G	2655	--	--	NC	SW	-----	-----	21	26	31W	1		306.00	306.00	AF
A_ 18144 00	IRR	NK	G*	0	--	--	NC	NW	-----	-----	21	26	31W	2		306.00	306.00	AF
A_ 18409 01	STK	NK	G	1324	--	SW	SW	NW	3186	5035	21	26	31W	7		64.12	64.12	AF
A_ 18881 00	STK	NK	G	5347	--	--	NC	NW	3960	3960	28	26	31W	1		260.00	260.00	AF
A_ 19231 00	IRR	NK	G	5605	--	NE	NE	SW	2500	2800	17	26	31W	1		389.00	389.00	AF
A_ 20185 D2	IRR	NK	G	6179	--	NW	SW	NW	3212	5098	15	26	31W	2		313.00	313.00	AF
A_ 20336 00	IRR	NK	G	5164	--	--	NC	NW	4000	3810	20	26	31W	1		171.00	171.00	AF
A_ 20530 00	IRR	NK	G	5311	--	--	NC	NW	3960	3930	16	26	31W	2		131.00	131.00	AF
Same				2672	--	--	NC	SW	1320	3990	16	26	31W	3		228.00	228.00	AF
A_ 22737 D1	IRR	NK	G*	5249	--	--	NC	NW	3940	3960	22	26	31W	2		260.00	260.00	AF
A_ 22737 D2	IRR	NK	G*	5913	--	--	NC	SW	1320	3960	22	26	31W	3		260.00	260.00	AF
A_ 23141 00	IRR	NK	G	3722	--	--	NC	SE	1320	1320	17	26	31W	2		272.00	272.00	AF
A_ 23983 00	IRR	NK	G	5991	--	--	NC	NE	3960	1320	29	26	31W	3		260.00	.00	AF
A_ 24227 01	STK	NK	G	1273	--	SW	SW	NW	2947	4742	21	26	31W	6		35.62	35.62	AF
A_ 25965 00	IRR	NK	G	3737	--	--	NC	SE	1320	1330	16	26	31W	4		260.00	260.00	AF
A_ 30521 00	IRR	NK	G	5927	--	--	NC	SW	1320	3950	20	26	31W	2		264.00	264.00	AF
Same				3861	--	--	NC	SE	1090	1200	20	26	31W	3		260.00	260.00	AF
A_ 39439 00	STK	NK	G	1563	--	CN	NW	SW	2520	4600	21	26	31W	3		25.01	.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	3779.74	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	3779.74	.00

An * after the source of supply indicates a pending application for change under the file number.
 An * after the ID indicates a 15 AF exemption was granted under the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.25 miles of point defined as:

--NC-NW of Section 21 T 26S R 31W

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A_ 12146 00	STK	NK	G
>	IRSIK & DOLL FEED SERVICES INC		
>	BEEFLAND		
>	PO BOX 847		
>	CIMARRON KS 67835		
>	-----		

A__ 18144 00 IRR NK G
> KLEYTEUBER & GILLEN INC
>
> 13060 S COUNTY RD 20
> GARDEN CITY KS 67846

A__ 18409 01 STK NK G
> IRSIK & DOLL FEED SERVICES INC
> BEEFLAND
> PO BOX 847
> CIMARRON KS 67835

A__ 18881 00 STK NK G
> IRSIK & DOLL FEED SERVICES INC
> BEEFLAND
> PO BOX 847
> CIMARRON KS 67835

A__ 19231 00 IRR NK G
> STEVE K PARR
>
> 208 BULLARD DR
> GARDEN CITY KS 67846

A__ 20185 D2 IRR NK G
> ARDERY & SONS
> ROSS R ARDERY
> 208 WW RD
> COPELAND KS 67837

A__ 20336 00 IRR NK G
> MARK PARR
> 6770 E TV RD
>
> GARDEN CITY KS 67846

A__ 20530 00 IRR NK G
> R F LET IT RIDE LLC
>
> 11480 S BEEFLAND RD
> GARDEN CITY KS 67846

A__ 22737 D1 IRR NK G
> BEEF LAND
>
> 12500 S BEEFLAND RD
> GARDEN CITY KS 67846

A__ 22737 D2 IRR NK G
> BEEF LAND
>
> 12500 S BEEFLAND RD

Notification File Nos. 18,144; 22,737-D1 & 22,737-D2

A)

File No. 9517

D LIGHTNER FARMS INC
12505 S HUTTON RD
PIERCEVILLE KS 67868

PATRICK & EDITH WYATT
12505 S HUTTON RD
PIERCEVILLE KS 67868-9700

B)

File No. 23,788

D LIGHTNER FARMS INC
12505 S HUTTON RD
PIERCEVILLE KS 67868

C) (Greater than ½ mile away but between two of the wells.)

File No. 25,965

KYLE J & KIMBERLY K LIGHTNER
3075 E PLYMELL RD
GARDEN CITY KS 67846-8913

D)

File No. 20,530

R F LET IT RIDE LLC
11480 S BEEFLAND RD
GARDEN CITY KS 67846

DOMESTIC & DOMESTIC SOCKWATERING

E) Domestic NE of 27-26-31W

ROSS & DOROTHY ARDERY TRUST
208 WW RD
COPELAND, KS 67837-7005

F)

Domestic Stockwatering AKA Stockwatering

1)18409.01 - applicant
IRSIK & DOLL FEED SERVICES INC
BEEFLAND
PO BOX 847
CIMARRON KS 67835-0847

2) 24227.01 - applicant
IRSIK & DOLL FEED SERVICES INC
BEEFLAND
PO BOX 847
CIMARRON KS 67835-0847

FILE COPY

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

Address List
Dated February 8, 2019

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

Dear Sir or Madam:

This letter is to **provide notice** as required by K.S.A. 82a-1906, which became effective on July 1, 2016. This notice is to inform you that the owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

The applications for Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2, propose a change in the authorized places of use to overlap all the irrigated acres. These changes will not alter the quantity of water or rate of diversion authorized for irrigation use. The applications will not increase the number of acres authorized for irrigation use, and the place of use as a whole will remain as authorized. The 689 acres authorized and proposed are in Sections 21 (NW $\frac{1}{4}$) & 22, in Township 26 South, Range 31 West, Finney County, Kansas would be authorized by each of the referenced files.

If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.

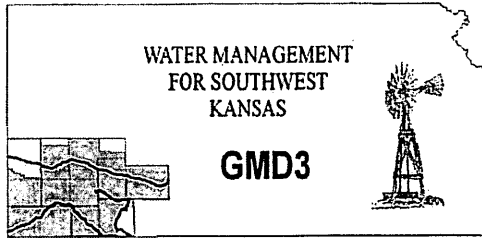
Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3

FILE COPY

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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

February 19, 2019

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

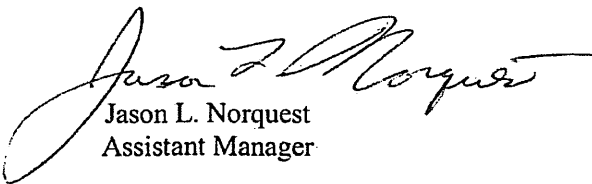
RE: Applications for Change in Place of Use
Water Right, File Nos. 18144, 22737D1 & 22737D2

Dear Leslie:

We have completed a review of the applications for the above referenced water rights. The proposals on the base water rights are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The request for change in place of use will create a complete overlap on irrigated acres, with no new acres being added, meets the criteria set for in K.A.R. 5-5-11. Water Right, File No. 18144 is currently in a WCA that covers more acres and would bring in other water rights. This water right would need to be removed from the WCA or the other two water rights brought into the WCA plan. Communication from the applicants say they want to modify the WCA plan to remove 18144. It is therefore recommended that the applications be approved contingent upon File No. 18144 be removed from the recently approved WCA plan.

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
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FEB 20 2019

GMD3 Change Review

Final Recommendation: After review of all available information, it appears all area rules are met on the base water rights. WR18144 will need to be removed from the WCA to keep it separated. Staff therefore recommends approval with the modification to the WCA to exclude WR18144 .



WATER RESOURCES
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FEB 20 2019

KS DEPT OF AGRICULTURE

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

February 12, 2019

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

Re: Applications for Change,
Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

Dear Mr. Rude:

We are enclosing a copy of each of the applications referred to above which appear to be in proper form.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit a recommendation concerning the applications referenced above.

Please submit your recommendation within the allotted time, or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosures

pc: Garden City Field Office
Kleysteruber@gmail.com

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 8, 2019

D LIGHTNER FARMS INC
12505 S HUTTON RD
PIERCEVILLE KS 67868

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

Dear Sir or Madam:

This letter is to provide notice as required by K.S.A. 82a-1906, which became effective on July 1, 2016. This notice is to inform you that the owners of the referenced appropriations of water have filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

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If you have any questions, please contact our office, my desk phone is (785) 564-6633. If you wish to discuss a specific file, please have the file numbers ready so that we may help you more efficiently.
Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3

FILE COPY

SCANNER

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 8, 2019

PATRICK & EDITH WYATT
12505 S HUTTON RD
PIERCEVILLE KS 67868-9700

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3

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900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 8, 2019

KYLE J & KIMBERLY K LIGHTNER
3075 E PLYMELL RD
GARDEN CITY KS 67846-8913

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3

FILE COPY

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1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 8, 2019

R F LET IT RIDE LLC
11480 S BEEFLAND RD
GARDEN CITY KS 67846

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3

FILE COPY

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 8, 2019

ROSS & DOROTHY ARDERY TRUST
208 WW RD
COPELAND, KS 67837-7005

RE: Water Right, File Nos. 18,144; 22,737-D1 & 22,737-D2

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Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

pc: Garden City Field Office
Groundwater Management District No. 3

FILE COPY

SCANNED

STATE OF KANSAS

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



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

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

KLEYTEUBER & GILLEN, INC
13060 S COUNTY RD
GARDEN CITY, KS 67846

November 1, 2018

RE: File No 18144

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

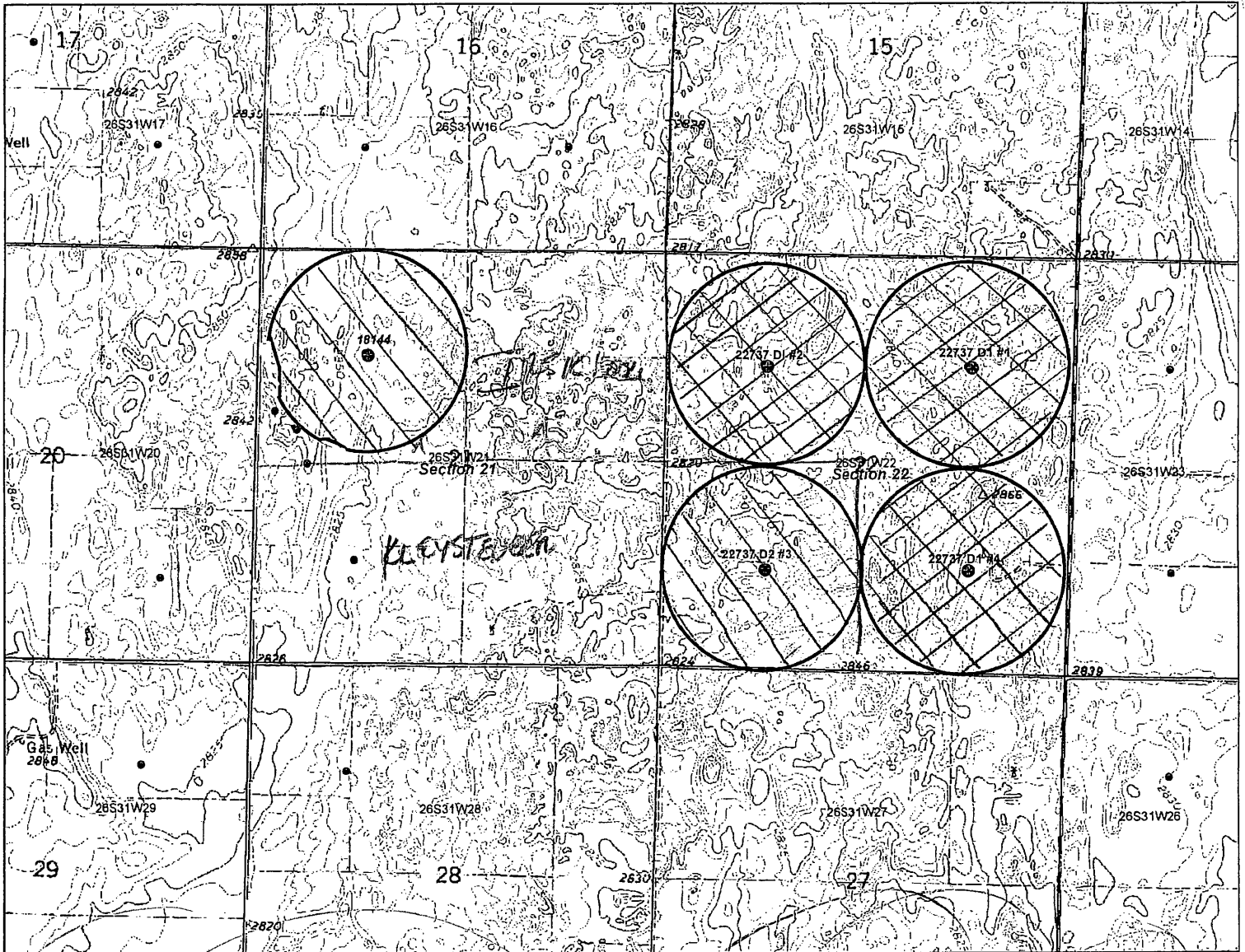
Sincerely,

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: GARDEN CITY Field Office GMD3

SCANNED

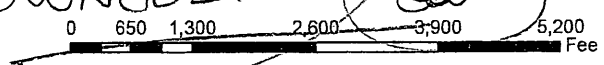
Place of Use Change
 File No(s). 18144, 22737 D1 & 22737 D2
 T26 R31 Finney Co.



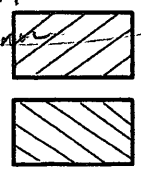
Sec 21 N 1/2 18144
 S 1/2 KLOYSTEVEN
 Sec 22 N 1/2 22737 18144

Water Resources
 Received
OCT 29 2018

OWNERSHIP all
 (2006 Scaled air photo)



- Authorized PD
- Requested PD
- Point of Diversion



KS Dept of Agriculture
 AUTHORIZED PLACE OF USE
 Requested PU

RECEIVED
OCT 22 2018

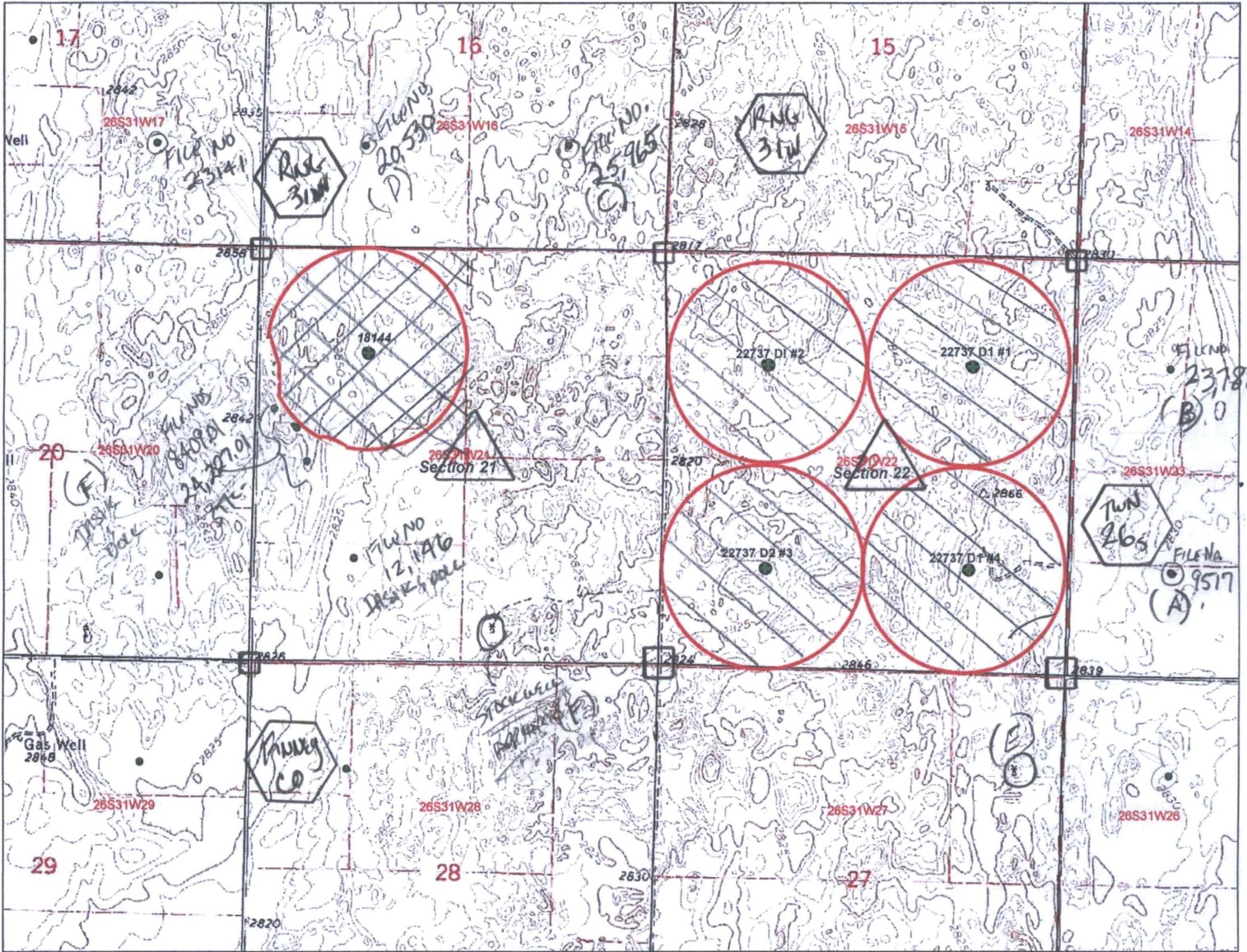


-|-|-|-|- PIPELINE *
 * LI/OWN
 2/6/19

Garden City Field Office
 Division of Water Resources

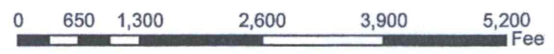
SCANNED

Place of Use Change
File No(s), 18144, 22737 D1 & 22737 D2
T26 R31 Finney Co.

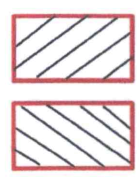


CORNERS OF E 1/2 OF SEC 21 UPDATED PER TABLE LISTED 2/21/19
 (2006 Scaled air photo)

PIPELINE



- Authorized PD
- Requested PD
- ⊙ Point of Diversion



Authorized **Water Resources Received**
 Requested **OCT 29 2018**

RECEIVED
OCT 22 2018



KS Dept Of Agriculture Garden City Field Office
 Division of Water Resources

SCANNED

→ NEARBY WELLS FOR NOTIFICATION A) B) C) D) E) F) ✓