Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET & ORDER IN THE MATTER OF THE POINT OF DIVERSION ADDRESS UPDATES

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
19054	5/30/2019	C\$4	04	03
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
			· .	3/26/19
8a. Applicant(s) New to system □	Person ID 55722 Add Seq#	8c. Landown New to sy	• •	Person ID 40622 Add Seq#
GRANT A WITCHER 2213 BUCKNER DR MANHATTAN KS 66503-	2159	1 FOR	LAS F & RENEL D DRIVE / KS 67701	L M BELL
Address update	2.1912.0	РО ВО	* *	Person ID <u>63941</u> Add Seq# HER ET AL
8b. Landowner(s) New to system ANITA C WITCHER 1120 MUNCY AVE	Person ID 541770 Add Seq#	8d. WUC New to sy	∕stem □	Person ID 40622 Add Seq# 1
ELKHART KS 67950-505 8bb. Landowner(s) New to system □Add Seq# DONALD B & ALICE WITCH PO BOX 4278 SANTA FE NM 87502-4278	Person ID 55721 ER REV TRUST	8d. WUC New to sy	∕stem □	Person IDAdd Seq#
9. Documents and Enclosure(s): 🛛 DV	VR Meter(s) Date to Comp	ly: 12/31/201	<u>A</u> □ N & P Date to	o Comply:
	Seal			Driller Copy
10. Use Made of Water From:		To:		
			Date Prepared: 5/14/ Date Entered: ()	

File No.	1905	4		11.	County:	MT	Ва	sin:	CIN	IARR	ON RI	VER		S	tream:	NA						F	ormation Code: 211	Special Use:
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CHK MOD						÷													Autho	rized			Additional	
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MOD	15051	SE S	E SW		19	33	42W	3	3	80	26	09	GPS	S UPI	DATE			N	С	NC	•			NONE
MOD	21240	cs s	E		19	33	42W	4	, 5	2	13	36	GPS	S UPI	DATE			N	С	NO				NONE
13. Stor	age: Rati	e				NF	Qua	intity _					_ ac/f	t ,	Additio	onal R	ate					NF A	dditional Quantity	ac/ft
14. Lim	tation:				af/yr	at				gpm (_cfs) \	when o	combi	ned wi	th file	numbe	er(s) <u>N</u>	ONE	NO	CHANGE	
Lim	itation:				af/yr	at	40.			gpm (cfs) v	when o	combi	ned wi	th file	numbe	er(s)				
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снк	ce of Use						Ni	Ξ1/4			NW	1 ½			sv	V1/4			s	E¼	-	Total	Owner Chg?	Overlap Files
MOD DEL ENT	PUSE	s	T i	₹	ID	NE 1/4	NW 1/4	SW 1/4	SE ¼	NE ¼	NW ¼	SW 1/4	SE ¼	NE ¼	NW 1/4	SW ¼	SE 1/4	NE ¼	NW 1/4	SW ¼	SE 1/4		***** 10193; 10 21094; 44631	194; 19054;
ENT 7		20 3	3 4	2W	1	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	8a & 8b YES	****
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MOD '	19630	30 3	3 4	2W	2					30	L-1 30	L-2 30	30				,					120	8b no	***
MOD 2	27779	29 3	3 4	2W	1					35	10	35	40									120	8cc no	****
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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources

<u>MEMORANDUM</u>

TO: Files **DATE:** May 15, 2019

FROM: Leslie Ireland RE: Water Right,

File Nos. 10,193; 10,194; 19,054; 21,094 & 44,631

Grant Witcher along with Douglas F. & Renell M. Bell, with Virginia Rena and Eric L. Witcher on behalf of Virginia Rena Witcher ET AL and Anita C. Witcher along with Donald B. & Alice Witcher Revocable Trust all as owners of the referenced water rights authorized for irrigation use have filed applications for approval to change the authorized irrigated place of use. The applications were submitted to the Garden City Field Office on March 26, 2019, and reassigned to Headquarters on April 1, 2019, due to the move of their office.

The referenced water rights are considered in compliance with both K.S.A. 82a-718, and in compliance with K.S.A. 82a-732. There appears to have been some meter and water use in excess of authorized, but all seem to have been resolved. File Nos. 10,193 & 19,054, were listed as BRO rights, with a conservation plan was a condition of the permit under File No. 44,631 and remains so today. As the applications are proposing a complete overlap in irrigated acres they are exempt from notification of nearby well owners as detailed in K.S.A. 82a-1906. The applications appear to comply with K.A.R. 5-5-2a, *Complete change application*.

At the time of filing the applications, the place of use under File Nos. 10,193; 19,054; & 44,631 authorize 840 acres with File No. 44,631 providing a limited 613 acre-feet per year when combined with File Nos. 10,193 and 19,054. This provides approximately 0.73 acre-foot per acre that appears to have certified four (4) quarter (1/4) section pivots and one large three-quarter (3/4) section pivot. The place of use authorized under File Nos. 10,194 & 21,094, is 640 acres with File No. 21,094 providing a limited 1,241 acre-feet. This provides approximately 1.94 acre-foot per acre that appears to be delivered by a fill section pivot that has not irrigated the corners for some time. The rights authorize a total of 8 wells with none of them overlapping.

The proposed place of use changes are to make a complete overlap in existing irrigated acres, with no modification of the currently authorized acres. Each file number will authorize a complete overlapping place of use comprised of 1,480 acres. There will be no increase in the acres that constitute the authorized place of use. The change applications have been evaluated according to part (b)(1) of K.A.R. 5-5-11(b) *Applications for change in places of use for irrigation purposes*, making an identical place of use under all the referenced files. There will be no net increase in authorized acres. All of the rights are certified, so base acres were not reviewed at this time. The combined quantity of a limited 1,854 ace-feet provides an irrigation ratio of 1.25 acre-foot per acre. This is slightly less than the 50% change rainfall quantity of 1.28acre-foot per acre in Morton County for irrigation as detailed in K.A.R. 5-5-12, *Net irrigation requirements*. It does appear the proposed changes will help with the historical problems of exceeding the authorized quantity. The proposed changes appear to comply with K.A.R. 5-5-11 and K.A.R. 5-5-3, *Change in consumptive use*.

The additional quantity limitations on File Nos. 21,094 and 44,631 will be not be updated to include the files that are being added to the place of use. The limitations will be maintained as currently stated. The maintaining the limitations assures compliance with K.A.R. 5-23-3, *Maximum reasonable annual quantity of water for irrigation use*.

The points of diversion under File Nos. 10,193, 19,054; 21,094 and 44,631 will be updated to the actual locations as determined by recent compliance investigations. All of the well locations appear to be within 300 feet of the authorized this complying with part a of K.A.R. 5-5-6, *Failure to construct diversion works at authorized location.*

A water conservation plan meeting the KWO guidelines is in place for File Nos. 10,193 19,054 and 44,631. It will not be updated for these change approvals.

The Southwest Kansas Groundwater Management District No. 3, assisted with the applications In a letter dated February 14, 2019 and received on April 1, 2019, Jason Norquest, Assistant Manager for the District recommended approval as the applications meet all of the adopted policies, rules and regulations.

Michael Meyer, Water Commissioner of the Garden City Field Office, was contacted for a recommendation on the proposed changes in place of use. In an email dated May 14, 2019, he recommends approval.

Water flow meters will be required. They could be excluded per K.A.R. 5-5-11(e) but as the rights have had meter issues in the past the orders will state meters will be required. The instillation of chemigating check valves will be required if chemigating. Water level measurement tubes are not applicable to these changes, as no new wells have been authorized.

Based on the above discussion, that the proposed overlapping change in place of use is reasonable, there will be no increase in the consumptive use and impairment of existing water rights is unlikely, it is recommended that the referenced applications be approved.

Leslie Ireland

Environmental Scientist

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

June 11, 2019

FILE COPY

GRANT A WITCHER 2213 BUCKNER DR MANHATTAN KS 66503

RE: Water Right, File Nos. 10,193; 10,194; 19,054; 21,094 & 44,631

Dear Mr. Witcher:

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

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.

Your attention is directed to the enclosures and to the terms and conditions specified in these 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. Please be reminded that the quantity of water authorized under File Nos. 21,094 and 44,631, are limited with their senior rights.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, submit your reports online at www.kswaterusereport.org.

If you have any questions, please contract Leslie Ireland, Environmental Scientist, at (785) 566-6633. 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

Water Appropriation Program

BAT:LI:li

Enclosures

pc: Garden City Field Office

Groundwater Management District No. 3

Douglas F. & Renell M. Bell Virginia Rena Witcher ET AL

Anita C. Witcher

Donald B. & Alice Witcher Revocable Trust

KANSAS DEPARTMENT OF AGRICULTURE Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCESDavid W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE AND ORDER IN THE MATTER OF THE AUTHORIZED POINTS OF DIVERSION WATER RIGHT, FILE NO. 19,054

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Grant A. Witcher, 2213 Buckner Drive, Manhattan, Kansas 66503, along with Douglas F. and Renell M. Bell, 1 Ford Drive, Colby, Kansas 67701, with Virginia Rene Witcher and Eric L. Witcher on behalf of Virginia Rena Witcher ET AL, PO Box 180, Elkhart, Kansas 67950 and Anita Witcher, 1120 Muncy, Elkhart, Kansas 67950-5054, along with Donald B. Witcher and Alice L. Witcher on behalf of the Donald B. and Alice Witcher Rev Trust, PO Box 4278, Santa Fe, New Mexico 87502-4278, received this office on March 26, 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 December 27, 2002 and September 25,2014, approving the applications to change the place of use, and by the Order of the Chief Engineer dated June 26, 2008, approving the application to change the points of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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

	_			NE	1/4			NV	V1⁄4	-		sv	V1/4			SE	≣1⁄4		
Sec.	Iwp.	Range	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1⁄4	NW¼	SW¼	SE1/4	NE¼	NW1/4	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	TOTAL
19	33	42W	30.0	30.0	30.0	30.0									30.0	30.0	30.0	30.0	240
20	33	42W	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640
29	33	42W	10.0	35.0	40.0	35.0	35.0	10.0	35.0	40.0					35.0	40.0	35.0	10.0	360
30	33	42W	30.0	30.0	30.0	30.0	30.0	LOT 1 30.0	LOT 2 30.0	30.0									240

a total of 1,480 acres in Township 33 South, Range 42 West, Morton County, Kansas,

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

That information in the office of the Chief Engineer finds that the points of diversion would more accurately be defined as:

> one (1) well located near the center of the West side of the Northwest Quarter (NW1/4) of Section 30, more particularly described as being near a point 3,968 feet North and 5,182 feet West of the Southeast corner of said section.

> one (1) well located in the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE1/4 SE1/4 SW1/4) of Section 19, more particularly described as being near a point 30 feet North and 2,609 feet West of the Southeast corner of said section, and

> one (1) well located near the center of the South side of the Southeast Quarter (SE1/4) of Section 19, more particularly described as being near a point 52 feet North and 1.336 feet West of the Southeast corner of said section,

all in Township 33 South, Range 42 West, Morton County, Kansas.

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. 19,054, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated April 30, 1987, as modified and amended by the aforementioned orders.

Ordered this 20 Haday of Ma

. 2019, in Manhattan, Riley County, Kansas,

Lane P. Letourneau, P.G. Program Manager

Division of Water Resources Kansas Department of Agriculture

State of Kansas

SS

County of Riley

The foregoing instrument was acknowledged before me this-Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

> DANIELLE WILSON My Appointment Expires August 23, 2020

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

GRANT A WITCHER 2213 BUCKNER DR MANHATTAN KS 66503

With a copy sent to:

DOUGLAS F & RENELL M BELL 1 FORD DRIVE COLBY KS 67701

VIRGINIA RENA WITCHER ET AL PO BOX 180 ELKHART KS 67950

ANITA C WITCHER 1120 MUNCY ELKHART KS 67950-5054 DONALD B & ALICE WITCHER REV TRUST PO BOX 4278 SANTA FE NM 87502-4278

With photocopies sent to:

Garden City Field Office
Groundwater Management District No. 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:

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

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

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KS Dept Of Agriculture SCANNED

APR 01 2019

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

SUPPLEMENTAL SHEET FILE NO. 19654

Presently authorized	point of diversion:		**********************	
One in the	Quarter of the	CW	Quarter of the	NW Quarte
of Section	30, Township	33	South, Range	42 V
in MORTON	County, Kansas, 3960	feet North	5270 feet West of S	Southeast corner of section.
Authorized Rate 62	5GPM Authorized Quantit	v 167AF	Depth of well	(feet)
(DWR use only: Com	5GPM Authorized Quantition Puter ID No. 2	3PS 3965	P feet North 51	82 feet West)
XI This point will not be	changed This point will be changed	anged as follows:	No change point better	described with GDS as follows
Proposed point of div	version: (Complete only if cha	angeu es lonows. Inno is ronnosti	d or if evieting point ie	better described by GDS
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of Section	, Township		South Range	CEAN!
in	, Township	foot North	South, range	Courthocat corner of coation
Proposed Pate	Proposed Quantity	ieer ivoitii -	reer west or a	Southeast conter of section.
This point is:	Floposed Quantity	4	Proposed well deput	(186r)
This point is: Additi	onal Well Geo Center Lis	t otner water rigi	nts that will use this point	
Presently authorized	point of diversion:			······································
One in the	Quarter of the		Quarter of the	Quarte
of Section	, Township		South, Range	(E/W
in	County, Kansas,	feet North	feet West of S	Southeast comer of section
Authorized Rate	Authorized Quantil		Denth of well	/feet\
DWR use only: Com	Authorized Quantit	2DS	feet North	feet West
This point will not be a	hanged This point will be char	and as follows:	No change point better d	essibed with GPS as follows:
=	rersion: (Complete only if cha	_		
One in the	Quarter of the		Quarter of the	Quart
or Section	, Township	4 () (South, Range	(E/W
<u></u>	County, Kansas,	feet North _	feet West of \$	Southeast comer of section
Proposed Rate	Proposed Quantity	′ 	Proposed well depth	(feet)
This point is:	onal Well Geo Center Lis	t other water rig	hts that will use this point	
Presently authorized	point of diversion:			
	Quarter of the		Quarter of the	Quarte
of Section	, Township		South, Range	(E/W
in	County, Kansas,	feet North	feet West of	Southeast corner of section
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Presently authorized	point of diversion:			
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in	, rownship	feet North	feet West of	Southeast corner of section
Authorized Bets	Authorized Quanti	1660 140101 _	Dooth of woll	(feet)
/DIA/B use sala Com	puter ID No	უ	foot North	foot Most
UVVK use only: Con	changed This point will be cha	ngod og fallewer	icel ivortii	lost trest)
Proposed point of div	version: (Complete only if cha	ange is request	ea or it existing point is	Detter described by GPS
One in the	Quarter of the		Quarter of the	Quar
of Section	, Township		South, Range	(E/M
in	County, Kansas,	feet North _	feet West of	Southeast corner of section
	Proposed Quantity			
This point is: Addit	ional Well	st other water rig	hts that will use this point	
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GPS UPDARY COMPLIANCE NOVESTICATION

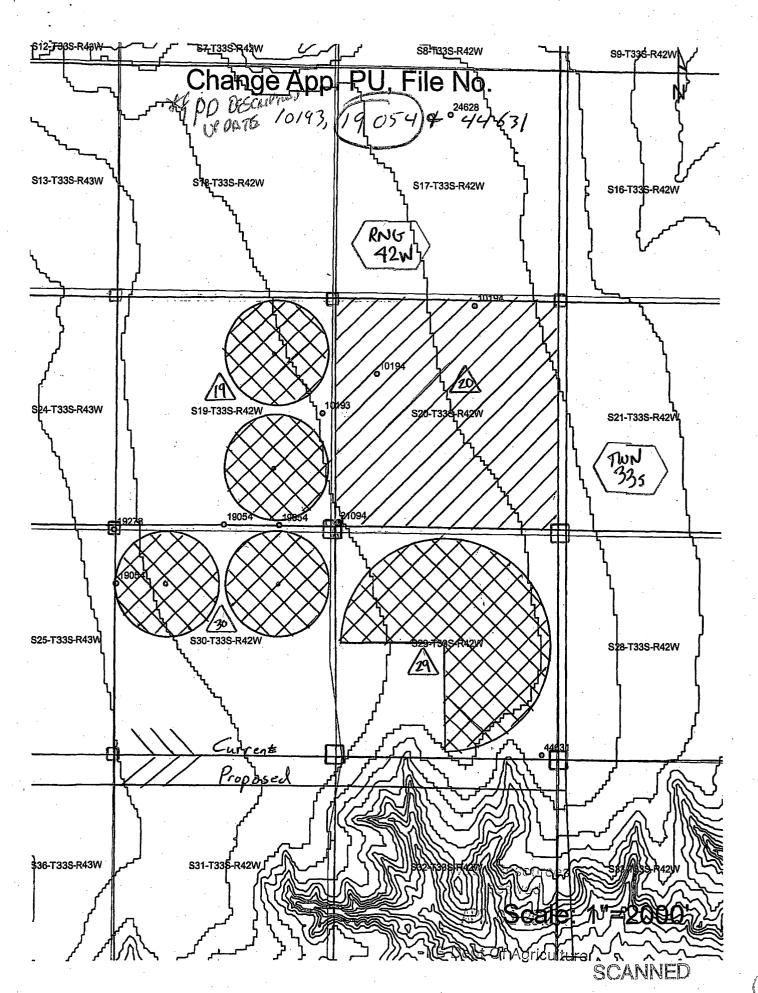
APR 01 2019

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. / 9054 MAKE ADDITIONAL COPIES AS NECESSARY

			400KI		1120 N	viuncy	Ave.,	<u> </u>	ı, NS 6	7930									
					E¼				V¼			SV				SE			TOTAL ACRES
Sec.	Twp.	Range					NE%	NW%	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	35.0	NW1/4 40.0	SW¼ 35.0	SE¼ 10.0	240.0
29 30	33s 33s	42w 42w	10.0	35.0	40.0	35.0	30.0	30.0	30:0	30.0					35.0	40.0	33.0	10.0	120.0
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Ov	ner of	f Land			Virgini 609 M					37950									
	_	_			E¼				V¼	0.51		SV		0=1/			3/4		TOTAL ACRES
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iec.	Twp.	Range	ADDR	ESS:	1120 I	Muncy	Ave.,		N¼	SE%	221: NE½		ner Di v¼ sw¼	., Man	hattar NE14		6503 5w14	SE¼	TOTAL ACRES
	Twp. 33s		ADDR	ESS:	1120 I	Muncy	Ave.,	N/	N¼ SW¼	1		SV	ner Di v¼ sw¼	., Man		Si	<u> </u>	SE¼ 40.0	
		Range	ADDR NE¼	ESS:	1120 I	Muncy SE1/4	Ave.,	NW1/4	N¼ SW¼	SE¼	NE¼	SV NW1/4	ner Di v¼ sw¼	., Man	NE¼	SI NW1/4	SW1/4		ACRES
Sec. 20 Ov	33s	Range 42w f Land	NE¼ 40.0	NW¼ 40.0	1120 I	SE½ 40.0	Ave., NE¼ 40.0	NW½ 40.0	8W% 40.0	SE¼ 40.0	NE¼	SV NW1/4	ner Di v¼ sw¼	., Man	NE¼	SI NW1/4	SW1/4		ACRES
20	33s	Range 42w f Land	NE¼ 40.0	NW¼ 40.0 AME:	1120 E½ SW¼ 40.0 Anita 1120	SE¼ 40.0 C Witch	NE¼ 40.0	NW½ 40.0 Elkhar	% SW% 40.0	SE½ 40.0	NE½ 40.0	SV NW1/4 40.0	ner Di vv sw k 40.0	SE% 40.0	NE¼ 40.0	SI NW¼ 40.0	sw/ ₄ 40.0	40.0	ACRES 640.0
Ov	33s /ner o	Range 42w f Land	NE¼ 40.0	NW¼ 40.0 AME: ESS:	1120 SW¼ 40.0 Anita 1120 E¼ SW¼	SE½ 40.0 C Witch	NE¼ 40.0	NW½ 40.0 Elkhar	% SW% 40.0	SE½ 40.0	NE½ 40.0	SV NW1/4 40.0	ner Di vv sw k 40.0	SE% 40.0	NE% 40.0	SI NW¼ 40.0	SW¼ 40.0	40.0	ACRES 640.0 TOTAL ACRES
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Ov Sec. 29 30	33s /ner o Twp. 33s 33s	Range 42w f Land Range 42w 42w f Land	N N N N N N.	AME: ESS: NW½ 40.0 AME: ESS: NW½ 35.0 AME: ESS:	1120 SW4 40.0 Anita 1120 E4 SW4 40.0 Virgin 609 M	SE½ 40.0 C Witco Muncy SE½ 35.0	NE¼ 40.0 her Ave., NE¼ 30.0	Elkhar	xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	SE¼ 40.0 37950 SE¼ 30.0	NE½ 40.0	SV NW½ 40.0	Ner Di	SE¼ 40.0	NE% 40.0	SI NW¼ 40.0	SW% 40.0 SW% 3'5.0) SE¼ 10.0	TOTAL ACRES 240.0 120.0
Ov Sec. 29 30	Twp. 33s 33s Twp. Twp. Twp. Twp.	Range 42w 42w 42w 42w f Land	N N N N N N.	NW4 40.0 AME: ESS: NW4 35.0 AME: ESS:	1120 SW4 40.0 Anita 1120 E¼ SW4 40.0 Wirgin 609 M	SE½ 40.0 C Witco Muncy SE½ 35.0	NE¼ 40.0 her Ave., NE¼ 30.0 a Witc Trail, NE¼	NW¼ 40.0 Elkhai NW¼ 30.0 her El	ми swи 40.0 t, KS 6 wи swи 30.0 TAL int, KS	SE¼ 40.0 67950 SE¼ 30.0	NE½ 40.0	SV NW½ 40.0	Ner Di	SE¼ 40.0	NE% 40.0	SI NW¼ 40.0	SW% 40.0 SW% 3'5.0	40.0	TOTAL ACRES 240.0 120.0 TOTAL ACRES
Ov	33s /ner o Twp. 33s 33s	Range 42w 42w 42w 42w	ADDR NE¼ 40.0 NA ADDR 10.0 NA ADDR	NW4 40.0 AME: ESS: NW4 35.0 AME: ESS:	1120 SW4 40.0 Anita 1120 E4 SW4 40.0 Virgin 609 M	SE½ 40.0 C Witco Muncy SE½ 35.0	NE¼ 40.0 her Ave., NE¼ 30.0 a Witc	Elkhar	му. swи 40.0 t, KS (SE¼ 40.0 37950 SE¼ 30.0	NE½ 40.0	SV NW½ 40.0	Ner Di	SE¼ 40.0	NE¼ 40.0	SI NW¼ 40.0	SW% 40.0 SW% 3'5.0) SE¼ 10.0	TOTAL ACRES 240.0 120.0
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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 1054 MAKE ADDITIONAL COPIES AS NECESSARY

				ME	E 14			NV	V%			SN	V%			SE	1/4		TOTAL
ec.	Twp.	Range	NE¼		SW1/4	SE¼	NE%		SW1/4	SE¼	NE%	NW14		SE¼	NE¼	NW¼		SE¼	ACRES
30	33s	42w	30.0	30.0	30.0	30.0	1100	100.77	51174		7,1		01174	02,7	1,5	3111,74	J.,,,		120.0
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					E%		<u> </u>		V¼		<u> </u>		V¼			SE			TOTAL ACRES
ec.	Twp.	Range	NE%	NW%	SW%	SE¼	NE%	NW¼	SW1/4	SE1/4	NE%	NW¼	SW1/2	SE%	NE%	NW1/4	SW1/4	SE%	ACRES
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0	wner o	f Land ·	- N/	AME:				_											
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ec.	Twp.	Range	NE%	NW%		SE¼	NE¼			SE%	NE%	NW%		SE%	NE¼	NW14	5W1/4	SE¼	ACRES
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C	ontinue wner o	f Land	N/	AME: ESS: N	Donald Box 42	1 B & / 278, S	Alice V ante F	place Vitcher e, NM	Rev 1 87502	rust_		SV	N½			SI	Ξ¼		TOTAL
	ontinue wner o Twp.	f Land	ADDR	AME: ESS: N	Donald Box 42 E¼ SW%	SE%	Alice V	place Vitcher e, NM	Rev 1 87502	rust	ropose NE%	SV			use be	Si	Ξ¼		ACRES
ec.	wner o	f Land	ADDR	AME: ESS: N	Donald Box 42 E¼	1 B & / 278, S	Alice V ante F	place Vitcher e, NM	Rev 1 87502	rust_2		SV	N½			SI	Ξ¼		ACRES
O ec.	wner o	f Land	ADDR	AME: ESS: N	Donald Box 42 E¼ SW%	SE%	Alice V ante F	place Vitcher e, NM	Rev 1 87502	rust_2		SV	N½			SI	Ξ¼		ACRES
ec.	wner o	f Land	ADDR	AME: ESS: N	Donald Box 42 E¼ SW%	SE%	Alice V ante F	place Vitcher e, NM	Rev 1 87502	rust_		SV	N½			SI	Ξ¼		ACRES
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14. If the proposed groundwater point of diversion is 300 or fewer	feet from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currentl☐ Yes☐ No(If no, all owners must sign this	y authorized place(s) of use identified in this application? s application.)
 (b) Will the ownership interest of any owner of the currently affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this process.) 	authorized place(s) of use identified in this application be adversely is application.)
(c) If this application is not approved expeditiously, will there I ☐ Yes ☐ No (If no, all owners must sign this	be substantial damage to property, public health or safety? s application.)
If the application proposes a surface water change in point of diver or a change in place of use, the application must be signed by all o agent (attach notarized statement authorizing representation).	sion, a groundwater change in point of diversion greater than 300 feet, wners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly a their behalf, in regards to the water right(s) to which the	affirmation and under penalty of perjury, that I am of lawful uthorized agent of the owner(s) to make this application on is application pertains. I further verify that the statements
contained in this application are true, correct and complete Dated at, Kansas	s, this in the condition of the conditio
DONALD Witcher and A	lize L. Witcher Raverable Trus
(Owner) DONALD Notaker + + E	E AliceLW. Tcher ++ EE
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Sully SS	TAMMY NEVVIVAN Notery Public - State of Kansas My Appt. Expires / 2 - 2 - 56 > 5
I hereby certify that the foregoing application was signed of	d in my presence and sworn to before me this 25 day
	Jopany Jawwon
My Commission Expires 6.37-303	() Notary/Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complead accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	ete, all of the applicable portions of the application form must be completed with If the appropriate owners' must be affixed to the application and notarized; and
FEE SC	HEDULE
forth in the schedule below: Make checks payable to: Kansas De (1) Application to change a point of diversion 300 feet or le (2) Application to change a point of diversion more than 30	n under this section shall be accompanied by the application fee set partment of Agriculture sss
(e) Application to offering the place of age	Water Resources
	Received
•	APR 01 2019

14.	f th	the proposed groundwater point of diversion is 300 or fewer fe	et from	the existing	point of di	version, comple	te the fol	lowing:
	(a)	Does the undersigned represent all owners of the currently Yes No (If no, all owners must sign this a			of use ide	ntified in this ap	plication	?
	(b)	affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this		: :	of use ider	ntified in this ap	plication	be adversely
	(c)	c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a			e to prope	rty, public healt	h or safe	ty?
.or. a	cha	application proposes a surface water change in point of diversi hange in place of use, the application must be signed by all ow (attach notarized statement authorizing representation).						
age thei	an r b	eby verify, being first duly sworn upon my oath or at and the owner, the spouse of the owner, or a duly au behalf, in regards to the water right(s) to which this ained in this application are true, correct and comple	thorize appli	d agent of	f the owr	ner(s) to make	e this ap	plication on
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				10		711		or security
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My (Com	ommission Expires L-2/0D2						and the second of the second o
accu	rate	COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete information; maps, if necessary, must be included; signatures of all propriate fee must be paid.	te, all of the appr	the applicable opriate owner	portions of s' must be	the application for affixed to the application	orm must b lication an	pe completed with d notarized; and
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				Fil	PR 01	CU 13		mode
DWF	1-1	1-121 (Revised 04/5/2018) Pag	ge 3	KS De	pt Of Ag	griculture	File No	MO>(50193

	from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently au☐ Yes☐ No(If no, all owners must sign this approximately auxiliary)	
 (b) Will the ownership interest of any owner of the currently auth affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved in the currently authors.) 	
(c) If this application is not approved expeditiously, will there be s ☐ Yes ☐ No (If no, all owners must sign this ap	
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).	
I hereby verify, being first duly sworn upon my oath or affir age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a contained in this application are true, correct and complete	orized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at, Kansas, th	19
Dated at State of the State of	On a MA Roll
(Owner)	(Spouse)_
Douglas F. BELL	Renell M Bell
(Please Print)	(Please Print)
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(Please Print) State of Kansas County of SS I hereby certify that the foregoing application was signed in of 20_19	(Please Print) In my presence and sworn to before me this 8+k day Alerley Demenhan Notary Public all of the applicable portions of the application form must be completed with
(Please Print) State of Kansas County of	(Please Print) In my presence and sworn to before me this 8th day Herley Bremeuhanp Notary Public all of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
(Please Print) State of Kansas County of	(Please Print) If my presence and sworn to before me this 8+k day Aberley Demonstrates Means Public all of the applicable portions of the application form must be completed with a appropriate owners' must be affixed to the application and notarized; and before this section shall be accompanied by the application fee set timent of Agriculture \$100
(Please Print) State of Kansas County of	(Please Print) If my presence and sworn to before me this Stk day Water Resources (Please Print) (Please P
(Please Print) State of Kansas County of	(Please Print) If my presence and sworn to before me this 8+k day We have the application form must be completed with appropriate owners' must be affixed to the application and notarized; and the application shall be accompanied by the application fee set the third form the application fee set the third form the application fee set the form of Agriculture Stopped Shirley I. Bremenkams 200 SHIRLEY I. BREMENKAMS 200 NOTARY PUBLIC NOTARY PUBLIC
(Please Print) State of Kansas County of	(Please Print) If my presence and sworn to before me this Stk day Water Resources (Please Print) (Please P

Ireland, Leslie [KDA]

From:

Meyer, Mike [KDA]

Sent:

Wednesday, May 15, 2019 7:25 AM

To:

Ireland, Leslie [KDA]

Subject:

RE: Recommendation for Change in Place of Use File Nos. 10193,10194 xxx Witcher-Bell

Approve, and yes in the transmittal remind them of the existing limitations.

Mike

From: Ireland, Leslie [KDA]

Sent: Tuesday, May 14, 2019 3:49 PM

To: Meyer, Mike [KDA] < Mike. Meyer@ks.gov>

Subject: Recommendation for Change in Place of Use File Nos. 10193,10194 xxx Witcher-Bell

Mike,

Attached is an updated memo last paragraph page one. Should I state something in the transmittal letter about the quantities? In the attentions to terms conditions..... I can put something together, or do you guys have something out there? Added the letter.

Please let me know if you can recommend the changes to overlap all these files.

As always comments and concerns are welcome.

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



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 14, 2019

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

RE:

Applications for Change in Place of Use_

Water Right, File Nos. 10193, 10194, (19054,)21094 & 44631

Dear Mike:

We have assisted with the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for a complete overlap in irrigation acres is in accordance with K.A.R. 5-5-11. All parties involved have agreed to the changes to bridge the time while working on a remedy to fairly separate the needed acreage and ownership. It is therefore recommended that the applications be approved at this time.

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

Sincerely,

Jason L. Norquest Assistant Manager

Water Resources Received

APR 01 2019

KS Dept Of Agriculture

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	08b, as amended, and K.A.R. 5-5-1, et seq. and other applicable -701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and
1.	A change application was received on	requesting that the place of use and / or point of ber be changed as described in the application.
2.	On and after the effective date of this summary order, the au the topographic map accompanying the application to cha	thorized place(s) of use shall be located substantially as shown on ange the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing riging previously authorized. The point of diversion authorized bradius of the authorized point(s) of diversion. Application	hts and shall be limited to the same source or sources of water as by this summary order shall be located within afoot ole Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately described using the Global n. Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☐ N	be located more than feet from the previously lot Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a vor other device suitable for making water level measurement K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a tube ents shall be installed, operated and maintained in accordance with
	December 31, 20, or before the first use of water operated and maintained in accordance with K.A.R. 5-1-4 K.A.R. 5-3-5e, the owner shall maintain records and report diverted annually to the Chief Engineer by March 1 follow ☐ Applicable ☐ Not Applicable	
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form proving Applicable Not Applicable	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the vided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	ired notice.
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipped able of preventing pollution of the source of the water supply. The I in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11.	Additional Conditions are attached.	
12.	water appropriated under the above-referenced file num limitations, as amended and/or supplemented by this Sui Appropriation Law and the Rules and Regulations prom	A.R. 5-5-14, all of the owners of the authorized place(s) of use of ber are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the <i>Kansas Water</i> ulgated thereunder. Failure to comply with these provisions may mended, and/or the suspension or revocation and dismissal of the ions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If v	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPROVED AND
you	may request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED
	pineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	Ву:
file	d within 15 days of service of this Order and a request for	Duly Authorized Designee of the Chief Engineer
day	ninistrative review by the Secretary must be filed within 30 is pursuant to K.S.A. 77-531. Any request for administrative	(Print Name):
revi	iew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture,	Division of Water Resources - Kansas Department of Agriculture
Leg	gal Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance:
pre	i02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas) SS
	For Use by Register of Deeds	County of)
		Acknowledged before me on
		by
		Signature:Notary Public
٠		Hotaly Public
		My commission expires:
		(Notary Seal)
DW	R 1-121 (Revised 04/5/2018) Pa	water Resources Received File No. 19054

APR 01 2019

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

FILE NO. 19054 MAKE ADDITIONAL COPIES AS NECESSARY

٥	wner of	Land -	NA	AME:	Anita (KS 6	7950									
					112,01	viditoy .	.,,,,,	Introduc		7000									
			NE¼				NW¼				SW1/4			SE½				TOTAL ACRES	
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29	33s	42w	10.0	35.0	40.0	35.0									35.0	40.0	35.0	10.0	240.0
30	33s	42w					30.0	30.0	30.0	30.0									120.0
0	wner of					a Rena ustang				67950									
			NE¼				NW¼				SW¼				SE¼				TOTAL
Sec.	Twp.	Range	NE¼	NW%	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE1/4	NE¼	NW14	SW¼	SE¼	ACRES
29	33s	42w					35.0	10.0	35.0	40.0									120.0
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				N	Ξ¼			NV	٧¼			SV	٧%			SE	=1/4		TOTAL
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Sec. 20	Twp. 33s wner o	Range 42w	NEZ 40.0	AME: ESS: NW¼ 40.0 AME: ESS:	Anita (1120 Sw% 40.0 Anita (1120 1120 1120 E%	SE½ 40.0 C Witce Muncy	NE½ 40.0 her	Elkhar	t, KS 6 v// sw// 40.0 t, KS 6	SE¼ 40.0	Gra 221;	sv	Vitcher Dr	SE½	NE½ 40.0	, KS 6	6503 =¼ SW¼ 40.0	SE¼ 40.0	ACRES
Sec. 20	Twp. 33s wner o	Range 42w	NE% 40.0 ADDR	AME: ESS: NW¼ 40.0 AME: ESS: N	Anita (1120 I) E¼ SW¼ 40.0 Anita (1120 I) E¼ SW¼	SE¼ 40.0 C Witc Muncy	NE½ 40.0 her	NW% 40.0	t, KS 6 v// sw// 40.0 t, KS 6	SE¼ 40.0	Gra 2213 NE½	sv	Yitcher ner Dr VX SWX 40.0	SE½	NE½ 40.0	, KS 6 SB NW¼ 40.0	6503 =¼ SW¼ 40.0	SE¼ 40.0	ACRES 640.0 TOTAL ACRES
Sec. 20 Sec. 29	Twp. 33s wner o	Range 42w f Land Range 42w	NEZ 40.0	AME: ESS: NW¼ 40.0 AME: ESS: NW¼	Anita (1120 I) E¼ SW¼ 40.0 Anita (1120 I) E¼ SW¼	SE¼ 40.0 C Witc Muncy SE¼	NE%	NW% 40.0	k t, KS 6 v/4 sw/4 40.0 t, KS 6 v/4 sw/4	SE¼ 40.0	Gra 221;	sv	Vitcher Dr	SE½	NE½ 40.0	, KS 6 SB NW¼ 40.0	6503 SW¼ 40.0 E¼ SW¼	SE¼ 40.0	ACRES 640.0 TOTAL ACRES 240.0
Sec. 20	Twp. 33s wner o	Range 42w	NE% 40.0 ADDR	AME: ESS: NW¼ 40.0 AME: ESS: N	Anita (1120 I) E¼ SW¼ 40.0 Anita (1120 I) E¼ SW¼	SE¼ 40.0 C Witc Muncy	NE½ 40.0 her	NW% 40.0	t, KS 6 v// sw// 40.0 t, KS 6	SE¼ 40.0	Gra 221;	sv	Vitcher Dr	SE½	NE½ 40.0	, KS 6 SB NW¼ 40.0	6503 =¼ SW¼ 40.0	SE¼ 40.0	ACRES 640.0 TOTAL ACRES
Sec. 20 Sec. 29	Twp. 33s wner o	Range 42w f Land Range 42w 42w	NEW 40.0 NEW 10.0	AME: ESS: NW¼ 40.0 AME: ESS: N NW½ 35.0 AME:	Anita (1120 I) SWW 40.0 Anita (1120 I) E% SWW 40.0 Virgini	SE½ 40.0 C Witce Muncy SE½ 35.0	NE¼ 40.0 her Ave.,	Elkhar NW 40.0 Elkhar NW NW 30.0	t, KS 6 v// sw// 40.0 t, KS 6	SE¼ 40.0 SE½	Gra 221;	sv	Vitcher Dr	SE½	NE½ 40.0	, KS 6 SB NW¼ 40.0	6503 =¼ SW¼ 40.0	SE¼ 40.0	ACRES 640.0 TOTAL ACRES 240.0
Sec. 20 Sec. 29	Twp. 33s wner o	Range 42w f Land Range 42w 42w	NEW 40.0 NEW 10.0	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35.0 AME: ESS:	Anita (1120 I) SWW 40.0 Anita (1120 I) EW SWW 40.0 Virgini 609 M	SE½ 40.0 C Witce Muncy SE½ 35.0	NE¼ 40.0 her Ave.,	Elkhar NW 40.0 Elkhar NW NW 30.0	t, KS 6 v// sw// 40.0 t, KS 6 v// sw// 40.0 c, KS 6	SE¼ 40.0 SE½	Gra 221;	SV NW¼ 40.0	ritcher ner Dr v/v sw/v 40.0	SE½	NE½ 40.0	SI NW¼ 40.0	6503 =¼ SW¼ 40.0	SE¼ 40.0	ACRES 640.0 TOTAL ACRES 240.0
Sec. 29 30	Twp. 33s wner o	Range 42w f Land Range 42w 42w	NEW 40.0 NEW 10.0	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35.0 AME: ESS:	Anita (1120 I) SWW 40.0 Anita (1120 I) EW 40.0 Virgini 609 M	SE½ 40.0 C Witce Muncy SE½ 35.0 a Renaliustance	NE¼ 40.0 her Ave.,	Elkhar NW 40.0 Elkhar NW NW 30.0 her ET Elkha	t, KS 6 v// sw// 40.0 t, KS 6	SE¼ 40.0 SE½ 30.0 SE½	Gra 221;	SV NW¼ 40.0	ritcher ner Dr v/4 sw/4 40.0	SE¼ 40.0	NE½ 40.0	SE NW¼ 40.0	6503 SWW 40.0 SWW 35.0	SE% 40.0	TOTAL ACRES 240.0 120.0
Sec. 20 C	Twp. 33s wner o Twp. 33s 33s wner o	Range 42w f Land Range 42w 42w	NE¼ 40.0 NE¼ 10.0 NE¼ ADDR	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35.0 AME: ESS:	Anita (1120 I) SWW 40.0 Anita (1120 I) EW 40.0 Virgini 609 M	SE½ 40.0 C Witce Muncy SE½ 35.0 a Renaliustance	NE½ 40.0 her Ave., NE½ 30.0 Witch Trail,	Elkhar NW 40.0 Elkhar NW 30.0 her ET Elkha NW	t, KS 6 v// sw// 40.0 t, KS 6 v// sw// sw// sw// sw// sw// sw// sw//	SE¼ 40.0 SE½ 30.0 SE½	Gra 2213 NE¼ 40.0 NE¼ NE¾ NE¼ NE¼ NE¼ NE¼ NE¼ NE¼ NE¾ NE¼ NE¾ NE	SV NW%	ritcher ner Dr v/4 sw/4 40.0	SE¼ 40.0	NE¼ 40.0	SI NW¼ 40.0	6503 SWW 40.0 SWW 35.0	SE% 40.0	TOTAL ACRES 240.0 120.0
Sec. 20 Sec. 29 30 C	Twp. 33s wner o Twp. 33s wner o	Range 42w F Land Range 42w 42w F Land Range	NE¼ 40.0 NE¼ 10.0 NE¼ ADDR	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35.0 AME: ESS:	Anita (1120 I) SWW 40.0 Anita (1120 I) EW 40.0 Virgini 609 M	SE½ 40.0 C Witce Muncy SE½ 35.0 a Renaliustance	NE½ 40.0 her Ave., NE½ 30.0 a Witcl Trail,	Elkhar NW 40.0 Elkhar NW 30.0 her ET Elkha NW	t, KS 6 v/a sw/a 40.0 t, KS 6 v/a sw/a 30.0 AL rt, KS	SE¼ 40.0 SE¼ 30.0 SE¼ SE¼ SE½	Gra 2213 NE¼ 40.0 NE¼ NE¾ NE¼ NE¼ NE¼ NE¼ NE¼ NE¼ NE¾ NE¼ NE¾ NE	SV NW%	ritcher ner Dr v/4 sw/4 40.0	SE¼ 40.0	NE¼ 40.0	SI NW¼ 40.0	6503 SWW 40.0 SWW 35.0	SE% 40.0	TOTAL ACRES 240.0 120.0 TOTAL ACRES
Sec. 20 Sec. 29 30 C	Twp. 33s wner o Twp. 33s wner o	Range 42w F Land Range 42w 42w F Land Range	NE¼ 40.0 NE¼ 10.0 NE¼ ADDR	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35.0 AME: ESS:	Anita (1120 I) SWW 40.0 Anita (1120 I) EW 40.0 Virgini 609 M	SE½ 40.0 C Witce Muncy SE½ 35.0 a Renaliustance	NE½ 40.0 her Ave., NE½ 30.0 a Witcl Trail,	Elkhar NW 40.0 Elkhar NW 30.0 her ET Elkha NW	t, KS 6 v/a sw/a 40.0 t, KS 6 v/a sw/a 30.0 AL rt, KS	SE¼ 40.0 SE¼ 30.0 SE¼ SE¼ SE½	Gra 2213 NE¼ 40.0 NE¼ NE¾ NE¼ NE¼ NE¼ NE¼ NE¼ NE¼ NE¾ NE¼ NE¾ NE	SV NW% 40.0	VX SWX SWX	SE¼ 40.0	NE¼ 40.0	SE NW¼ 40.0	6503 SWW 40.0 SWW 35.0	SE% 40.0	TOTAL ACRES 240.0 120.0 TOTAL ACRES

APR 01 2019

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Mike Beam, Interim Secretary

Laura Kelly, Governor

GRANT WITCHER	
2213 BUCKNER DR	
MANHATTAN KS 6650	13

April 4, 2019

RE: File No 19054

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: DLW3