## **NOTICE**

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

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

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



#### STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

thar		t, or if pl	ace of	use wi												author	ized a	nd prop	ion is greater osed point(s)
oi u	IVEISION	ariu/oi p	iace oi	use.													RE	CEI	VED
						F	File No	. <u>3857</u>	0								FEE	3:52 11	VED em 2019
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both):    Garden City Field Office																		
	☐ Point of Diversion ☐ Point ☐																		
	under th	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	in acco	rdance	e with f	the cor	ndition	s desc	ribed I	oelow.		068
	The soul	rce of s	upply is	s:		⊠ G	Ground	water			Surfac	ce wat	er						
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2.	Name ar								KS IN	IC	rans	ias	CALL IS	4	Sevel	<del>obw e</del>	7 <del>1</del> , L		
		PO BOX 237, DEERFIELD, KS 67838           Phone Number: ()         Email address:																	
	Name and address of Water Use Correspondent: SAME AS ABOVE																		
												· — —							
	Phone Number: () Email address:																		
3.	The presently authorized place of use is:																		
	Owner of Land NAME: SAME AS ABOVE  ADDRESS:																		
	(If there is										sary.)								
NE½							NW1/4				SW¼				SE1/4			TOTAL	
Se	c. Twp.	Range	NE1/4		SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	NE¼		SW1/4	SE1/4	NE¼	$\overline{}$	SW1/4	SE¼	ACRES
1	24	35W									FEED	LOT	W/IN	S/2					
12	2 24	35W	FEED	LOT	W/IN	N/2													
										<u></u>							<u> </u>		
	15.11.																		
4.	If this ap Owner o																		
	Ownero		ADDRI																<del></del>
	(If there is					_					sary.)								
		NE1/4				NW1/4				SW1/4			SE¼			TOTAL			
Se	c. Twp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	ACRES
1	24	35W									FEED	LOT	W/IN	S/2					
1;	2 24	35W	FEED	LOT	W/IN	N/2													
6	24	34W		L	<u></u>						FEED	LOT	W/IN	SW/4			<u> </u>		
	For Offi	ce Use	Only:	Code		Fe	e \$_2	00 oo	_ TR	#		Re	eceipt	Date 2	2-11-	19_	Chec	k# <u>2</u>	157

5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township		
	in County, Kansas, fe		
	Authorized Rate Authorized Quantity		
	(DWR use only: Computer ID No GPS _	feet North fee	et West)
Ì	☐This point will not be changed ☐This point will be changed as		
	Proposed point of diversion: (Complete only if change is		
	One in the Quarter of the		-
-	of Section, Township	South, Range	(E/W),
	in County, Kansas, fe	et North feet West of Southeast of	corner of section.
	Proposed Rate Proposed Quantity		
	This point is: Additional Well Geo Center List other		
L			
6.	Presently authorized point of diversion:		
٥.	One in the Quarter of the	Quarter of the	Quarter
	· · · · · · · · · · · · · · · · · · ·	/	
	of Section, Township in County, Kansas, fe Authorized Rate Authorized Quantity	et North feet West of Southeast of	corner of section
	Authorized Rate Authorized Quantity	Denth of well	(feet)
	Authorized Rate Authorized Quantity (DWR use only: Computer ID No. GPS	feet North fee	_ (ICCI) et West)
	☐This point will not be changed ☐This point will be changed as	follows: No change, point better described with	h GPS as follows:
	Proposed point of diversion: (Complete only if change is		
	One in the Quarter of the		
İ	of Section, Township		
	in County, Kansas, fe		
	Proposed Rate Proposed Quantity	Proposed well denth (feet)	outlet of dedical.
	This point is: Additional Well Geo Center List other		
L	This point is:	Trater rigitio triat will doe trile point	· · · · · · · · · · · · · · · · · · ·
7.	The changes herein are desired for the following reasons?		
	(please be specific)	North	
		300 200 100 0 100 Emporphism	200 300
			<u>'</u>
8.	If a well, is the test hole log attached?   Yes No		
		200 + + + + + = + + +	+ 1 = 200
9.	The change(s) (was)(will be) completed by?		_ =
	. /	100	+   = 100
10.	If the point of diversion is a well:	<u> </u>	_ =
	(a) What are you going to do with the old well?	West 0 = ++	□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□□
			=
		100	+   = 100
	(b) When will this be done?		]   ]
		200 + + + + + + + + + + + + + + + + + +	
11.	Groundwater Management District recommendation attached?	200 -   +   +   -   +	<del>+</del>   <del>-</del> <u>=</u> 200
	Yes No	<del>-</del>	_ =
12.	Assisted by BSC	300 200 100 0 100	200 300 hashmark=10 ft
13a	.If the proposed point of diversion will be relocated <u>more than 300 feet but within 2,640 feet</u> of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile		cated within 300 feet e its location on the e existing point of center of diagram
	downstream and one-half mile upstream from your property lines	•	

14. If the proposed groundwater point of diversion is 300 of fewer re	set from the existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently ☐ Yes ☐ No (If no, all owners must sign this	
<ul> <li>(b) Will the ownership interest of any owner of the currently a affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this</li> </ul>	uthorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this	
If the application proposes a surface water change in point of divers or a change in place of use, the application must be signed by all ov agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or at age and the owner, the spouse of the owner, or a duly autheir behalf, in regards to the water right(s) to which this contained in this application are true, correct and comple	thorized agent of the owner(s) to make this application of application pertains. I further verify that the statement ste.
Dated at, Kansas,	this 5 day of 30, 20, 19.
0	
(Owner)	(Spouse)
Juso a Shamburg	· · ·
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of SS	A JODI WHIPPLE  Notary Public - State of Kansas  My Appt. Expires
I hereby certify that the foregoing application was signed of	
	2001; 1100O
My Commission Expires 8/15/20	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complet accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	
FEE SCH	HEDULE .
(2) Application to change a point of diversion more than 300	

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a-70 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> -th the exception of those conditions expressly contained hereinstations of File No	-701 et. seg., and rules and regulation	ons promulgated thereunder,
1.	A change application was received on diversion authorized under the above-referenced file num	requesting that the parties that the parties are changed as described in the a	olace of use and / or point of 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 local ange the place of use.	ted substantially as shown on ble       □ Not Applicable
3.	The change in point of diversion shall not impair existing rigl previously authorized. The point of diversion authorized k radius of the authorized point(s) of diversion. ☐ Applicate	by this summary order shall be locate	source or sources of water as d within afoot
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately n. ☐ Applicable ☐ Not Applicable	described using the Global
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☐ N	be located more thanlot Applicable	feet from the previously
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 measureme K.A.R. 5-6-13.   Applicable Not Applicable	well with a diversion rate of 100 gallor ents shall be installed, operated and n	ns per minute or more, a tube naintained in accordance with
7.	The owner of the authorized place(s) of use shall proper 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	, whichever occurs first. The water through 5-1-12. As required by K.S./t the reading of the water flow meter a	flow meter shall be installed, A. 82a-732, as amended, and
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 prov ☐ Applicable ☐ Not Applicable	applicant shall notify the Chief Engi	neer that construction of the
9.	The completed well log shall be submitted with the requ	ired notice.   Applicable	☐ Not Applicable
10.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve capa check valve(s) shall be installed, operated and maintained	able of preventing pollution of the sou	rce of the water supply. The
11.	Additional Conditions are attached.		
12.	In accordance with K.S.A. 82a-708a, as amended, and K.A. water appropriated under the above-referenced file numl limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations promuresult in civil penalties pursuant to K.S.A. 82a-737, as an water or appropriation right or any other enforcement actions.	ber are responsible for compliance water mmary Order, and with applicable prouled the composition of the composition of the suspension or revoled, and/or the suspension or revoled.	vith its terms, conditions and ovisions of the <i>Kansas Water</i> ly with these provisions may
	Administrative Appeal and Effective Date of Order	FOR OFFICE US	
you Eng	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief pineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	APPLICATION APP SUMMARY ORD	ER ISSUED
filed adn <b>day</b> revi File	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 is pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture,	By:	nsas Department of Agriculture
665	pal Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas	)
	For Use by Register of Deeds	County of	. )
		Acknowledged before me on	
		by	
		Signature:No	
	• .		
		My commission expires:	(Notony Cool)
			(INULATY Seat)

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

File No. \_\_\_\_

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

KANSAS DAIRY DEVELOPMENT, LLC	;
PO BOX 237	
DEERFIELD KS 67838	

March 19, 2019

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 PL☐ point of diversion☐ use made of water

RE: File No 38570

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

and A. Juney

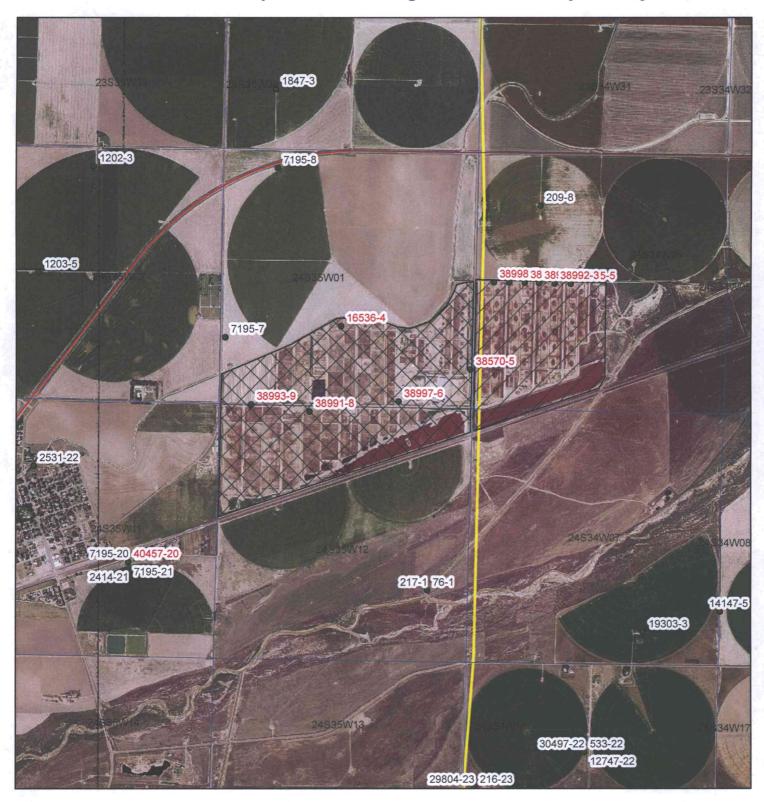
Water Appropriation Program

BAT: DLW3

#### **CHANGE IN PLACE OF USE**

WRs: 16536, 38570, 38991, 38993, & 38997

Section 1 & 12, Township 24 South, Range 35 West, Kearny County AND Section 6, Township 24 South, Range 34 West, Finney County





**AUTHORIZED PLACE OF USE** 

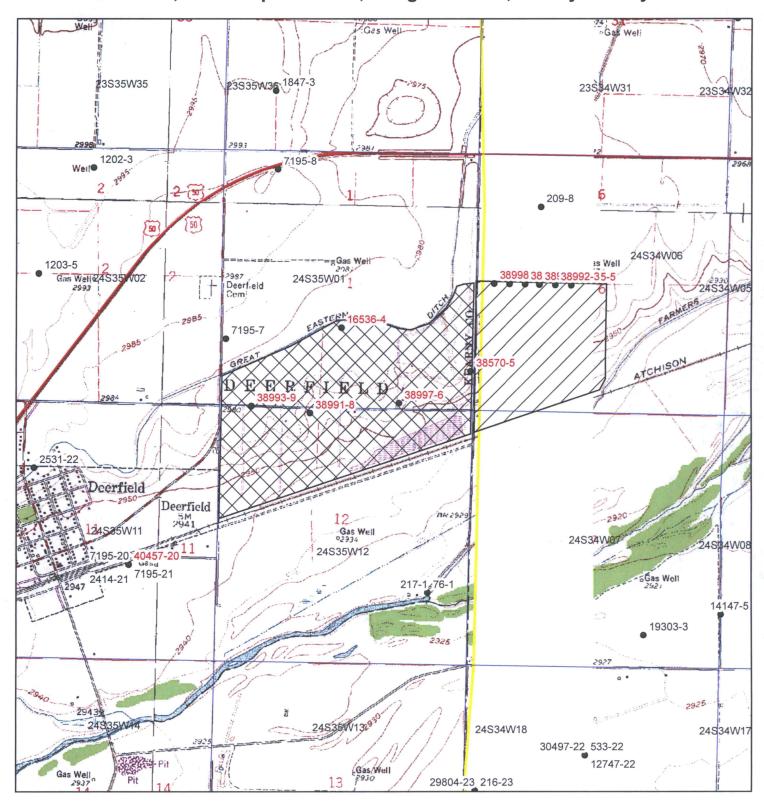




### **CHANGE IN PLACE OF USE**

WRs: 16536, 38570, 38991, 38993, & 38997

Section 1 & 12, Township 24 South, Range 35 West, Kearny County AND Section 6, Township 24 South, Range 34 West, Finney County





**AUTHORIZED PLACE OF USE** 



PROPOSED PLACE OF USE

