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.

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)																			
	File No. 38992 RECEIVED 3:54 pm FEB 1 1 2019																		
						F	ile No	. <u>3899</u>	2								FEE	3.37	2019
1.	Water Position									eld Office									
						_	lace of				Point (resources
under the water right which is the subject of this application in accordance with the conditions described below. The source of supply is: Groundwater Surface water																			
													.*						
	2. Name and address of Applicant: DEERFIELD FEEDERS INC. Kases Davy Developmed, LLC PO BOX 237, DEERFIELD, KS 67838 Phone Number: () Email address:																		
	Name ar																		
	Phone N	umber:	(Email	addre	ss:								
	The pres	•		•															
	Owner o																		
				ESS: .							- \								
	(If there is	more th	an one	landov	vner, at	tach su	ppieme	entai sn	eets as	neces	sary.)			1					
NE½				NW¼			SW¼ NE¼ NW¼ SW¼ SE¼		SE¼ NE¼ NW¼ SW¼ SE1		054	TOTAL ACRES							
Sec		Range	NE¼	NW¼	SW¼	SE¼	NE1/4	NW¼	SW1/4	SE1/4					NE'/4	NVV 1/4	SVV /4	SE¼	
6	24	34W								-	FEED	LUI	W/IN	SW/4					
	<u> </u>																		
								<u> </u>	L	<u> </u>	L		l				L		
4.	If this ap	plication	n is for	a cha	nge in	place	of use	, it is p	ropose	ed that	the pla	ace of	use be	e chan	ged to	:			
	Owner o																		
ADDRESS:																			
	(If there is more than one landowner, attach supplemental sheets as necessary.)																		
	NE1/4		NW¼			SW% NE% NW% SW% SE%			SE¼ NE¼ NW¼ SW¼		T	TOTAL ACRES							
Sec	c. Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4					NE1/4	NW¼	SW1/4	SE1/4	
1	24	35W								-	FEED	LOT	W/IN	S/2		-			•
12	24	35W	FEED	LOT	W/IN	N/2							ļ						
6	24	34W				,		<u> </u>		<u> </u>	FEED	LOT	W/IN	SW/4		<u> </u>	<u> </u>		
For Office Use Only: Code Fee \$\frac{200 \doldow}{200 } TR # Receipt Date \frac{2-11-19}{2-11-19} Check # \frac{2157}{2}																			

5.	Presently authorized po	int of diversion:										
		Quarter of the		Quarter of the		Quarter						
		, Township										
		County, Kansas,		_								
		Authorized Quantity			,							
Ì		iter ID No GPS										
		nged This point will be changed										
	Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)											
		Quarter of the			7							
		, Township										
	in	County, Kansas,	feet North	feet West of	Southeast corner	of section.						
		Proposed Quantity										
	•	al Well ☐ Geo Center List oth										
			<u>~</u>									
6.	Presently authorized po	int of diversion:										
١.		Quarter of the		Quarter of the		Quarter						
	of Section	, Township		South Range		(F/W)						
	in .	, rownship County, Kansas,	feet North	feet West of	Southeast corner	of section						
	Authorized Rate	Authorized Quantity	10001101111	Depth of well	(feet))						
3	(DWR use only: Compu	Authorized Quantity Iter ID No GPS		feet North	feet Wes	st)						
		nged ☐This point will be changed										
- 1		sion: (Complete only if change	/									
		Quarter of the	,									
ł	of Section	, Township	/	South Range		(F/W)						
		, County, Kansas,										
	Proposed Rate	Proposed Quantity	_	Proposed well depth	(feet)							
		al Well Geo Center List oth										
7 <i>.</i> 8.	(please be specific)	desired for the following reasons'	300 E E		100 200 							
9.	The change(s) (was)(will be	e) completed by?	100	-		100						
			=									
10.	If the point of diversion is a					=						
	(a) What are you going to	do with the old well?	West 0			I ++						
			=		service de description	-=						
		?	100	_ + + =	1 + 1 + 1	100						
	(b) When will this be done	.?	E	· ' ' =	' , ' ' ' ' '	` ∄						
11.		District recommendation attached	? 200	- - + + - - - + + - -	1+1+	200						
	dr.		E]						
12.	Assisted by BSC		300	200 100 0	100 200	300						
13a	feet but within 2,640 feet of a topographic map or as sources, show all wells (inc of the proposed point of d addresses of the owners. names and addresses of	ersion will be relocated more than 3the existing point of diversion, attained photograph. For groundwath sluding domestic) within one-half miversion and the names and mailing For surface water sources, show the landowner(s) one-half mille upstream from your propertion.	ch 13b.If the ter of the diagram divers the above the diverse the	proposed point of diversion e existing point of diversion am shown above in resion. (PLEASE NOTE: represents the presion.)	n will be relocated young ion, indicate its lo lation to the exis	within 300 feet cation on the sting point of or of diagram						

14. If the proposed groundwater point of diversion is 3	300 or fewer feet from the	e existing point of diversion, complet	te the following:
(a) Does the undersigned represent all owners of ☐ Yes ☐ No (If no, all owners m	f the currently authorized nust sign this application.		olication?
(b) Will the ownership interest of any owner of the affected if this application is approved as required Yes ☐ No (If yes, all owners to the content of the	he currently authorized puested? must sign this application		olication be adversely
(c) If this application is not approved expeditiousl ☐ Yes ☐ No (If no, all owners m	ly, will there be substantion and the sign this application.		or safety?
If the application proposes a surface water change in p or a change in place of use, the application must be significant (attach notarized statement authorizing representation)	gned by all owners of the	ndwater change in point of diversion e currently authorized place of use,	n greater than 300 fee or their duly authorize
I hereby verify, being first duly sworn upon mage and the owner, the spouse of the owner, their behalf, in regards to the water right(s) to contained in this application are true, correct a	or a duly authorized a o which this applicat and complete	agent of the owner(s) to make ion pertains. I further verify t	this application or
Dated at Noor frod	Kansas this	day of Lab	.20 19
Dalet at Title And Section 1	, Naiisas, IIIIs	day of	, 20
Juson Shamburg		(Spouse)	
(Please Print)		(Please Print)	
(r reace r ring)		(Floade Frinty	
(Owner)		(Spouse)	
(Please Print)	<u> </u>	(Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	
State of Kansas County of	Notary Pu	DI WHIPPLE ublic - State of Kansas res 8/15/20	
I hereky certify that the foregoing application of 20			ne this $\frac{5}{}$ day
	· · · · · · · · · · · · · · · · · · ·	Odilo	upplo
My Commission Expires $\frac{8}{15}/20$.		Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. accurate information; maps, if necessary, must be included; si the appropriate fee must be paid.			
	FEE SCHEDULE		
Each application to change the place of use or the poin forth in the schedule below: Make checks payable to: (1) Application to change a point of diversion 3 (2) Application to change a point of diversion r (3) Application to change the place of use	Kansas Department of 300 feet or less more than 300 feet	Agriculture	\$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 82a-	18b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> 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 per be changed as described in the application.
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to cha	thorized place(s) of use shall be located substantially as shown on nge the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	nts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot le 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 . \square Applicable \square 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 ot Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a wor other device suitable for making water level measureme K.A.R. 5-6-13. Applicable Not Applicable	vell with a diversion rate of 100 gallons per minute or more, a tube nts shall be installed, operated and maintained in accordance with
7.	December 31, 20, or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, through 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water ng the end of each calendar year.
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	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the ided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requi	ired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capa	oreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The 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 number limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu	.R. 5-5-14, all of the owners of the authorized place(s) of use of per are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may bended, and/or the suspension or revocation and dismissal of the ons authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
	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
	ineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By:
filed	within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30	By: Duly Authorized Designee of the Chief Engineer
day	s pursuant to K.S.A. 77-531. Any request for administrative	(Print Name):
File	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture ,	
	al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance:
pre	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:
		Signature:Notary Public
		My commission expires:
		My commission expires:(Notary Seal)

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, L	LC
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:

RE: File No 38992

☐ place of use Pi☐ 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

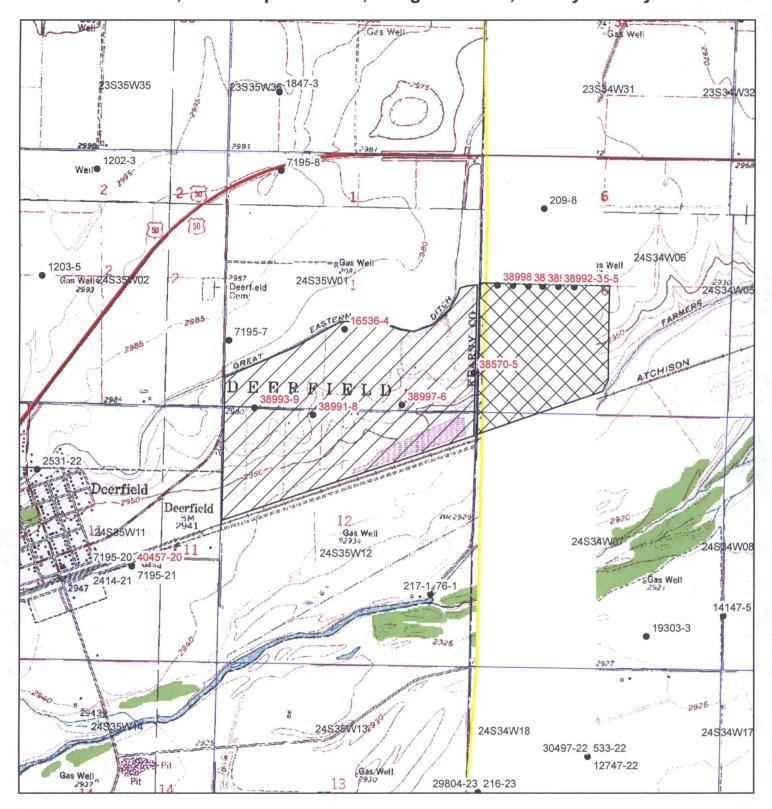
Water Appropriation Program

BAT: DLW3

CHANGE IN PLACE OF USE

WRs: 38990, 38992, 38994, 38995, 38996, 38998

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



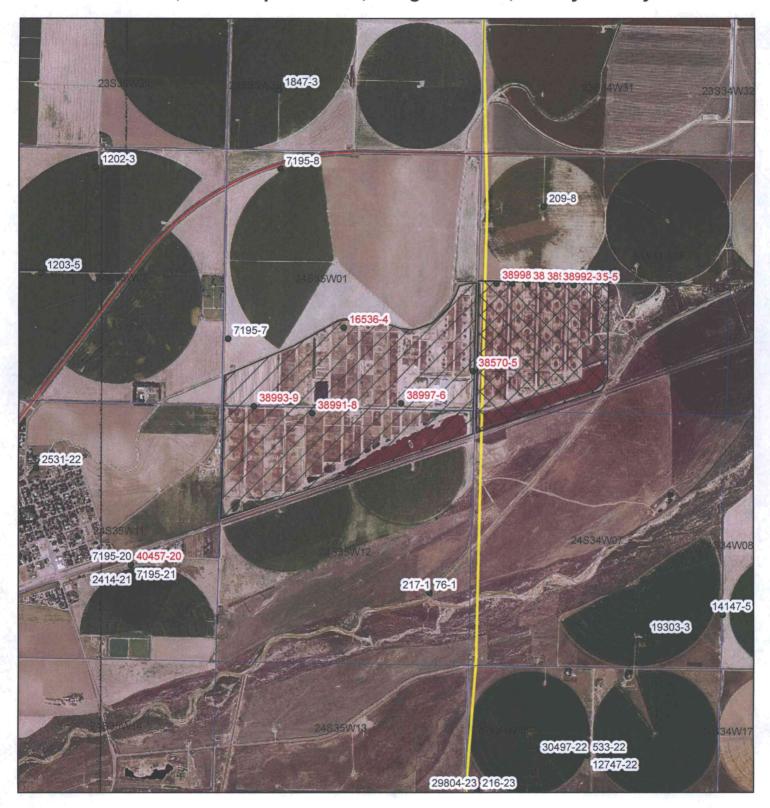
PROPOSED PLACE OF USE



CHANGE IN PLACE OF USE

WRs: 38990, 38992, 38994, 38995, 38996, 38998

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

