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	100 1	feet,	or if pla	ace of	use wi	i t be c Il be ch	omple	t ea. I, inclu	de a to	ppogra	phic m	r appii nap or o	cable detaile	d plat	showin	ig the	author	ized a	nd prop	osed point(s)	
of d	iversio	on ar	nd/or p	lace of	use.												ļ	REC	CEI	/ED	
							F	ile No	. <u>3899</u>	5									315	tem	
1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Company of the Chief Engineer to change the (check one or both):							ld Office														
							⊠ P	lace o	f Use			Point	of Dive	ersion			DIVISI	on of	Water	Resources	
under the water right which is the subject of this application in accordance with the conditions described below.							-														
	The s	sour	ce of su	apply is	s:		⊠ G	round	water			Surfac	ce wat	er							
2.																					
PO BOX 237, DEERFIELD, KS 67838 Phone Number: ()																					
_			umber:							Email	addre	ss:									
3.		•	ently a		-			OVE													
	Owne	er or	Land -			SAIVIE															
	(If the	ere is	more th																		
NE¼ NW¼ SW¼ SE¼									TOTAL												
Se	c. T	Гwр.	Range	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼.	SW1/4	SE¼	NE1⁄4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES	
6		24	34W				,					FEED	LOT	W/IN	SW/4						
																ļ	-	.			
				L			<u>.</u>							L		<u> </u>	<u></u>				
4.	If this	e anr	olicatio	n ie for	a cha	nae in	nlace	of use	it is n	ronose	ed that	the nl:	ace of	use be	e chan	aed to	ı:				
→.																					
	Owner of Land NAME: SAME AS ABOVE ADDRESS:																				
	(If there is more than one landowner, attach supplemental sheets as necessary.)																				
NE¼ NW¼ SW¼ SE¼								TOTAL													
Se	c. T	Гwр.	Range	NE1⁄4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	l		NE1/4	NW1⁄4	SW1/4	SE¼	ACRES	
1		24	35W	· ·	ļ	-						FEED	LOT	W/IN	S/2		<u> </u>				
1	2	24	35W	FEED	LOT	W/IN	N/2										ļ	-			
6	<u> </u>	24	34W							<u> </u>	<u></u>	FEED	LOT	W/IN	SW/4			<u> </u>			
r			,								-										
	For Office Use Only: Code Fee \$ 200 TR # Receipt Date 2 - 11 - 19 Check # 2157																				

File No.

	One in the Quarter of the	Quarter of the Quarter
	of Section, Township	South, Range (E/W),
ł	in County, Kansas, fe	et Northfeet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	Depth of well (feet)
	(DWR use only: Computer ID No GPS	feet North feet West)
	☐This point will not be changed ☐This point will be changed as	follows: No change, point better described with GPS as follows:
ļ		requested or if existing point is better described by GPS)
	One in the Quarter of the	Quarter of the Quarter
	of Section . Township	South, Range (E/W).
	in County, Kansas, fe	et Northfeet West of Southeast corner of section.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)
	This point is: Additional Well Geo Center List other	water rights that will use this point
L	This point is:	Water rights that will use this point.
_ [Presently authorized point of diversion:	/
6.		Overden of the
		Quarter of the Quarter
		South, Range (E/W),
	County, Kansas, fe	et North feet West of Southeast corner of section.
1	Authorized Rate Authorized Quantity	
ı	(DWR use only: Computer ID No. GPS _	
	/	follows: No change, point better described with GPS as follows:
		requested or if existing point is better described by GPS)
	One in the 9/uarter of the	Quarter of the Quarter
	of Section, Township	South, Range (E/W),
ĺ	in County, Kansas, fe	et North feet West of Southeast corner of section.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)
L	This point is: Additional Well Geo Center List other	water rights that will use this point
7.	The changes herein are desired for the following reasons? (please be specific)	300 200 100 North 100 200 300
8.	If a well, is the test hole log attached? Yes No	200 + + + + + = + + + + = 200
9.	The change(s) (was)(will be) completed by?	<u> </u>
		100 - + + = + + = 100
10.	If the point of diversion is a well:	
	(a) What are you going to do with the old well?	West 0
	(b) When will this be done?	100
		F = =
11	Groundwater Management District recommendation attached?	$200 \left[- \left[+ \right] + \left[+ \right] = \left[+ \right] + \left[+ \right] = \frac{1}{200}$
• • •	Yes No	
	,	E. T. T. E. T. T. 3
12.	Assisted by BSC	€
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 downstream and one-half mile upstream from your property lines	South Scale: 1 hashmark=10 ft 13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

5. Presently authorized point of diversion:

14. If t	he proposed groundwater point of diversion is 30	00 or fewer feet fro	m the exi	sting point of diversi	on, complete th	ne following:
(a)	Does the undersigned represent all owners of ☐ Yes ☐ No (If no, all owners m	the currently authoust sign this application	orized pla cation.)	ce(s) of use identified	d in this applica	ation?
(b) Will the ownership interest of any owner of th affected if this application is approved as reque ☐ Yes ☐ No (If yes, all owners n	ested?		e(s) of use identified	l in this applica	ation be adversely
(c)	If this application is not approved expeditiously ☐ Yes ☐ No (If no, all owners m			amage to property, p	ublic health or	safety?
or a ch	pplication proposes a surface water change in po ange in place of use, the application must be sig (attach notarized statement authorizing represent	ned by all owners	groundw of the cu	ater change in point rrently authorized pla	of diversion grace of use, or t	eater than 300 feet heir duly authorize
age a	by verify, being first duly sworn upon my nd the owner, the spouse of the owner, o behalf, in regards to the water right(s) to ined in this application are true, correct a	r a duly author which this app and complete.	zed age dication	nt of the owner(s pertains. I furth) to make thi er verify tha	is application o
Dated	at Deerfield	Kaneae thie	5	day of $\frac{3}{2}$	1	20 19
Dated	at Delitate Co.	, Narisas, triis	<u> </u>	_ day of _	, 0	, 20 <u></u>
	(Owner)		-	(S	pouse)	
	Janus Shambars (Please Print)			(Plea	ase Print)	
	(Owner)			(S	pouse)	<u> </u>
	(Please Print)			(Plea	ase Print)	
	(Owner)			(S	pouse)	
	(Please Print)			WHIPPLE	ase Print)	
State of County	of Kansas ss	My A		ic - State of Kansas		
-	certify that the foregoing application	was signed in I	ny prese	ence and sworn to	before me	this <u>5</u> day
	1 /	_		Idi	We	ipple
Му Со	mmission Expires $8/15/20$.			() Notar	y Public	11
accurat	COMPLETE APPLICATIONS WILL BE PROCESSED. e information; maps, if necessary, must be included; signopriate fee must be paid.	To be complete, all gnatures of all the a	of the appl opropriate	icable portions of the a owners' must be affixed	pplication form n I to the application	nust be completed wi on and notarized; and
		FEE SCHEDL		e i III	and the three	
Each a forth in	application to change the place of use or the point the schedule below: Make checks payable to: (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use	Kansas Departm 300 feet or less nore than 300 fee	ent of Ag	riculture 		\$100 \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	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 ondiversion authorized under the above-referenced file num	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 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 located within a foot						
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 a. ☐ 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 ot 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	vell with a diversion rate of 100 gallons per minute or more, a tube ents 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 watering the end of each calendar year.						
8.	Installation of the works for diversion of water shall be completed on or before December 31, 20, or within any authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable							
9.	The completed well log shall be submitted with the requ	ired notice. ☐ Applicable ☐ Not Applicable						
10.	with an in-line, automatic, quick-closing check valve capa	foreign 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	A.R. 5-5-14, all of the owners of the authorized place(s) of use of oper are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may nended, and/or the suspension or revocation and dismissal of the ons authorized by law.						
4	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY						
lf ve	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						
Agr	lineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By:						
filed	I 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):						
revi File	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture ,							
Leg	al Ďivision, 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. For Use by Register of Deeds	State of Kansas) SS County of)						
	, , , , , , , , , , , , , , , , , , , ,							
		Acknowledged before me on						
		by						
		Signature:Notary Public						
		•						
		My commission expires:(Notary Seal)						
		(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, LLC	- March 19, 2019
PO BOX 237	
DEERFIELD, KS 67838	
,	RE: File No 38995
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 F☐ 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



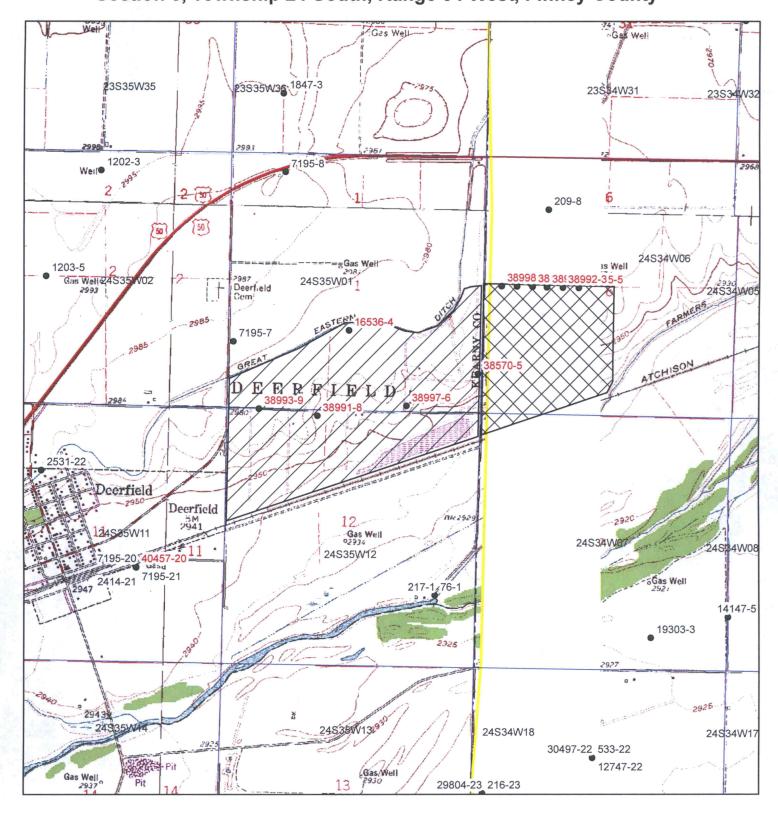
PROPOSED PLACE OF USE



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

