### **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)

of diversion and/or place of use. RECEIVED 1:04 PM File No. 44631 MAR **26** 2019 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office. X ☐ Place of Use ☐ Point of Diversion DIVISION OF WATER RESOURCES under the water right which is the subject of this application in accordance with the conditions described below. The source of supply is: x Groundwater ☐ Surface water Name and address of Applicant: Grant Witcher 2213 Buckner Dr., Manhattan, KS 66503 Water Resources Phone Number: (785)565-3188 Email address: gwitch2@gmail.com Received Name and address of Water Use Correspondent: SAME <del>APR 01</del> 2019 Phone Number: ( Email address: The presently authorized place of use is: KS Dept Of Agriculture Owner of Land --- NAME: Douglas F & Renell M Bell ADDRESS: 1 Ford Drive, Colby, KS 67701 (If there is more than one landowner, attach supplemental sheets as necessary.) NF1/ SW1/4 TOTAL ACRES NW% SW% SE% NE% NW% SW% SE¼ NE% NWW SWW SEW NE% NW¼ SW1/4 SE% NE% 30.0 30.0 30.0 30.0 30.0 30.0 240.0 33s 42w 4. If this application is for a change in place of use, it is proposed that the place of use be changed to: Owner of Land --- NAME: Douglas F & Renell M Bell ADDRESS: 1 Ford Drive, Colby, KS 67701 (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL **ACRES** NW% SW% SE% NW% SW% SE1/4 SW1/4 NW1/4 SW1/4 NE% NW1/4 NE% SE% 30.0 30.0 30.0 30.0 30.0 30.0 30.0 30.0 240:0

TO4 GW03

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

G-IRR MT Page 1

For Office Use Only: Code COL) Fee \$ 200.00 TR#\_\_\_\_

File No. 44631

Receipt Date 3-76-19 Check# 1016

5. [	Presently author	zed poin	t of diversion:							
	One in the	SE	Quarter of the		SE _	Qu	arter of the	SE		Quarter
1	of Section	29	, Township	3	33	So	uth. Range	42		w.
	in MORTON		County, Kansas, 102	fee	t North	398	feet West	of Southeast	comer of	section
	Authorized Rate	730GP	M Authorized Quantity	v 1	72AF**	Dept	h of well		(feet)	
- 1	(DWR use only:	Compute	r ID No G	PS		feet	North	fe	et West)	
- 1	X☐This point will n	ot be chan	ged This point will be cha	anged as	follows:	☐ No ch	ange, point be	tter described	with GPS	s follows:
			on: (Complete only if cha							
ı	of Section		Quarter of the , Township			So	uth, Range			(EW).
- 1	in		County, Kansas,	fee	t North	·	feet West	of Southeast	corner of	section.
- [			Proposed Quantity							
ı			Well Geo Center List							
_							··			
6.	Presently author	ized poin	t of diversion:							
`			Quarter of the		,	Qu	arter of the		•	Quarter
	of Section		, Township			So	uth, Range			w,
- 1	in		County, Kansas,	fee	t North		feet West	of Southeast	comer of	section.
			Authorized Quantity							
- 1	(DWR use only:	Compute	r ID No G	PS_		feet	North	fe	et West)	
ı			ged This point will be cha							
- 1	Proposed point of	of diversi	on: (Complete only if cha	nge is	requeste	d or if e	cisting point	is better de	scribed t	y GPS)
ŀ			Quarter of the							
			, Township							
- 1	in		County, Kansas,	fee	t North		feet West	of Southeast	comer of	section.
1	Proposed Rate	_	Proposed Quantity			Prop	osed well de	oth (feet)		
ı			Well  Geo Center List							
7.			sired for the following reaso complete PU overlap		300 E	200	100 1111111111111111111111111111111111	orth 0 100	200	300 Tg
8.	If a well, is the test	hole log a	ttached?  Yes No		200	. <u> </u>	1 + 1 -	= - =   +	+ 1-	200
9.	The change(s) (wa	s)(will be)	completed by?		E	_	_	<u> </u>	_	4
	_		<b>,</b>		100 E		141.	<u> </u>	<u> </u>	<u></u>
	As soon as approv	<u> </u>		<del></del>	100 E	' '	, L ,	≣ ''''	' '	3
10.	If the point of diver	sion is a w	ell:		E	_	_	<u> </u>	_	1
	(a) What are you	going to d	o with the old well?		West 0	<del>ս</del> փավո	որավավա	🐞 uduuluul	000 000 0 <del>1</del>	+멸 O East
					E		_	<u>-</u> -		4
		·		_	100	-1 +	1 + 1 -	<u> </u>	+ 1-	<b>∄</b> 100
	(b) When will this	be done?		_	100 E	' '	' ', '	≣ ' ' '	, '	3
					Ē			- - - - - - - - -	_	<u> </u>
11.			istrict recommendation attac	hed?	200	-   +	1 + 1	ᆕᆝᆂᆝ	+ 1-	- 클 200
	□ Y	es 🗌 N	lo		Ē		_	<del>-</del> -	_	4
10	Assisted by GMD3	/ II NI			· 6	սասաև	ահավասհա	<u> ∄սահատհատ</u>	ասևամա	퍱
12.	Assisted by GMD3	JULIN		_	300	200	100 Se	0 100 outh <i>Scale:</i>	200 1 hashmark=10	300 ft
13a	feet but within 2,64 a topographic ma sources, show all v of the proposed po addresses of the names and addresses	O feet of the portion of the portion of the policy of the	sion will be relocated more that the existing point of diversion, all photograph. For ground ding domestic) within one-halersion and the names and nor surface water sources, she the landowner(s) one-hale upstream from your properties.	attach dwater alf mile nailing ow the f mile	of th diagr diver <b>abo</b> v	e existing am shov sion. (Pi re repre rsion.)	point of diverged point of div	rsion will be reversion, indication to E: The "X" in presently a	located <u>wil</u> te its loca the existi n center uthorized	thin 300 feet tion on the ng point of of diagram point of
DW	/R 1-121 (Revised 04/5	5/2018)		Page	2	A DD	01 2019		File No	14631
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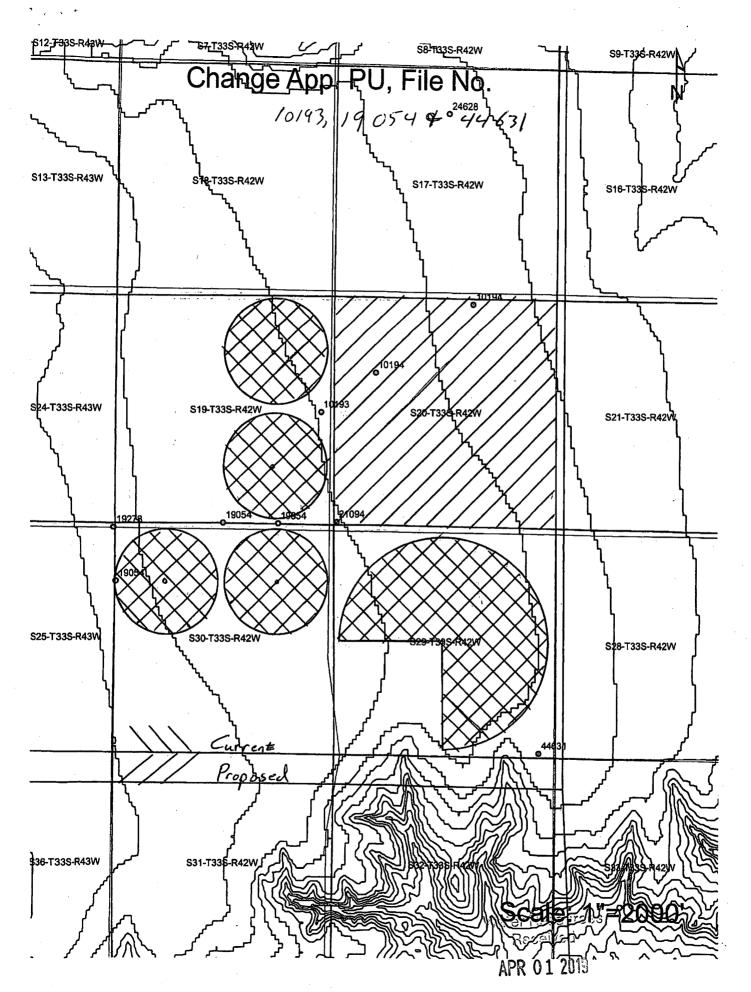
## APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 44631 MAKE ADDITIONAL COPIES AS NECESSARY

		,	ADDK	ESS:	1120 N	/luncy	Ave., I	Elkhar	i, KS 6	1930										
				NE	1/4			NV	V.%			sv	11/4			SE			TOTAL	
ec.	Twp.	Range	NE%	NW¼	SW14	SE¼	NE1/4	NW1/4	SW1/4	SE¼	NE%	NW%	SW1/4	SE¼.	NE%	NW1/4	SW1/4	SE¼	ACRES	
9	33s	42w.	10.0	35.0	40.0	35.0									35.0	40.0	35.0	10.0	240.0	
0	33s	42w					30.0	30.0	30.0	30.0			-						120.0	
O	wner o	f Land	NA ADDRI	ME: ESS:	Virgini 609 M	a Rena ustano	a Witch Trail,	ner ET Elkha	AL rt, KS (	37950								·		
				NE	Ξ¼			NV	V14			sv	V¼			SE½.			TOTAL	
ec.	Twp.	Range	NE%	NW%	ŚW¼	SE%	NE¼	NW14	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE%	NE¾	ŃŴŹ	SW1/4	SE¼	ACRE	
9	.33s	42w					35.0	10.0	35.0	40.0									120.0	
0	wner o	f Land	NA ADDRI																	
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ec.	Twp.	Range	NE%	NW%	SW1/4	SE¼	NE1/4	NW%	SW1/4	SE¼	NE%	NW%	SW1/4	SE¼	NE%	ŇW¼	SW1/4	SE¼	ACRE	
		3																		
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		ed: If th	N/	AME:	Anita (	C Witc	her	8	3.		Gra	nt A W	/itcher					:		
		f Land		AME: ESS:	Anita ( 1120 I	C Witc	her	Elkhar	t, KS 6		Gra	nt A W 3 Buck	itcher ner Dr			, KS 6	6503			
0	wner o	f Land	ADDR	AME: ESS: NI	Anita ( 1120 I	C Witc Muncy	her Ave.,	Elkhar N\	₹ t, KS ( w¼	7950	<u>Gra</u> 221	nt A W 3 Buck sv	/itcher ner Dr	., Man	hattan	, KS 6	6503 E%			
ec.	wner o	f Land Range	ADDR	AME: ESS: N	Anita ( 1120 I	C Witc Muncy SE%	Ave.,	Elkhar NV:4	t, KS 6	7950 SE%	Gra 221: NE%	nt A W 3 Buck S\ NW%	ner Dr	., Man	hattan	, KS 6	6503 E¼	SE¼	ACRE	
ec.	wner o	f Land	ADDR	AME: ESS: NI	Anita ( 1120 I	C Witc Muncy SE%	her Ave.,	Elkhar N\	₹ t, KS ( w¼	7950	<u>Gra</u> 221	nt A W 3 Buck sv	/itcher ner Dr	., Man	hattan	, KS 6	6503 E%		ACRE	
ec.	wner o	f Land Range	ADDR	AME: ESS: N	Anita ( 1120 I	C Witc Muncy SE%	Ave.,	Elkhar NV:4	t, KS 6	7950 SE%	Gra 221: NE%	nt A W 3 Buck S\ NW%	ner Dr	., Man	hattan	, KS 6	6503 E¼	SE¼	ACRE	
ec.	wner o	f Land Range	ADDR	AME: ESS: N	Anita ( 1120 I	C Witc Muncy SE%	Ave.,	Elkhar NV:4	t, KS 6	7950 SE%	Gra 221: NE%	nt A W 3 Buck S\ NW%	ner Dr	., Man	hattan	, KS 6	6503 E¼	SE¼	ACRE	
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O ec.	Twp.	Range 42w	ADDR	AME: ESS: NW1/4 40.0	Anita (1120 I) E% SW% 40.0	SE% 40.0	her Ave., NE½ 40.0	NW1/4	R t, KS 6 N% SW% 40.0	SE% 40.0	Gra 221: NE%	nt A W 3 Buck S\ NW%	ner Dr	., Man	hattan	, KS 6 SI NW¼ 40.0	6503 E¼ SW¼ 40.0	SE¼	ACRE	
O ec.	Twp.	Range 42w	ADDR NE% 40:0	NWW 40.0  AME: ESS:	Anita (1120 I SW/4 40.0)  Anita (1120 I SW/4 40.0)	SE¼ 40.0	her Ave., NE¼ 40.0	Elkhar	t, KS 6	SE% 40.0	Gra 221.	SI AWA 40.0	vitcher ner Dr vi swi 40.0	SE% 40.0	NE% 40.0	, KS 6 SI NW¼ 40.0	6503 E% SW% 40.0	SE¼ 40.0	640.	
O ecc.	Twp. 33s	Range 42w Range	ADDR NE% 40:0	AME: ESS: NW1/4 40.0  AME: ESS: N	Anita (1120 I SW% 40.0)  Anita (1120 I 1120 I 1120 I SW%	SE½ 40.0  C Witc Muncy	her Ave., NE½ 40.0	Elkhar	t, KS 6	SE% 40.0	Gra 221: NE%	SI AWA 40.0	Vitcher ner Dr Vix SW/x 40:0	SE% 40.0	NE%	, KS 6 SI NW½ 40.0	6503 E¼ SW¼ 40.0	SE½ 40.0	640.	
O	Twp	Range 42w Range 42w	ADDR NE% 40:0	AME: ESS: NW1/4 40.0  AME: ESS: N	Anita (1120 I SW/4 40.0)  Anita (1120 I SW/4 40.0)	SE½ 40.0  C Witc Muncy	her Ave., Ave., 40.0	Elkhar	t, KS 6  // 40.0  t, KS 6  // 40.0	SE% 40.0	Gra 221.	SI AWA 40.0	vitcher ner Dr vi swi 40.0	SE% 40.0	NE% 40.0	, KS 6 SI NW¼ 40.0	6503 E% SW% 40.0	SE½ 40.0	640.  TOT/ACRE 240.	
O Sec. 20	Twp. 33s	Range 42w Range	ADDR NE% 40:0	AME: ESS: NW1/4 40.0  AME: ESS: N	Anita (1120 I SW% 40.0)  Anita (1120 I 1120 I 1120 I SW%	SE½ 40.0  C Witc Muncy	her Ave., NE¼ 40.0	Elkhar	t, KS 6	SE% 40.0	Gra 221.	SI AWA 40.0	vitcher ner Dr vi swi 40.0	SE% 40.0	NE%	, KS 6 SI NW½ 40.0	6503 E¼ SW¼ 40.0	SE½ 40.0	101A ACRE 240.	
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O O O O O O O O O O O O O O O O O O O	Twp33s	Range 42w 42w 42w	ADDR  NE½ 40:0  NE½ 10.0  ADDR	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35.0 AME: ESS:	Anita (1120 I)  SWW 40.0  Anita (1120 I)  E%  SWW 40.0  Virgini 609 M	SE½ 40.0  C Witc Muncy SE½ 35.0	her Ave her Ave  NE½ 30.0	Elkhar  NW½  40.0  Elkhar  NW½  30.0  her Elkhar	t, KS (	SE½ 40.0 37950 SE½ 30.0	Gra 221:	SI NW%	Vitcher ner Dr Viv SWiv 40:0	SE% 40.0	NE%	SI NW¼ 40.0	6503  E%  SW%  40.0  E%  SW%  35.0	SE½ 40.0 SE½ 10.0	TOTA ACRE 640.1 TOTA ACRE 240. 120.	
O Sec. 20 C Sec. 29 30 C	Twp. 33s Wner c	Range 42w f Land Range 42w 42w	ADDR  NE½ 40:0  NE½ 10.0  ADDR	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35:0	Anita (1120 I)  SWW 40.0  Anita (1120 I)  E%  SWW 40.0  Virgini 609 M	SE½ 40.0  C Witce Muncy  SE½ 35.0  a Ren Justano	her Ave.,  NE½ 40.0  her Ave.,  NE½ 30.0  a Witc Trail,	Elkhar  NW½  40.0  Elkhar  NW½  40.0  And	t, KS (	SE¼ 40.0 SE½ 30.0 SE½	NE½   40:0   NE½	SI NW%	Vitcher ner Dr Viv SWiv 40:0	SE½ 40.0	NE% 40.0	SI NW¼ 40.0	6503  E%  SW%  40.0  E%  SW%  35.0	SE½ 40.0 SE½ 10.0	TOTA ACRE 240. 120.	
O Sec. 29 30 C	Twp	Range 42w 42w 42w 42w 42w A2w A2w A2w A2w A2w A2w A2w	ADDR  NE½ 40:0  NE½ 10.0  ADDR	AME: ESS: NW¼ 40.0 AME: ESS: NW¼ 35:0	Anita (1120 I)  SWW 40.0  Anita (1120 I)  E%  SWW 40.0  Virgini 609 M	SE½ 40.0  C Witce Muncy  SE½ 35.0  a Ren Justano	her Ave  her Ave  NE½  40.0  NE½  30.0  a Witc Trail, NE½	Elkhar  NW:40.0  Elkhar  NW:4  30.0  her Elkhar  NW:4	t, KS 6    SW   40.0    t, KS 6    W   30.0    AL   rt, KS   W   SW   SW   SW   SW   SW   SW	SE½ 40.0 67950 SE½ 30.0	NE½   40:0   NE½	SI NW%	Vitcher ner Dr Viv SWiv 40:0	SE½ 40.0	NE% 40.0	SI NW¼ 40.0	6503  E%  SW%  40.0  E%  SW%  35.0	SE½ 40.0 SE½ 10.0	### ACRE	

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

<u> </u>	wner o		ADDR	ESS:	BOX 42	.70, 3	arite r	<u> </u>												
				N	E¼			NV	٧%			SV	V¼			SE	1/4	TOTAL		
ec.	Twp.	Range	NE%	NW%	SW¼	SE%	NE¼	NW¼	SW1/4	SE¼	NE%	NW%	SW¼	SE¼	NE¼	NW%	SW1/4	SE¼	ACRES	
30	33s	42w	30.0	30.0	30.0	30.0													120.0	
BC.	Twp.	Range	NE%	NW%  AME:	5W% SW%		NE¼	NW%	SW%	SE¼	NE½	NW%	N'2	SE%	NE%	NW%	SW%	SE%	TOTAL ACRES	
								-												
		od: If the	N		Donal	d B & A	Alice W	/itcher	Rev T	rust	ropose	ed that	the pla	ace of	use be	chang	ged to			
		f Land -	N	AME: ESS:	Donal	d B & A	Alice W	/itcher e, NM,	Rev T	rust	ropose		the pla	ace of	use be		ged to		TOTAL	
_		f Land -	N	AME: ESS: NI	Donal Box 42	d B & / 278, Sa	Alice W	/itcher e, NM,	Rev 1 87502	rust 2		SI			use be	SI			TOTAL ACRES	
O ec.	wuer o	f Land	ADDR	AME: ESS: NI	Donal Box 42 E¼ sw¼	d B & / 278, Sa SE%	Alice Wante F	/itcher e, NM,	Rev 1 87502	rust 2		SI	N¼			SI	Ξ¼		ACRES	
O sc.	wner o	f Land -	ADDR	AME: ESS: NI	Donal Box 42 E¼ sw¼	d B & / 278, Sa SE%	Alice Wante F	/itcher e, NM,	Rev 1 87502	rust 2		SI	N¼			SI	Ξ¼		ACRES	
ec.	Twp.	Range 42w	NE%	AME: ESS: NI NW% 30.0	Donal Box 42 E¼ sw¼	d B & / 278, Sa SE%	Alice Wante F	/itcher e, NM,	Rev 1 87502	rust 2		SI	N¼			SI	Ξ¼			
ec.	Twp.	Range 42w	NE% 30.0	AME: ESS: NI NW¼ 30.0  AME: ESS:	Donal Box 42 E¼ sw¼	d B & / 278, Sa SE%	Alice Wante F	Vitcher e, NM, NW%	Rev 1 87502	rust 2		SN NW¼	N¼			SI NW%	Ξ¼		120.0	
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ec. 30	Twp. 33s wner o	Range 42w	NE% 30.0	AME: ESS: NI NW/A 30.0  AME: ESS:	Donald Box 42 SW% 30.0	SE% 30.0	Alice Wante Fo	Vitcher e, NM, NW%	Rev 1 87502 V¼ SW¼	SE%	NE½	SI NW¼	N¼ SW¼	SE%	NE½	SI NW½	E% SW%	SE¼	120.0	
ec.	Twp. 33s wner o	Range 42w	NE% 30.0	AME: ESS: NI NW/A 30.0  AME: ESS:	Donald Box 42 SW% 30.0	SE% 30.0	Alice Wante Fo	Vitcher e, NM, NW%	Rev 1 87502 V¼ SW¼	SE%	NE½	SI NW¼	N¼ SW¼	SE%	NE½	SI NW½	E% SW%	SE¼	120.0	
ec.	Twp. 33s wner o	Range 42w	NE% 30.0	AME: ESS: NI NW/A 30.0  AME: ESS:	Donald Box 42 SW% 30.0	SE% 30.0	Alice Wante Fo	Vitcher e, NM, NW%	Rev 1 87502 V¼ SW¼	SE%	NE½	SI NW¼	N¼ SW¼	SE%	NE½	SI NW½	E% SW%	SE¼	120.0	
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O O	Twp. 33s wner o	Range 42w f Land	NE½ 30.0  ADDR  NE½ ADDR	AME: ESS: NW% 30.0  AME: ESS: NW% AME: ESS:	Donal-Box 42  E¼  SW¼  30.0	SE% SE%	NE%	Vitcher e, NM, NW%	Rev 1 87502 N/4 SW/4 SW/4	SE%	NE½	SI NW¼	WWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWW	SE%	NE½	SI NW½	E% SW%	SE¼	TOTAL	
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O O	Twp. 33s wner o	Range 42w f Land	NE½ 30.0  NE½ ADDR	AME: ESS:  NW% 30.0  AME: ESS:  NW%  AME: ESS:	Donal Box 42 SW% 30.0	SE%	NE%	Vitchere, NM,	Rev 1 87502 N/4 SW/4 SW/4	SE%	NE%	SI NW%	WWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWWW	SE½	NE½	SI NW%	E% SW% SW% SW%	SE¼	120.0	
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APR 01 2019



14. If the proposed groundwater point of diversion is 300 or fewer	r feet from the existing point of diversion, complete the following:
<ul><li>(a) Does the undersigned represent all owners of the curren</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners must sign the</li></ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign the currently of the currently affected in the currently affected in the currently of the currently affected in the currently of the currently affected in the currently of the currently affected in the currently affected in</li></ul>	
(c) If this application is not approved expeditiously, will there ☐ Yes ☐ No (If no, all owners must sign the	
	ersion, a groundwater change in point of diversion greater than 300 feet owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly their behalf, in regards to the water right(s) to which t	affirmation and under penalty of perjury, that I am of lawful authorized agent of the owner(s) to make this application on his application pertains. I further verify that the statements
contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in this application are true, correct and composite of the contained in t	ås, this
Donald B. Witchel and Al	ico L. Witcher Revocable trust
(Owner)  (Donald B. Witcherttee  (Please Print)	(Spouse)  Alice L. Witchert 4 E.E. (Please Print)
( DONALD B. WITCHESTTE (Please Print) Donald B. Witches TTEE	alice L. Witcher TTEE
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State of Kansas  County of SS	TAMMY NEWMAN  Notary Public - State of Kansas  My Appt. Expires (0-27-20-2)
I hereby certify that the foregoing application was sign of	ed in my presence and sworn to before me this 35 day
My Commission Expires (4.27-302)	Jan J. Hurre Notary Public
1000 Sec. 32 (2013)	plete, all of the applicable portions of the application form must be completed wit
	all the appropriate owners' must be affixed to the application and notarized; and
The state of the s	SCHEDULE
forth in the schedule below: Make checks payable to: <b>Kansas D</b> (1) Application to change a point of diversion 300 feet or (2) Application to change a point of diversion more than	less
	\$200 Water Resources
en de la recentación de la composition	Received

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.)
<ul> <li>(b) Will the ownership interest of any owner of the currently affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign the currently affected if this application is approved as requested?</li> </ul>	
(c) If this application is not approved expeditiously, will there ☐ Yes ☐ No (If no, all owners must sign this	s application.)
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	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
Dated at, Kansa	s, this day of, 20
anto Witcher	TA COMBANA NA BARTA A BARTAN BOTTO NO PARA NA PERIODE DE SA PARA NA NASARAN DE PARA MARIA A PARA MARIA MARI NASARAN MARIA
(Owner)	(Spouse)
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(Owner)	(Spouse)
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Grant A. Withor	(Place Driet)
(Please Print)	(Please Print)  TAMMY NEWMAN
County of Deep ss	Notary Public - State of Kansas  My Appt. Expires 10 - 27 - 30 3
I hereby certify that the foregoing application was signed of 1,2000 and 1,2000 application was signed to the foregoing application ap	d in my presence and sworn to before me this $\frac{35}{4}$ day
The American State of	Janual- Haw ma
My Commission Expires <u>U27-202</u>	Notary Public
accurate information; maps, if necessary, must be included; signatures of a	lete, all of the applicable portions of the application form must be completed with all the appropriate owners' must be affixed to the application and notarized; and
the appropriate fee must be paid.	CHEDULE
	on under this section shall be accompanied by the application fee set partment of Agriculture ess
	\$200
n de la companya del companya de la companya del companya de la co	Water Resources Received
	APR 01 2019

File No. <u>/0/93</u>

14. If the proposed groundwater point of diversion is 300 or lewer feet from the	e existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently authorize ☐ Yes ☐ No (If no, all owners must sign this application	
(b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign this application)	
(c) If this application is not approved expeditiously, will there be substan ☐ Yes ☐ No (If no, all owners must sign this application	
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or a change in place of use, the application must be signed by all owners of the agent (attach notarized statement authorizing representation).	e correllity administred place of use, or men quity authorize
I hereby verify, being first duly sworn upon my oath or affirmatio age and the owner, the spouse of the owner, or a duly authorized	
their behalf, in regards to the water right(s) to which this application are true, correct and complete.	
Dated at Colley , Kansas, this	3 day of March, 2019.
La FAID CONTRACTOR OF THE STREET	Renew Bell
(Owner)	Roboll M Roll
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(Please Print)	(Please Print)
(Owner)	(Spouse) V/ater Resources
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State of Kansas	APR 01 2019
County of	KS Dept Of Agriculture
of <u>March</u> , 2019.	n noderlik er kredi varge erdind rekoner i mellik filk. Og kredi har i folklik i noderlik sektiralik sig fil
	hereng Dementon
My Commission Expires 05-26-2022.	rectary agreement to the property of the design of the property of the second of the property of the second of the property of the second of t
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	
FEE SCHEDULE	
Each application to change the place of use or the point of diversion under thi forth in the schedule below: Make checks payable to: <b>Kansas Department</b> (1) Application to change a point of diversion 300 feet or less	of Agriculture
(1) Application to change a point of diversion soo leet of less	
(3) Application to change the place of use	SHIRLEY I. BREWEINGAWII
	STATE OF KANSAS  STATE OF KANSAS  My Appt. Exp 65-26-26-26

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

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. 

Applicable 

Not Applicable 2. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_\_ foot radius of the authorized point(s) of diversion. 

Applicable 

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. 

Applicable 
Not Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. 

Applicable 
Not Applicable feet from the previously As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. 

Applicable 

Not Applicable 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 \_\_\_\_, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.

Applicable Not Applicable 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 The completed well log shall be submitted with the required notice. ☐ Applicable ☐ Not Applicable 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable 11. Additional Conditions are attached. ☐ Yes ☐ No 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the Kansas Water Appropriation Law and the Rules and Regulations promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for **SUMMARY ORDER ISSUED** By: Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: \_ 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. ) SS For Use by Register of Deeds County of \_ Acknowledged before me on \_\_\_\_ by **Notary Public** My commission expires: \_ (Notary Seal) Water Resources File No. 44631 Page 4 DWR 1-121 (Revised 04/5/2018) Received

APR 01 2019

## Kansas Department of Agriculture / Division of Water Resources <u>Garden City</u> Field Office

RE
Enclosed are the following checked items:  AFIRFullPartial Inspection Return to Field Office Proposed Certificate to deliver to Certificate Unit  A Compliance Check Inspection on Meter Install New App Chg App Other In Compliance Not in Compliance, why Modify Point of Diversion No Yes, document attached Indicate all overlapping p/d files An application and judgment sheet with recommendation.  A request for an extension of time to perfect or complete.  A request for an extension of time to perfect or complete.  A closure request.  A field investigation report.  Notice of Non-Compliance An ownership change (name(s) and address(es) below).
Enclosed are the following checked items:  AFIRFullPartial Inspection Return to Field Office Proposed Certificate to deliver to Certificate Unit  A Compliance Check Inspection on Meter Install New App Chg App Other In Compliance Not in Compliance, why Modify Point of Diversion No Yes, document attached Indicate all overlapping p/d files An application and judgment sheet with recommendation.  A request for an extension of time to perfect or complete.  A request for an extension of time to perfect or complete.  A closure request.  A field investigation report.  Notice of Non-Compliance An ownership change (name(s) and address(es) below).
☐ Proposed Certificate to deliver to Certificate Unit   ☐ A Compliance Check Inspection on   ☐ Meter Install ☐ New App ☐ Chg App ☐ Other   ☐ In Compliance ☐ Not in Compliance, why   Modify Point of Diversion ☐ No ☐ Yes, document attached   Indicate all overlapping p/d files      An application and judgment sheet with recommendation.   Water Resources
Meter Install New App Chg App Other   In Compliance Not in Compliance, why   Modify Point of Diversion No Yes, document attached   Indicate all overlapping p/d files    An application and judgment sheet with recommendation.  Water Resources Received  A memorandum dated A request for an extension of time to perfect or complete.  A verified report. A closure request.  A closure request.  A field investigation report. Notice of Non-Compliance An ownership change (name(s) and address(es) below).
A memorandum dated
<ul> <li>☐ A request for an extension of time to perfect or complete.</li> <li>☐ A verified report.</li> <li>☐ A closure request.</li> <li>☐ A field investigation report.</li> <li>☐ Notice of Non-Compliance</li> <li>☐ An ownership change (name(s) and address(es) below).</li> </ul>
A closure request.  A field investigation report.  Notice of Non-Compliance  An ownership change (name(s) and address(es) below).
☐ Notice of Non-Compliance ☐ An ownership change (name(s) and address(es) below).
An ownership change (name(s) and address(es) below).
A water use report for
A letter dated
☐ A copy of an <u>Approval</u> to Change the ☐ place of use and/or ☐ point of diversion, ☐ Filing Fee attached.
An Advanced <b>copy</b> of a change application and the filing fee, to be processed at the field office.
An original field office change <u>application</u> and the filing fee needing headquarters office review and further processing.
Other: News regular processing, Field office MOVE
dent want to get lost In Mix.
Water Commissioner Date



### 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

Thank you. Grant Witcher

Water Resources Received

APR 01 2019

KS Dept Of Agriculture

785-565-3188 quitch2 Egmail.com

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



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

Mike Beam, Interim Secretary

Laura Kelly, Governor

GRANT WITCHER
2213 BUCKNER DR
MANHATTAN, KS 66503

April 4, 2019

RE: File No 44631

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