Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: WH 003-E	12	tatus Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved	☐ Denied by	DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 10/5/2020
8a. Applicant(s) New to system THOMAS A RID 411 E COUNTY LEOTI, KS 6786	DER ROAD U	erson ID 51654 dd Seq#	40084		Person ID 16785 Add Seq#
8b. Landowner(s) New to system FAIRCHILD FAIR 10625 W FARM REPBULIC, MO	AMS KS LLC ROAD 188	erson ID 67352 dd Seq#	8d. WUC New to sy	rstem □	Person ID Add Seq#
9. Documents and Enclosu	ure(s): 🛛 DWR M				o Comply:
☐ Conservation Plan	Date Required: _	Da	ate Approved:	Date t	to Comply:
10. Use Made of Water	From:		To:		
	100 TORKE	31.788.33		Date Prepared: 10/7 Date Entered:	//2020 Ву: АМ Ву:

File No. WI	H-00	3-D2	11. Cou	nty: Wh	1	Ва	sin: W	HITE	NOMA	N CR	EEK		St	tream:							Fo	ormation (Code: 21	Special Use:	
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				45								\- -				-3									
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Limitation	n:		af	/yr at _					gpm (_				cfs) wh	nen co	mbine	d with	file n	umber(s)						
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FOR FILE NOS. WH-003-D1; WH 003-D2; 7190-D2 & 7190-D3

Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

October 7, 2020

THOMAS A RIDDER 411 E COUNTY ROAD U LEOTI, KS 67861-6104

RE:

Vested Right, File Nos. WH-003-D1, WH-003-D2 and

Water Right, File Nos. 7190-D2, 7190-D3

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and/or installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely.

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc: Fairchild Farms KS LLC

Paula Smith

GROUNDWATER MANAGEMENT DISTRICT NO. 1

CERTIFICATE OF SERVICE

On this 7th day of October, 2020, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Vested Right, File Nos. WH-003-D1, WH-003-D2 and Water Right, File Nos. 7,190-D2, 7,190-D3 dated 7th day of October, 2020 was mailed postage prepaid, first class, US mail to the following:

THOMAS A RIDDER 411 E COUNTY ROAD U LEOTI, KS 67861-6104

Pc:

PAULA K SMITH 40084 VIA MARISA MURRIETA, CA 92562

FAIRCHILD FARMS KS LLC 10625 W FARM ROAD 188 REPBULIC, MO 65738

GROUNDWATER MANAGEMENT DISTRICT NO. 1

Division of Water Resources Staff

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.

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ı	under th	e water	right v	hich is	s the s	ubject	of this	applic	cation i	in acco	ordanc	e with	the co	ndition	s desc	ribed	below.		
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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. WH3 D2
MAKE ADDITIONAL COPIES AS NECESSARY

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5.	Presently authorized point of di	iversion:			1 = 1 , w 111		
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	in Coun						
. v/h	Authorized Rate						
	(DWR use only: Computer ID N						
	☐This point will not be changed ☐						ollows:
	Proposed point of diversion: (C						
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	of Section Coun	tv. Kansas. f	eet North	feet W	est of Southe	ast corner of s	ection.
	Proposed Rate	Proposed Quantity	_	Proposed well	depth (feet)		
	This point is: Additional Well						
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	Authorized Rate						Ty FL OAT
	(DWR use only: Computer ID N	o. GPS		feet North		feet West)	25
	☐This point will not be changed ☐	This point will be changed a	as follows:	No change, point b	etter describe	d with GPS as fo	llows:
1	Proposed point of diversion: (C						
	One in the						
	of Section	Township		South, Ranc	ie	Language 1	(E/W).
	in Coun						
	Proposed Rate						
	This point is: Additional Well						
9.	If a well, is the test hole log attached The change(s) (was)(will be) completely If the point of diversion is a well:	d? Yes No	200	 - + + - + +		+ -	200 100
	(a) What are you going to do with the	ne old well?	West 0	+1 000 000 000	m 🛣 m [m] n	nlun mlu n]	0 East
			E		<u> </u>	_ =	
	and the state of t		100	-1 + 1 + 1	= 1 +	1 + 1=	100
	(b) When will this be done?		E				dayar.
			- E	Selferale lexit or	=		an elektroni
11.	Groundwater Management District re	commendation attached?	200	-1 + 1 + 1	宣十十	1 + 1-	200
12.	Assisted by AT/GCFO	1	300	200 100	0 100	200 30	00
13a	a. If the proposed point of diversion will feet but within 2,640 feet of the existi a topographic map or aerial photo sources, show all wells (including do of the proposed point of diversion a addresses of the owners. For surfact names and addresses of the la downstream and one-half mile upstines	ng point of diversion, attach ograph. For groundwate mestic) within one-half mile and the names and mailing be water sources, show the andowner(s) one-half mile	n 13b.lfthe profite diagradivers above divers	existing point of m shown above ion. (PLEASE NO e represents the	version will be diversion, indi in relation to DTE: The "X	icate its location the existing in center of	n 300 feet on on the point of diagram

14. If the proposed groundwater point of diversion is 300 or fewer fe	et 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 a	
 (b) Will the ownership interest of any owner of the currently a affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this 	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 a	
If the application proposes a surface water change in point of diversi or a change in place of use, the application must be signed by all ow agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or af age and the owner, the spouse of the owner, or a duly aut their 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 on application pertains. I further verify that the statements te.
Dated at Sipublic , Kansas,	this 29 day of September, 2020.
Markie Frischild-manager	and the County and the second and the
(Owner)	(Spouse)
Jacke Faircheld-Manager (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
Misourie (Please Print)	(Please Print)
State of Kansas County of Steen	
of Augustinus the foregoe appropriation and the foregoe appropriation of the country of greene	Resalind Myner
My Commission Expires Commission #13469057 My Commission Expires: February 8, 2021	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	e, all of the applicable portions of the application form must be completed with the appropriate owners' must be affixed to the application and notarized; and
	under this section shall be accompanied by the application fee set rtment of Agriculture

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ne proposed groundwater point of diversion is 300 or fewe	r teet from the	existing point	of diversion, complete the	e following:
			e identified in this applicat	ion?
affected if this application is approved as requested?			identified in this applicat	ion be adversely
			roperty, public health or s	afety?
d the owner, the spouse of the owner, or a duly a ehalf, in regards to the water right(s) to which the ned in this application are true, correct and comp	authorized a his application	gent of the on pertains	owner(s) to make this I further verify that	application of the statement
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(Please Print) Kansas Fron. DA of PASCO SS	Notary Public, Commission	State of Florida # GG 948702	(Please Print)	
Resident Carlotte Commence Com	ed in my pre	esence and	sworn to before me th	nis <u>29</u> day
mission Expires 01/20/2024			Notary Public	across de
DMPLETE APPLICATIONS WILL BE PROCESSED. To be compinformation; maps, if necessary, must be included; signatures of appriate fee must be paid.	olete, all of the ap all the appropriat	oplicable portion te owners' must	is of the application form mus be affixed to the application	st be completed wit and notarized; and
FEE S	CHEDULE			
he schedule below: Make checks payable to: Kansas De (1) Application to change a point of diversion 300 feet or	epartment of A	Agriculture		\$100
	Does the undersigned represent all owners of the current Yes	Does the undersigned represent all owners of the currently authorized Yes	Does the undersigned represent all owners of the currently authorized place(s) of use No	Will the ownership interest of any owner of the currently authorized place(e) of use identified in this applicat affected if this application is approved as requested? Yes

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. WH 3 D2 A change application was received on October 5, 2020 requesting that the place of use and / or point of 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 Applicable ☐ Not Applicable 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 _____ 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 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 Not Applicable K.A.R. 5-6-13. ☐ Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20_0, 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 Applicable 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 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 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 McCollock (Print Name): Hustin 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 OCTOBER 2020 Acknowledged before me CLOLLOCH Signature: Notary Public STATE OF KEVIN L. SALTER My commission expires: NOTARY Appointment Expires Punc (Notary November 2, 2021

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File No.

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

CHANGE IN PLACE OF USE FILE NO. WH003-D2

