Kansas Department of Agriculture Division of Water Resources CHANGE: P/U WORKSHEET

| 1. File Number: 23853 | 2. Status Change Date: | 3. Change Num: | 4. Field Office: | 5. GMD: |
|---|---|-------------------|---|--|
| 6. Status: Approved | ☐ Denied by DWR/GMD | Dismiss by Reques | st/Failure to Return | 7. Filing Date of Change: 2/16/2021 |
| 8a. Applicant(s) New to system □ | Person ID 50587 Add Seq# | 8c. Landown | | Person IDAdd Seq# |
| C & W LIMITED PA PO BOX 327 LEOTI, KS 67861 | RTNERSHIP | | | |
| 8b. Landowner(s) New to system □ 8a | Person ID Add Seq# | BRAD PO BO | WHITHAM | Person ID 65501 Add Seq# |
| ☐ Anti-Reverse Meter ☐ |): ☑ DWR Meter(s) Date to Comp ☐ Meter Seal ☑ Check Valve e Required: Da | □ N & P Form | ☐ Water Tube ☐ | to Comply: H & E Letter to Comply: |
| 10. Use Made of Water From | m: | To: | | |
| | | | Date Prepared: 3/10 Date Entered: | /2021 By: AM By: |

| le No. 23853 | 11. County: | WH | Basi | in: W | HITE | EWOI | MAN | CRE | EK | S | tream: | | | | | 4 | | Fo | rmation | Code: 211 | Special Use: |
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| Place of Use | | | NE! | /4 | | | NV | V ¹ / ₄ | | | sv | V1/4 | | | S | E1/4 | . 4 | Total | Owner | Chg? | Overlap Files |
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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

March 10, 2021

C & W LIMITED PARTNERSHIP PO BOX 327 LEOTI, KS 67861

RE: Water Right, File Nos. 9920; 10336; 10448; 14512; 15224; 21645; 23853; 25035

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: GROUNDWATER MANAGEMENT DISTRICT NO. 1

CERTIFICATE OF SERVICE

On this 10th day of March, 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 9,920, 10,336, 10,448, 14,512, 15,224, 21,645, 23,853 & 25,035 dated 10th day of March, 2021 was mailed postage prepaid, first class, US mail to the following:

C & W LIMITED PARTNERSHIP **PO BOX 327** LEOTI, KS 67861

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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| A | pplication | on is he | reby n | nade fo | or appr | | | | nginee | er to ch | ange t | the (ch | eck on | e or b | oth): | | Ga | rden (| City Field Off Water Resor |
| | | | | | | □ P | lace o | f Use | | | Point | of Dive | ersion | | | | | 1011 01 | valer Nesol |
| ur | nder the | e water | right w | hich is | the su | ubject | of this | applic | ation i | n acco | rdance | with t | he cor | dition | s desc | ribed b | elow. | | |
| Th | he sour | rce of su | i ylqqı | s: | | ⊠ G | round | water | | | Surfac | ce wate | er | | | | | | |
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| P | о вох | 327, LE | EOTI, I | KS 678 | 361 | - 4 | | | | | | | | | | | | | |
| Ph | hone N | lumber: | (620) | 272-42 | 219 | | | | Email | addres | s: bc | whitha | m@gn | nail.co | m | | | | |
| Na | ame an | nd addre | ess of | Water | Use C | orresp | onden | t: San | ne | | | | No. | | | | | | |
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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

SUPPLEMENTAL SHE FILE NO. <u>23853</u>

MAKE ADDITIONAL COPIES AS NECESSARY

| ec. | Twp. | Range | | NE | =1/4 | | OFFE | NV | V1/4 | | T. Day | SV | V1/4 | | | SE | =1/4 | | TOTA |
|------------|----------------------------|---|--|--|------------------------------------|-------------|---------|---------|--|-----------|-----------------|------------------|---|-------------|---------------|---------------------|-------------------|-----------------|---|
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| | | ed: If thi | NA | ME: | <u>Same</u> | a chan | ge in p | olace o | f use, | it is pro | oposed | d that t | he plac | ce of u | se be | change | ed to: | | |
| 0 | | f Land - | NA | AME: . | <u>Same</u> | a chan | ge in p | | f use, | it is pro | oposed | | he plac | ce of u | se be | | led to: | | тотл |
| 0 | wner o | f Land - | NA | AME: : ESS: : | Same —— | a chan | ge in p | | V¼ | | oposed NE1/4 | | | ce of u | se be | | ≣¼ | SE1/4 | |
| Oʻ | wner o | f Land - | NA ADDRE | AME: . | Same E¼ | | | NV | V¼ | | | SI | N1/4 | | | SI | ≣¼ | SE¼ 33 | ACR |
| O. | Twp. | Fland - Fland | NE1/4 | NW14 | Same E¼ SW¼ | SE1/4 | | NV | V¼ | | NE1/4 | S\ NW1/4 | N1/4 SW1/4 | SE1/4 | NE¼ | SI NW1/4 | ≣¼ SW¼ | | ACRI 424 |
| O' | Twp. | Range | NE1/4 | NW14 | Same E¼ SW¼ | SE1/4 | | NV | V¼ | | NE1/4 | S\ NW1/4 | N1/4 SW1/4 | SE1/4 | NE1/4 33 | SI NW¼ 33 | 5W1/ ₄ | 33 | 424 160 |
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| C. | Twp. 18 18 18 wner o | Range 38 N 38 N 38 N | NE% 33 40 NAADDRE | NW 33 40 AME: ESS: NI | Same E¼ SW¼ 33 40 E½ | SE% 33 40 | NE¼ | NW¼ | V¼ SW¼ | SE¼ | NE½ 40 | SI NW1/4 40 | N/4 SW/4 40 | SE¼ 40 | NE½ 33 40 | SI NW% 33 40 | SW% 33 40 | 33 40 | TOT/ ACRI 424 160 160 |
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| 5. | Presently authorized pe | mit of diversion. | | | | | | |
|-----------------|--|--|---|--|--|--|--|---|
| | One in the | | | | | | | |
| | of Section | | | | | | | |
| | | County, Kansas, | | | | | | |
| | Authorized Rate | | | | | | | |
| | (DWR use only: Comp | | | | | | | |
| | ☐This point will not be cha | | | | The state of the s | | | |
| | Proposed point of dive | rsion: (Complete on | ly if chang | e is requeste | d or if existing p | point is bette | r describe | by GPS) |
| | One in the | | | | | | | |
| | of Section | , Towns | nip | | South, Ran | nge | | (E/W) |
| | in | County, Kansas, | | feet North | feet V | Vest of South | east corner | of section. |
| | in Proposed Rate | Proposed | Quantity | | Proposed we | Il depth (feet) | | |
| | This point is: Addition | al Well Geo Ce | nter List of | ther water righ | its that will use th | is point | | |
| | | | | | | | | |
| 6. | Presently authorized po | oint of diversion: | | | | | | |
| ٥. | One in the | Quarter of | of the | . II | Quarter of | the | | Quarte |
| | of Section | , Townsh | nip | | South, Ran | ige | | (E/W |
| | in | County, Kansas, | | feet North | feet V | Vest of South | east corner | of section. |
| | Authorized Rate | Authorized | Quantity | 1 | Depth of well | | (feet) |) |
| | (DWR use only: Comp | uter ID No. | GPS | S | feet North | | feet Wes | st) |
| | ☐This point will not be cha | | | Company of the Compan | | | The second secon | - |
| | | | | | | | | |
| | Proposed point of diver | 'sion: (Complete on | | | | | | |
| | Proposed point of diver | | | | | the | | Quarte |
| | One in the | Quarter of | of the | | Quarter of t | the | | Quarte |
| | One in the of Section | Quarter o | of the hip | | Quarter of t | ige | | (E/W) |
| | One in the of Section in | Quarter of the County, Kansas, | of the hip | feet North | Quarter of to South, Ran feet W | ige Vest of South | east corner | of section. |
| | One in the of Section in Proposed Rate | Quarter of the county, Kansas, Proposed | of the hip Quantity | feet North | Quarter of to South, Ran feet W | vest of South | east corner | of section. |
| | One in the of Section in | Quarter of the county, Kansas, Proposed | of the hip Quantity | feet North | Quarter of to South, Ran feet W | vest of South | east corner | of section. |
| 7. | One in the of Section in Proposed Rate This point is: Addition | Quarter of the county, Kansas, County, Kansas, Proposed of Geo Centre | of the hip Quantity nter List ot | feet Northther water righ | Quarter of to South, Ran feet W | vest of South | east corner | of section. |
| 7. | One in the of Section in Proposed Rate | Quarter of Townsh County, Kansas, Proposed all Well Geo Center George Ge | of the hip Quantity nter List of | feet Northther water righ | Quarter of to South, Ran feet W Proposed we that will use the | Vest of South Il depth (feet) is point | east corner | of section. |
| 7. | One in the of Section in Proposed Rate This point is: Addition The changes herein are | Quarter of Townsh County, Kansas, Proposed all Well Geo Center George Ge | of the hip Quantity nter List of | feet North ther water righ | Quarter of to South, Ran feet W Proposed we that will use the | Vest of South Il depth (feet) is point | east corner | of section. |
| 7. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Center George Ge | of the hip Quantity nter List of | feet North ther water righ | Quarter of to South, Ran feet W Proposed we that will use the | Vest of South Il depth (feet) is point | east corner | of section. |
| | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrater George Georg | Of the | feet North ther water righ | Quarter of to South, Ran feet W Proposed we ats that will use the South | North 0 10 | east corner | of section. |
| | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrater George Georg | Of the | feet North ther water righ | Quarter of to South, Ran feet W Proposed we that will use the | North 0 10 | east corner | of section. |
| 7. 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrated Geo Celebrated for the followefficient use of irrigation grattached? Yes | Of the | feet North ther water righ | Quarter of to South, Ran feet W Proposed we ats that will use the South | North 0 10 | east corner | of section. |
| 8. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrated Geo Celebrated for the followefficient use of irrigation grattached? Yes | Of the | feet North ther water rights? | Quarter of to South, Ran feet W Proposed we ats that will use the South | North 0 10 | east corner | of section. |
| 8. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrated Geo Celebrated for the followefficient use of irrigation grattached? Yes | Of the | feet North ther water righ | Quarter of to South, Ran feet W Proposed we ats that will use the South South, Ran feet W To proposed we ats that will use the South | North 0 10 | east corner | of section. |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo George Ge | Of the | feet North ther water rights? | Quarter of to South, Ran feet W Proposed we ats that will use the South South, Ran feet W To proposed we ats that will use the South | North 0 10 | east corner | of section. |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | Of the | feet North ther water right 300 200 100 | Quarter of to South, Ran feet W Proposed we ats that will use the South South, Ran feet W To proposed we ats that will use the South | North 0 10 | 200 200 | 300 300 200 |
| 8. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | Of the | feet North ther water right 300 200 100 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 200 |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | Of the | feet North ther water right s? 300 100 West 0 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 200 100 |
| 8. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | Of the | feet North ther water right 300 200 100 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 200 |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | Of the | feet North ther water right s? 300 100 West 0 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 200 100 |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | Of the | feet North ther water right s? 300 100 West 0 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 300 300 300 300 300 300 300 |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | of thehip | feet North ther water right s? 200 100 West 0 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 200 100 |
| 8. 9. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | of thehip | feet North ther water right s? 300 100 West 0 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | 300 300 300 300 300 300 300 300 300 |
| 8. 9. 10. | One in the | Quarter of Townsh County, Kansas, Proposed all Well Geo Celebrate Geo Ce | of thehip | feet North ther water right s? 300 100 West 0 | Quarter of to South, Ran feet W Proposed we ats that will use the strain will use the strain with the strain will use the stra | North 0 10 | 200 200 | (E/W) of section. |

300 feet but within 2,640 feet 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

3b.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.)

| 14. If the proposed groundwater point of diversion is 500 of fewer feet no | in the existing point of diversion, complete the following. |
|--|--|
| (a) Does the undersigned represent all owners of the currently author Yes No (If no, all owners must sign this applied | |
| (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this appli | ized place(s) of use identified in this application be adversely |
| (c) If this application is not approved expeditiously, will there be subside a constant of the subside and the subside application is not approved expeditiously, will there be subside a constant of the subside a constant of th | |
| If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation). | |
| I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriation are true, correct and complete. | zed agent of the owner(s) to make this application on dication pertains. I further verify that the statements |
| Dated at, Kansas, this | 8th day of February, 20 21. |
| h 111/2 | 0 |
| (Owner) | (Spouse) |
| R 4 / 12-11 | (орошос) |
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| State of Kansas) | |
| County of Jim 19 8 SS | · · |
| I hereby certify that the foregoing application was signed in my | presence and sworn to before me this 8 day of |
| telemany, 20 2) | |
| JULIE JONES My Appointment Expires — | Julie James |
| My Commission Expires December 15, 2022 | Notary Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of | of the applicable portions of the application form must be completed with |
| accurate information; maps, if necessary, must be included; signatures of all the ap the appropriate fee must be paid. | propriate owners' must be affixed to the application and notarized; and |
| | n e s |
| Each application to change the place of use or the point of diversion under | |
| forth in the schedule below: Make checks payable to: Kansas Departme | ent of Agriculture |
| (1) Application to change a point of diversion 300 feet or less(2) Application to change a point of diversion more than 300 feet | \$200 |
| (3) Application to change the place of use | |
| | |

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. limitations of File No. A change application was received on ________ requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of 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

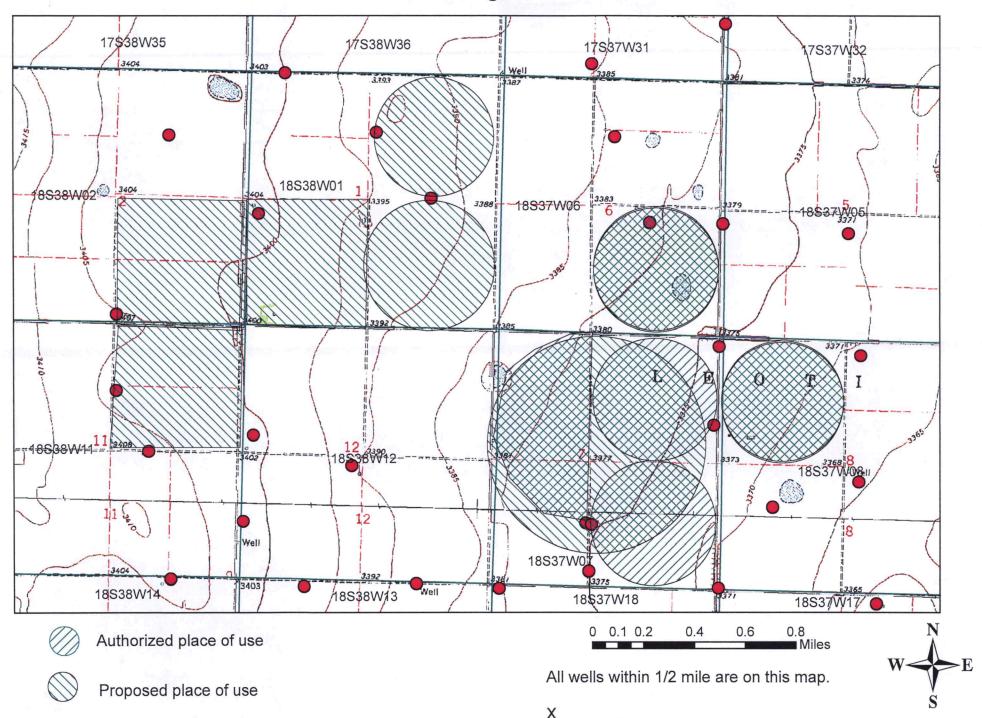
Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a radius of the authorized point(s) of diversion.

Applicable 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.

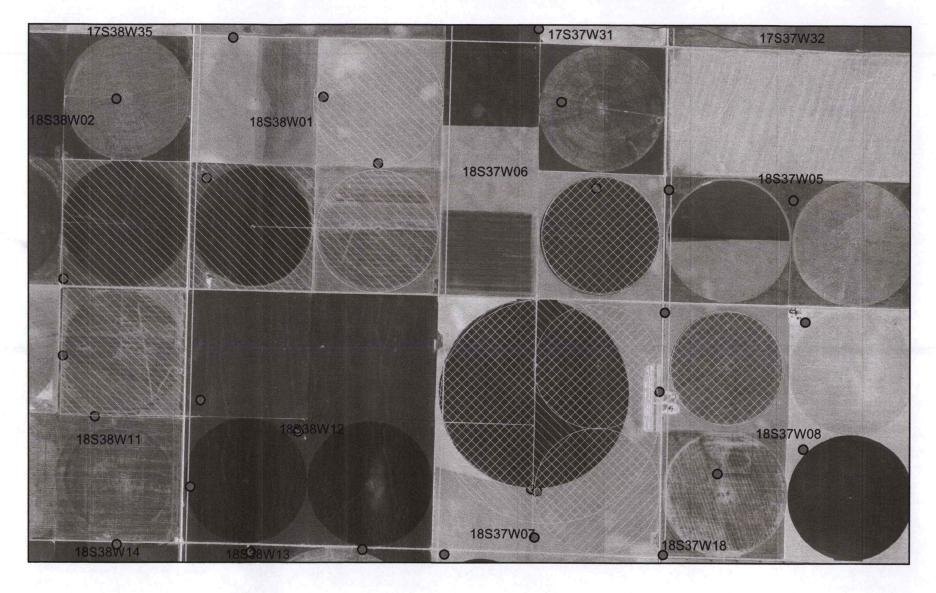
Applicable Not Applicable feet from the previously As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable ☐ Not Applicable 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 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 \sum 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 (Print Name): Hoshin Weller review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture 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 Signature: Notary Public STATE OF JULIE JONES My commission expire NOTARY YNORDOVIDE Expires PUBLIC . December 15, 2022

File No. 55%

Change in place of use application for water right : 23853



Change in Place of Use for Water Right 23853



Autho

Authorized place of use



Proposed place of use



All wells within 1/2 mile are on this map.



