

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 20,697

Field Office No. 2

GMD No. 5

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** YES
If applicable, list Place of Use Overlap File Nos. none

3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** YES
Name of Former WUC Edwin G & Theda J Shultz Name of New WUC Steve Dillon

4. a. **Point of diversion computer ID No(s).** 2 **for point(s) being changed.**
- b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
ENT		N/A	17	25S	9W	32	3,982	Reno	SE SW SW
DEL	2757	N/A							

- c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**
- | Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
- d. **Name of Drainage Basin** NF Ninnescah **Is this correctly shown in WRIS?** Yes No
- e. **Formation Name & No.** Quaternary (100) **Special Use Area** none

5. **Distances from the previous/original p/d:** 10 ' S 20 ' E

6. WATER RIGHT ACTION TRAIL COMMENTS

4/13/17 Change Application Received (date accepted for priority)
4/13/17 Change Approved
 Notice and Proof by 12/31/17
 _____/_____/_____ Completion Requirement Removed (Change No. C_____)

7. METER ACTION TRAIL COMMENTS

4/13/17 DWR Meter Required by 12/31/17
 _____/_____/_____ Anti-Reverse Meter Required by _____/_____/_____
 _____/_____/_____ Meter Seal Required by _____/_____/_____

8. Base Acres -- _____ Year -- _____ Minimum Reasonable Quantity -- _____
 Date Created **4/13/17** by **CRC**
 Date Entered _____ by _____

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 20,697

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
IO CHG	38241	68211	17	25S	9W	Acres Authorized															30		30
						New Acres															30		30
ENT	30605	13784	17	25S	9W	Acres Authorized											40	40					80
						New Acres											40	40					80
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>38241</u> <u>Alva L & Phyllis A Gaston Rev Trust</u> <u>27716 W Castleton RD</u> <u>Langdon, KS 67583-9080</u>	2. Person ID # <u>30605</u> <u>Steven Richard Dillon Trust</u> <u>One Compound Drive</u> <u>Hutchinson, KS 67502</u>	3. Person ID # _____ _____ _____ _____
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GENERAL INSTRUCTIONS

- | | | |
|--|--|---|
| 1. Give to Applicant:
a. <u>Original</u> application/approval
b. Original receipt (one for <u>each</u> application)
c. Information packet containing:
<ul style="list-style-type: none"> • Notice and Proof form • Water Meter Specifications • Acceptable Meter list • Water level measurement tube specifications • Check Valve specifications • Pink Sheet - K.S.A. 82a-728 letter • Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED) | 2. Send to headquarters:
a. Good, scannable copy of application and/or approval and this check sheet
b. Original check and copy of receipt
c. Test hole log
d. GMD recommendation, if any
e. Map or aerial photograph, if any
3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input checked="" type="checkbox"/> | 4. Date stamp received and approved.
5. Complete ownership and WUC change information. |
|--|--|---|

CONDITIONS

ADDITIONAL PHOTOCOPIES

HQ _____

Driller's Copy _____

GMD#5 _____

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 **WATER METER REQUIRED**



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.

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2:30pm
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File No. 20,697

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Stafford Field Office
 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: Groundwater Surface water

2. Name and address of Applicant: Steve Dillon

One Compound Drive, Hutchinson, KS 67502

Phone Number: (620)669-7065 Email address: milo2396w@yahoo.com

Name and address of Water Use Correspondent: Steve Dillon

One Compound Drive, Hutchinson, KS 67502

Phone Number: (620)669-7065 Email address: milo2396w@yahoo.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: *Steven Richard Dillon Trust ** Alva L & Phyllis A Gaston Rev Trust

ADDRESS: One Compound Drive, Hutchinson, KS 67502 27716 W Castleton RD, Langdon, KS 67583-9080

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
*17	25S	9W											40	40					80
**17	25S	9W															30		30

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: NO CHANGE

ADDRESS: NO CHANGE

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code _____ Fee \$ 100 TR # _____ Receipt Date _____ Check # 2046

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 17, Township 25 South, Range 9 (W), in Reno County, Kansas, 15 feet North 4,002 feet West of Southeast corner of section.
 Authorized Rate 700 gpm Authorized Quantity 150 acre-feet Depth of well 85 (feet)
(DWR use only: Computer ID No. 2 "scaled from aerial" - 42 feet North 4,002 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the SW Quarter of the SW Quarter of Section 17, Township 25 South, Range 9 (W), in Reno County, Kansas, 32 feet North 3,982 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) 85
 This point is: Additional Well Geo Center List other water rights that will use this point none

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet 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:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet 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 _____

7. Why do you need a new point of diversion? old metal well casing is failing and not producing adequately

8. If a well, is the test hole log attached? Yes No

9. When do you propose to complete the new point of diversion?
as soon as possible

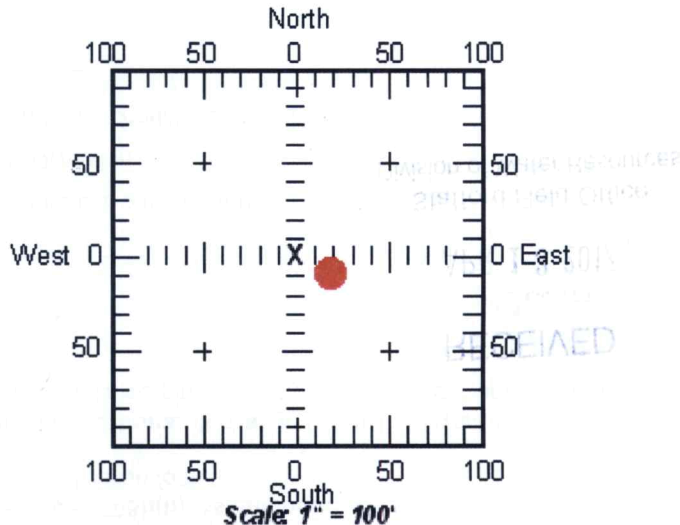
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug it

(b) When will this be done? when the new well is drilled

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by CRC-SFFO

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



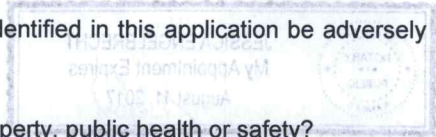
13b. If the proposed point of diversion will be relocated more than 100 feet but within 2640 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and 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.

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14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)



If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Stafford, Kansas, this 13th day of April, 2017.

St. R. Dillon
(Owner)

[Signature]
(Spouse)

Steven Richard Dillon
(Please Print)

[Signature]
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Stafford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13th day of April, 2017.



Jessica Engelbrecht
Notary Public

My Commission Expires _____

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200

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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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 20,697.

1. A change application was received on April 13, 2017 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.
2. 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
3. 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 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than 73 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. 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
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017**, 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
7. **Installation of the works for diversion of water shall be completed on or before December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. 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
10. Additional Conditions are attached. Yes No
11. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer

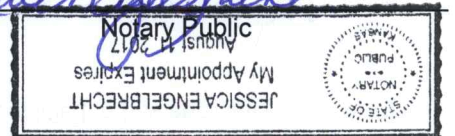
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 4/13/17

State of Kansas)
County of Stafford) SS

Acknowledged before me on 04/13/2017
by Cameron Conant

Signature: Jessica Engelbrecht



My commission expires _____
(Notary Seal)

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STATE OF KANSAS
RENO COUNTY

This instrument was filed for record on the 12 day of JAN A.D. 20 17
at 1:30 o'clock P.M and duly
recorded in Book 655 on Page 111
Fee \$ 18.00 (1)

Michelle Updegrave
Registrar of Deeds

Entered in Transfer Record in My
Office the 12th
Day of January 2017
County Clerk

Donna Patton

TRUSTEE'S DEED

Grantor, **Theda J. Shultz**, Trustee of the Edwin G. Shultz Living Trust dated August 28, 1996, amended and restated September 3, 2013 and Theda J. Shultz Living Trust dated August 28, 1996, amended and restated September 3, 2013, acting pursuant to the powers vested under said Trust, for the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) and other valuable consideration, receipt of which is hereby acknowledged, does by these presents grant, bargain, sell and convey to **Steven Richard Dillon Trust dated February 4, 2009, restated July 5, 2012**, all right, title and interest in the following described real estate:

The West 110 acres of the South 1/2 of the South 1/2 of Section 17, Township 25 South, Range 9 West of the 6th P.M., Reno County, Kansas, EXCEPT the West 30 acres of the South 1/2 of the Southeast 1/4 of Section 17, Township 25 South, Range 9 West of the 6th P.M., Reno County, Kansas.

TO HAVE AND TO HOLD the above described premises, together with the appurtenances and hereditaments thereunto appertaining, and every part thereof to the said Grantee(s) as above stated, subject to: easements and restrictions of record, if any. Grantor further warrants that said Trust is in full force and effect, has not been amended or revoked, and this conveyance is within her authority as trustee, with this deed EXECUTED on 1-11-17.

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Theda J. Shultz
Theda J. Shultz, Trustee of the Edwin G. Shultz Living Trust dated August 28, 1996, amended and restated September 3, 2013 and Theda J. Shultz Living Trust dated August 28, 1996, amended and restated September 3, 2013.

State of Kansas, Reno County} ss.

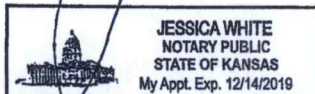
This instrument was acknowledged before me on 1-11-17 by Theda J. Shultz, Trustee of the Edwin G. Shultz Living Trust dated August 28, 1996, amended and restated September 3, 2013 and Theda J. Shultz Living Trust dated August 28, 1996, amended and restated September 3, 2013, for and on behalf of said Trust.

Jessica White

Jessica White Notary Public

My appointment expires:

12/14/19



Security 1st Title
File No. 2194240

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Stafford Field Office
Division of Water Resources

CERTIFICATE OF SERVICE

On this **13th** day of **April, 2017**, I hereby certify that the attached Approval of Application for Change in Point of Diversion for Water Right, File No. **20697** dated **April 13, 2017** was hand delivered to the following:

Steve Dillon

pc: Water Rights Section-Manhattan, KS
GMD #5



Staff