

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.

RECEIVED
 1:00pm
 SEP 29 2017

File No. 49544

Stafford Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

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: Max Wells
7051 S 375th St W, Cheney KS 67025-9112
 Phone Number: (316)393-1780 Email address: _____

Name and address of Water Use Correspondent: Wells M-M Dairy
7051 S 375th St W, Cheney KS 67025-9112
 Phone Number: (316)393-1780 Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: A.) Wells M-M Farmland LLC // B.) Wells M-M Dairy
 ADDRESS: A.) 7051 S 375th St W, Cheney KS 67025-9112 // B.) 7051 S 375th St W, Cheney KS 67025-9112
 (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			
A.)	10	28S	4W									10				9			34.5	31	84.5
B.)	10	28S	4W															1.5	2	3.5	

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: A.) Wells M-M Farmland LLC // B.) Wells M-M Dairy
 ADDRESS: A.) 7051 S 375th St W, Cheney KS 67025-9112 // B.) 7051 S 375th St W, Cheney KS 67025-9112
 (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		
A.)	10	28S	4W							0.3	0.2	40	34	32	40			32.5	30.5	209.5
B.)	10	28S	4W															1.5	2	3.5

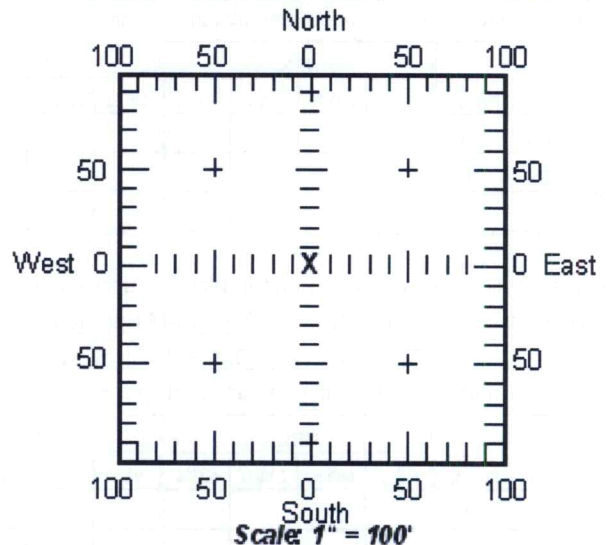
For Office Use Only: Code _____	Fee \$ <u>200</u>	TR # _____	Receipt Date _____	Check # <u>9222</u>
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5. **Presently authorized point of diversion: (GEOCENTER)**
 One in the SW Quarter of the NE Quarter of the SE Quarter of Section 10, Township 28 South, Range 4 W, in Sedgwick County, Kansas, 1850 feet North 2100 feet West of Southeast corner of section.
 Authorized Rate No Change Authorized Quantity No Change Depth of well NA (feet)
(DWR use only: Computer ID No. 12 GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ 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 _____

6. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the SE Quarter of Section 10, Township 28 South, Range 4 W, in Sedgwick County, Kansas, 2000 feet North 2100 feet West of Southeast corner of section.
 Authorized Rate See Geocenter Authorized Quantity See Geocenter Depth of well NA (feet)
(DWR use only: Computer ID No. 13 GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ 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. The changes herein are desired for the following reasons?
 (please be specific) Creating a complete overlap with File Nos. 48126 and 49450

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.)



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

9. The change(s) (was)(will be) completed by?
ASAP

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

(b) When will this be done? NA

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by TJS - SFFO

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 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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SEP 29 2017

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. 49544.

1. A change application was received on September 29th 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 _____ 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 _____ 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, 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
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

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 administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative 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 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas _____)
County of _____) SS

Acknowledged before me on _____
by _____

Signature: _____
Notary Public

My commission expires: _____

(Notary Seal)
File No. 49544

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SEP 29 2017

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 49544

Presently authorized point of diversion:

One in the SW Quarter of the NW Quarter of the SE Quarter
of Section 10, Township 28 South, Range 4 W,
in Sedgwick County, Kansas, 1700 feet North 2100 feet West of Southeast corner of section.
Authorized Rate See Geocenter Authorized Quantity See Geocenter Depth of well NA (feet)
(DWR use only: **Computer ID No. 14** GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows: No redrill, point better described with GPS 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 _____

Presently authorized point of diversion:

One in the SW Quarter of the NW Quarter of the SE Quarter
of Section 10, Township 28 South, Range 4 W,
in Sedgwick County, Kansas, 1850 feet North 2250 feet West of Southeast corner of section.
Authorized Rate See Geocenter Authorized Quantity See Geocenter Depth of well NA (feet)
(DWR use only: **Computer ID No. 15** GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows: No redrill, point better described with GPS 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 _____

Presently authorized point of diversion:

One in the SE Quarter of the NW Quarter of the SE Quarter
of Section 10, Township 28 South, Range 4 W,
in Sedgwick County, Kansas, 1850 feet North 1950 feet West of Southeast corner of section.
Authorized Rate See Geocenter Authorized Quantity See Geocenter Depth of well NA (feet)
(DWR use only: **Computer ID No. 4-16*** GPS --- feet North --- feet West)
 This point will not be changed This point will be changed as follows: No redrill, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested)

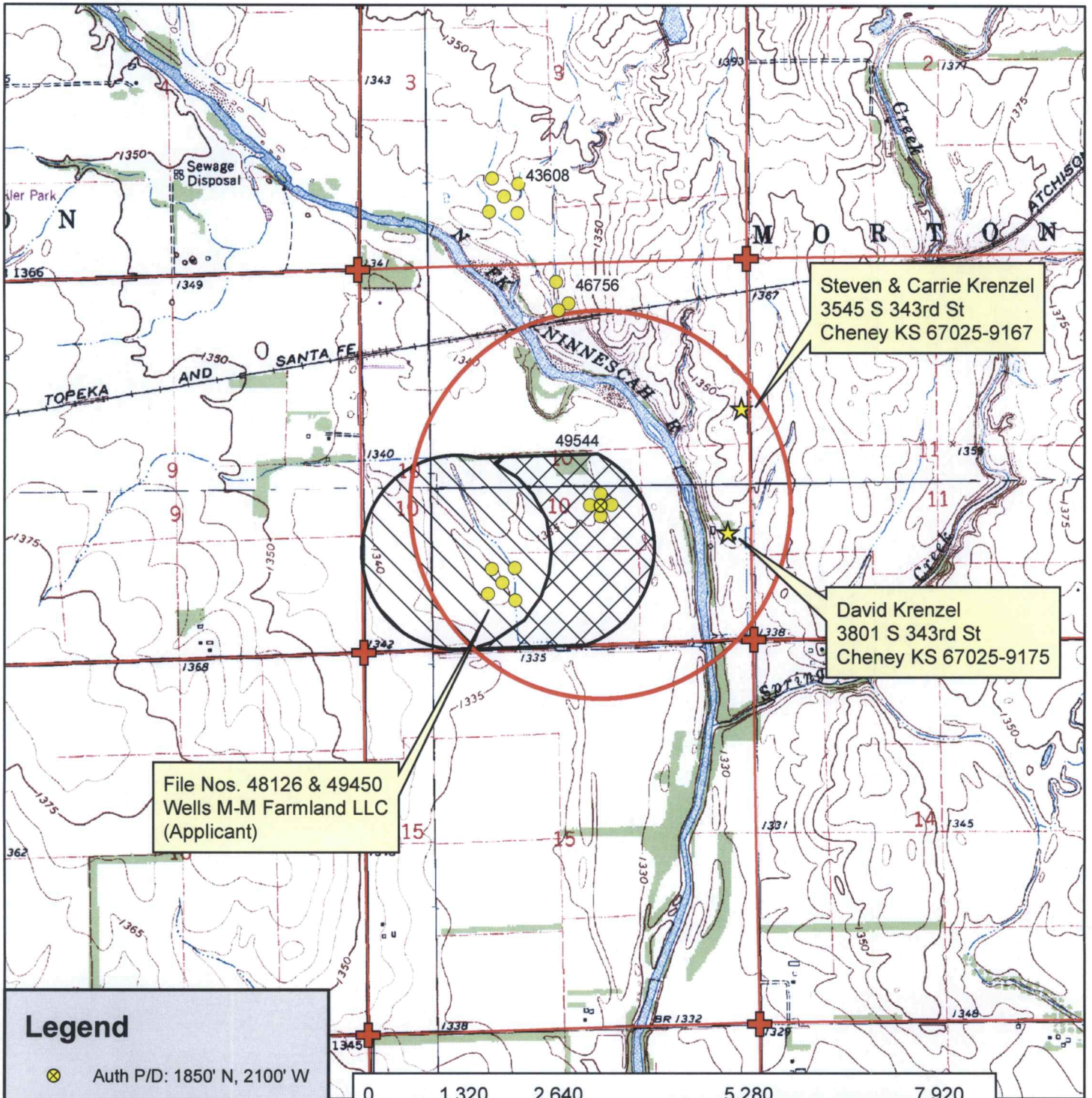
One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
This point is: Additional Well Geo Center List other water rights that will use this point _____

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: No redrill, point better described with GPS 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 SEP 29 2017 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 _____



Steven & Carrie Krenzels
 3545 S 343rd St
 Cheney KS 67025-9167

David Krenzels
 3801 S 343rd St
 Cheney KS 67025-9175

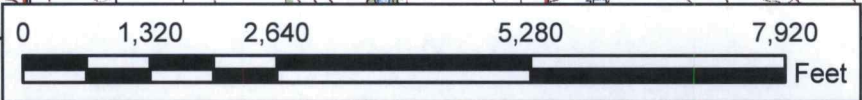
File Nos. 48126 & 49450
 Wells M-M Farmland LLC
 (Applicant)

Legend

- ⊗ Auth P/D: 1850' N, 2100' W
- Water Appropriations
- ⊕ Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer

Place of Use

- ▨ Authorized
- ▩ Proposed



Water Appropriation, File No. 49544
 Change in Place of Use Application Map
 10-28S-4W // Sedgwick County



To the best of my knowledge, all water wells including domestic, within 1/2 mile of the authorized point of diversion have been shown.

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SEP 29 2017

Max E. Wells 9-29-17

Signature

7/21/2017 T.IS-SFFO 1:24 000 scale