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 To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application

(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

| | Application is hereby m | ade for approval of the Chie | ef Engineer to change the | Water Resources Received |
|---|-----------------------------------|-----------------------------------|------------------------------------|--------------------------------|
| • | Application is hereby in | ☐ Place of Use | | FEB 23 2018 |
| | (Check one or more) | ☐ Point of Diversion | | 11:12 |
| | (, | ☐ Use Made of Water | | KS Dept Of Agriculture |
| | | | | |
| | | File No. | . 14442 | |
| | Name of applicant: Joh | n Dewerff | | |
| | Address: 941 SF 50 Ro | | | |
| | | | | |
| | City, State and Zip: <u>Ellii</u> | 1W000 KS 6/526 | | , |
| | Phone Number: (620)7 | 86-0891 | E-mail address: | |
| | What is your relationsh | ip to the water right; 🛚 owr | ner 🗌 tenant 🔲 agent 🔲 oth | ner? If other, please explain. |
| | Name of water use cor | espondent: <u>Ell-Bar Farm In</u> | nc | |
| | Address: John Dewerff | , 941 SE 50 Rd | | |
| | | | | |
| | • | | | |
| | Phone Number: (620)7 | 86-0891 | E-mail address: | |
| | The change(s) propose | d herein are desired for the | e following reasons (please be sp | ecific): |
| | Change in place of use | ; necessity to install a more | efficient irrigation system. K.A.R | s. 5-5-11(b)(3) |
| | Desire to irrigate using | the entire center pivot syste | em which is currently installed. | |
| | The change(s) (will be |) completed by <u>ASAP</u> | | e) |
| | | | (Date | |
| | | • | | |

Assisted by: TJS – SFFO

418/2018 aM

| File | Nο | 14442 | |
|-------|------|-------|--|
| 1 110 | IVO. | 17772 | |

| T. 1110 | • | er of La | | • | | | | nc , Jo | hn De | werff | | Verno | n W & | Maria | an K D | ewerf | f Rev | Trusts | |
|----------|---------|---------------------------------|---------|---------|--------------|---------|---------|-----------------|--|--------|----------|--------|-------------|----------|----------|--------------|--------------------|---------|----------------|
| | | | AD | DRES | S: <u>94</u> | 1 SE : | 50 Rd | Ellinv | vood k | (S 675 | 526 // 5 | 527 SE | <u> 100</u> | Ave, E | Ellinwo | od KS | 6752 | 6-922 | 2 |
| | | | | NE | 1/4 | | | NV | V1/4 | | | sv | V1⁄4 | | | SE | =1/4 | | TOTAL |
| Sec. | Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE¼ | NE1/4 | NW¼ | SW1/4 | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW1/4 | SE¼ | ACRES |
| 29 | 22S | 14W | | | | | 32.5 | 32.5 | 15.0 | | | | | | | | | | 80.0 |
| | , | | | | | | | | | | | | | | | | | | |
| ***** | | | | | | | | | | | | | | | | | | | - |
| | | | | | | | | | L | | L | | | | | | | | |
| List any | other | water r | ights i | that co | ver th | is plac | ce of u | ise. <u>No</u> | one | | | | | | | | | | |
| | Owne | er of La | | | | | | | | | | | | | | | | | |
| | | | AD | DRES | S: <u></u> | | | | | | | | | | | | | | |
| | | | | | E1/4 | | | T | V¼ | | | | V¼ | I | | | Ξ½ | | TOTAL ACRES |
| Sec. | Twp. | Range | NE1/4 | NW¼ | SW¼ | SE¼ | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE¼ | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE¼ | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| List any | , other | water r | iahts : | hat co | ver th | is plac | ce of u | I | <u>. </u> | | L | I | <u>!</u> | L | L | <u> </u> | <u></u> | | |
| 5. It is | s propo | ere are osed tha er of La | at the | place | of use | be ch | angeo | to: | | | | | | | an K D | - Jewerfi | f Rev ⁻ | Frusts. | |
| | OWIT | or La | | | | | 50 Rd | | | _ | | | | | | | | | |
| | • | | | | Ξ1/4 | | | | V1⁄4 | | | | V1⁄4 | | | | Ξ1/4 | | TOTAL |
| Sec. | Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1⁄4 | NW1/4 | T | SE1/4 | NE¼ | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1⁄4 | ACRES |
| 29 | 228 | 14W | | | | | 32.5 | 32.5 | 32.5 | 32.5 | | | | | | | | | 130.0 |
| | | 1700 | | | | | 02.5 | 02.0 | 02.0 | 02.0 | | | | | | | | | 122 |
| | | | | | | | | | | | | | | | | | | | 100 |
| | | | | | | | | | | | | | | ļ | | | <u> </u> | | |
| List any | / other | water i | rights | that co | ver th | is plac | ce of u | ise. <u>N</u> o | one | | • | | | | | | | | |
| | Owne | er of La | nd — | NAM | IE: <u></u> | | | - | | | | • | | | | | | | |
| | | | , AD | DRES | S: <u></u> | • | | | | | | | | | | | | | |
| | | | | . NE | Ξ1/4 | | | NV | N¹⁄₄ | | | SV | V1⁄4 | | | SE | Ξ¼ Ι | | TOTAL |
| Sec. | Twp. | Range | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE¼ | NE1/4 | NW¼ | SW1/4 | SE¼ | ACRES |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | Wat | er Re | sources |
| l ist an | / Other | water i | ights: | that co | ver th | is nla | ce of i | ıse | <u>1</u> | L | ļL | l | L | <u> </u> | <u> </u> | <u> </u> | L | Rece | |

| | | File N | o. <u>14442</u> |
|--|--|--|---|
| 8 | The presently authorized point(s) of diversion is One (1) well with divers | ion works | |
| ٥. | The presently authorized point(s) of diversion is one (1) well with divers | (Provide description and number of p | oints) |
| 7. | The proposed point(s) of diversion (is) (are) No Change | | |
| | | (Provide description and number of po | oints) |
| | List all presently authorized point(s) of diversion: | | |
| в. I | Presently authorized point of diversion: | | |
| | One in theQuarter of the | Quarter of the N | IC NW Quarter |
| | of Section 29 , Township 22 | | |
| | in Stafford County, Kansas, 3907 feet North | | |
| | Authorized Rate 1195 GPM Authorized Quantity 117 AF | | |
| | (DWR use only: Computer ID No. 3 GPS 3980 | | feet West) |
| | ☐ This point will not be changed ☐ This point will be changed a | | |
| | | | - |
| | Proposed point of diversion: (Complete only if change is requested | | Ouartor |
| | One in the Quarter of the | | |
| | of Section, Township | | |
| | in County, Kansas, feet North | | neast corner of section. |
| | Proposed Rate Proposed Quantity | | • |
| ١ | This point is: Additional Well Geo Center List other water rights | s that will use this point | <u> </u> |
| . 1 | Presently authorized point of diversion: | | |
|) . | | Quarter of the | Quarter |
| | One in the Quarter of the | | |
| | of Section, Township | | |
| | in County, Kansas, feet North | | least comer of section. |
| - 1 | Authorized Rate Authorized Quantity | | |
| | | | foot \8/oot\ |
| | (DWR use only: Computer ID No GPS | feet North | feet West) |
| | (DWR use only: Computer ID No GPS ☐ This point will not be changed ☐ This point will be changed a | feet Norths follows: | feet West) |
| | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested | feet North s follows: I) | |
| | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the | feet North s follows: [] Quarter of the | Quarter |
| | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the of Section, Township | feet North s follows: I) Quarter of the South, Range | Quarter (E/W), |
| | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the | feet North s follows: I) Quarter of the South, Range | Quarter (E/W), |
| | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the of Section, Township | feet North s follows: []) Quarter of the South, Range feet West of South | Quarter (E/W), |
| | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the of Section, Township in County, Kansas, feet North | feet Norths follows:)Quarter of theSouth, Range feet West of South | Quarter (E/W), neast corner of section. |
| | (DWR use only: Computer ID No GPS This point will not be changed | feet Norths follows:)Quarter of theSouth, Range feet West of South | Quarter (E/W), neast corner of section. |
| 0. | (DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the of Section, Township in County, Kansas, feet North Proposed Rate Proposed Quantity This point is: ☐ Additional Well ☐ Geo Center List other water rights Presently authorized point of diversion: | feet Norths follows:) Quarter of the South, Range feet West of South s that will use this point | Quarter (E/W), neast corner of section. |
| 0. | Computer ID No. | feet Norths follows:)Quarter of thesouth, Rangefeet West of Souths that will use this point | Quarter (E/W), neast corner of section. |
| 0. | (DWR use only: Computer ID No. GPS ☐ This point will not be changed ☐ This point will be changed at Proposed point of diversion: (Complete only if change is requested One in the | feet Norths follows:) Quarter of thesouth, Rangefeet West of South | Quarter (E/W), neast corner of section. Quarter (E/W), |
| 0. | (DWR use only: Computer ID No. GPS ☐ This point will not be changed ☐ This point will be changed a Proposed point of diversion: (Complete only if change is requested One in the Quarter of the of Section , Township in County, Kansas, feet North Proposed Rate Proposed Quantity This point is: Additional Well Geo Center List other water rights Presently authorized point of diversion: One in the Quarter of the of Section , Township in County, Kansas, feet North | feet Norths follows:) Quarter of thesouth, Rangesthat will use this point Quarter of thesouth, Rangeseet West of South | Quarter (E/W), neast corner of section. Quarter (E/W), |
| 0. | CDWR use only: Computer ID No. | feet Norths follows: Ouarter of thesouth, Rangefeet West of Souths that will use this point Quarter of thesouth, Rangefeet West of South | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. |
| 0. | CDWR use only: Computer ID No. | feet Norths follows:)Quarter of thesouth, Rangeset West of South s that will use this pointset Mest of SouthSouth, Rangeset West of Southset West of Southset Northset North | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. |
| 0. | CDWR use only: Computer ID No. | feet Norths follows:)Quarter of thesouth, Rangeset West of South s that will use this pointset Mest of SouthSouth, Rangeset West of Southset West of Southset Northset North | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. |
| 0. | CDWR use only: Computer ID No. | feet Norths follows:)Quarter of thesouth, Rangeseet West of South s that will use this point Quarter of thesouth, Rangeseet West of South feet West of Souths follows: | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. |
| 0. | CDWR use only: Computer ID No. | feet Norths follows: Ouarter of thesouth, Rangefeet West of Souths that will use this points that will use this pointsouth, Rangefeet West of Southsfeet Northsfollows: | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. feet West) |
| 0. | This point will not be changed | feet Norths follows: Ouarter of thesouth, Rangeset West of Southset will use this pointset west of Southset west of South | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. feet West) Quarter |
| 0. | This point will not be changed | feet Norths follows: Ouarter of thesouth, Rangesteet West of Southsthat will use this pointsthat will use this pointstha | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. feet West) Quarter (E/W), |
| 0. | CDWR use only: Computer ID No. | feet Norths follows: Ouarter of thesouth, Rangefeet West of Souths that will use this points feet West of Southsouth, Rangefeet West of Souths follows: Ouarter of thesouths follows: Ouarter of thesouth, Rangefeet West of Souths feet West of Souths feet West of Southsouth, Rangefeet West of Southsouth, Rangefeet West of Southsouth | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. feet West) Quarter (E/W), |
| 0. | CDWR use only: Computer ID No. | feet Norths follows: Ouarter of thesouth, Rangeset West of Souths that will use this pointsouth, Rangeset West of Southset Norths follows: Ouarter of theset Norths follows: Ouarter of theset Norths follows: Ouarter of theset Northset North | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. feet West) Quarter (E/W), neast corner of section. |
| The second secon | CDWR use only: Computer ID No. | feet Norths follows: | Quarter (E/W), neast corner of section. Quarter (E/W), neast corner of section. feet West) Quarter (E/W), neast corner of section. |

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY FEB 23 2018

| 2. | The | e pre | sently authorized use of water is for Irrigation purposes. | |
|-----|---------------------|--------------------------------|--|--|
| | It is | pro | posed that the use be changed to No Change | purposes. |
| 3. | If ch | hang | ing the place of use and/or use made of water, describe how the consumptive use will a | not be increased. |
| | <u>GM</u> | ID-5 | Monitoring Agreement | |
| | Wa | ter F | Right limited to 5-year fixed allocation = 484.7 AF | |
| | | | | |
| | | | | |
| | (Plea | ase s | how any calculations here.) | |
| 4. | It is | req | uested that the maximum annual quantity of water be reduced to | (acre-feet or million gallons). |
| 5. | It is | req | uested that the maximum rate of diversion of water be reduced to gall | lons per minute (c.f.s.). |
| 16. | 1:24 Kan Dist | 4,00 nsas tanc ould a | olication must include either a topographic map or detailed plat. A U.S. Geological Su 0, is available through the Kansas Geological Survey, 1930 Constant Avenue, Univ 66047-3726 (www.usgs.gov). The map should show the location of the presently au es North and West of the Southeast corner of the section must be shown. The presents of the section, the section lines and the section corn township, and range numbers on the map. In addition the following information must a | versity of Kansas, Lawrence, thorized point(s) of diversion. ently authorized place of use ers and show the appropriate |
| | a. | If a | change in the location of the point(s) of diversion is proposed, show: | |
| | | 1) | The location of the proposed point(s) of diversion. Distances North and West of the Semust be shown. Please be certain that the information shown on the map agrees very Paragraph Nos. 9, 10 and 11 of the application. | |
| | | 2) | If the source of supply is groundwater, please show the location of existing water domestic wells, within $\frac{1}{2}$ mile of the proposed well or wells. Identify each well as to mailing address of the property owner or owners. If there are no wells within $\frac{1}{2}$ mile, p | its use and furnish name and |
| | | 3) | If the source of supply is surface water, the names and mailing addresses of all land and $\frac{1}{2}$ mile upstream from your property lines must be shown. | lowner(s) ½ mile downstream |
| | b. | If a | change in the place of use is desired, show the proposed place of use by crosshato tain that the information shown on the map agrees with the information shown in Paragr | ching on the map. Please be raph No. 5 of the application. |
| 17. | loca wel | al so I log | documentation to show the change(s) proposed herein will not impair existing water ri- urce of supply as to which the water right relates. This information may include stater s, test hole logs, and other information as necessary information to show the above. elow. | ments, plats, geology reports, |
| | N/A | <u>۱- Nc</u> | Change in Point of Diversion | |
| | | | | |
| | | | | |
| | | | | |
| ∣8. | ider req | ntify uest | roposed change(s) does not meet all applicable rules and regulations of the Kansas Wathe rules and regulations for which you request a waiver. State the reason why a washould be granted. Attach documentation showing that granting the request will not in prejudicially and unreasonably affect the public interest. | vaiver is needed and why the npair existing water rights and |
| | <u>No</u> | waiv | vers are anticipated | Water Resources Received |
| | | | | FEB 23 2018 |
| | | | | |

File No. <u>14442</u>

| File No. | 14442 | |
|----------|-------|--|
| | | |

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

| I declare that I am an owner of the currently authorized place of us authorized to make this application on their behalf, and declare fu complete. By filing this application I authorize the chief engineer to as specified in sections 14 and 15 of this application. | orther that the statements contained herein are true, correct, and permanently reduce the quantity of water and/or rate of diversion |
|---|--|
| Dated at School Kansas, th | nis 20 day of 12 day. |
| Am Della Presital Eller Faso For | |
| (Owner) | (Spouse) |
| John Dewerff | |
| (Please Print) | (Please Print) |
| Ternon De Werf | (Crouse) |
| VERNON DEWERFF | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner)// | (Spouse) |
| Morian Decolect | · |
| (Please Print) | (Please Print) |
| State of Kansas County of Royal SS | |
| I hereby certify that the foregoing application was signed in my | y presence and sworn to before me this 20 day of |
| My Commission Expires A - (Y -) | CANBAS, Notes Public |
| My Commission Expires 12-(X-2) My Appl Exp | |
| EEE COUR | |
| <u>FEE SCHE</u> | <u>:DULE</u> |
| Each application to change the place of use, the point of diversion or the application fee set forth in the schedule below: | use made of the water under this section shall be accompanied by the |
| (3) Application to change the place of use | \$100 t \$200 \$200 \$300 |

Make check payable to Kansas Department of Agriculture.

Water Resources Received

FEB 23 2018

DESCRIPTION OF OPERATION FOR IRRIGATION PROJECTS

Completion of this form is required before the Division of Water Resources can process your application to appropriate water. Attach supplemental sheets as needed.

| Leg | gal description of the field(s) to b | pe irrigated: | |
|-----|--------------------------------------|---|---|
| | 130 /22 acres in the N | \underline{W} % of Section 29, Township 2 | <u>22</u> S, Range <u>14</u> W, |
| | Stafford County, Kansas | 3 . | |
| 1. | Indicate the soils in the field(s) |) and their intake rates: | |
| | Soil Name | of field | Intake Irrigation Rate Design (in/hr) Group |
| | | · | |
| | | · | · · · · · · · · · · · · · · · · · · · |
| | · | · | |
| | Total: | 100 % | ······································ |
| • | | pe in the field(s): | |
| 2. | Estimate the average land slop | | |
| | Estimate the maximum land sl | lope in the field(s): | % |
| 3. | Type of irrigation system you p | | |
| | ☑ Center pivot with low h | ∬uf ^t ☐ Center pivot - LEPA | □ "Big gun" sprinkler Water Resources |
| | ☐ Gravity system (furrows) | ☐ Gravity system (borders) | Received FEB 23 2018 |
| | Other, please describe: | | KS Dept Of Agriculture |

DWR 1-100.4 (Revised 01/31/1994)

File No. _____14442

| 4. , | Sys | tem design features: |
|------|-------|---|
| | a. | For gravity irrigation systems, describe how you will control tailwater: |
| | | |
| | b. | For sprinkler systems: |
| | | 1) Estimate the pressure at the pivot:psi |
| | | 2) What is the sprinkler package design rate? gpm |
| | | 3) What is the wetted diameter (twice the distance the sprinkler throws water) of a |
| | | sprinkler on the outer 100 feet of the system?feet |
| | | 4) Is a copy of the sprinkler package design information attached? Yes No |
| 5. | Cro | p(s) you intend to irrigate. Please note any planned rotations: Com Loykor mile |
| 6. | (pa | ase describe how you will determine when to irrigate and how much water to apply rticularly important if you do not plan a full irrigation). I use a hind agreement of portion 1st water to the I is critical for any your form 1st water to deplace that over a deplace Rule. Plant a reduced population little over a deplace Rule. |
| | .^¢.* | resis render de la |
| | • | ined: 2 1 18 18 |

STATEMENT OF REVIEW under K.A.R. 5-5-11(b)(3), (4) and (5) for a Point of Diversion located within GMD No. 5

| <i>ا</i> ے ۔ | linux | |
|--------------|---------|--|
| 20 <u> </u> | S E:1- | This review was related to the proposed <i>Change in Place of Use Under Water</i> |
| Kigni . | ior rue | No. <u>14,442</u> . |
| | (1) | Water flow meters will be required on all wells authorized by the above-referenced file number. These flow meter(s) shall be properly installed and maintained on each well to the satisfaction of the Chief Engineer. The metered quantity of water diverted during the past year by each well shall be reported on the annual water use report required by law to be provided to the Division of Water Resources (Division). |
| | (2) | Big Bend Groundwater Management District No. 5 (GMD No. 5) will make at least one visit per calendar year to this farm. The purpose of this visit is to monitor the compliance with conditions under which this change will be approved, if granted. Reports of verification of compliance and status reports will be completed by GMD No. 5 and furnished to the Division. |
| : | (3) | The amount of water required to irrigate the acreage proposed under this change application has been reviewed. The five-year allocation, if required, has been reviewed and is understood to be <u>484.7</u> acre-feet. The five-year allocation is the quantity of water that will be authorized for diversion under this water right for each five-year period. |
| | (4) | The approval of this application will be conditioned so that any use of water in excess of the five-year allocation will result in a two-year suspension of all water use under that water right and a subsequent restriction of the authorized place of use to a place of use equivalent to the base acres at a location specifically set forth on the change application approval. |
| | (5) | For an application that proposes an increase in authorized acres solely for the purpose of rotation of the irrigated land within the authorized place of use, the base acres are acres. The acres irrigated in any one calendar year shall not exceed base acres each calendar year. The land to be irrigated will be certified to GMD No. 5 in writing before applying any water in that calendar year. |
| () | (6) | The approval of this application will be conditioned so that the use of water on more than the base acres certified to GMD No. 5 in any calendar year will result in a two-year suspension of all water use under this water right and a subsequent restriction of the authorized place of use equivalent to the base acres at a location specifically set forth on the change application approval. Water Resources Received |

FEB 23 2018

| File No. | 14442 |
|----------|-------|
| | |

(7) Changes in the Memorandum of Understanding between GMD No. 5 and the Division may affect the above-referenced files. If the Memorandum of Understanding related to K.A.R. 5-5-11 between the GMD No. 5 and the Division is rescinded because of the fault of GMD No. 5, the authorized place of use will revert to the equivalent of the base acres at a location specifically set forth in the change approval.

By signing below, I am indicating that I have reviewed and understand the items set forth above and agree that I am willing to abide by those conditions if my application for change in place of use is approved.

| Signature Punks Ellen Landa | Signature De Weife Frus |
|--|--|
| Marin Deal Trustee trust Signature | Signature |
| State of Kansas) County of Karley) | |
| I hereby certify that the foregoing document was me this day of tells. | as signed in my presence and sworn before, 20/\delta |
| Notary Pu | blig Larly |
| My commission expires | KATHY M. HERTEL NOTARY PUBLIC STATE OF KANSAS MY ADOL EXD. LO-V |

Signature, Division of Water Resources' Staff Person Assisting in the Review

The Horas on M. T.

DWR 1-120.4 (Revised 06\13\2008)

Employing of John or



Stafford Field Office 300 S. Main Street Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Jeff Lanterman, Water Commissioner www.agriculture.ks.gov Sam Brownback, Governor

Phone: (620) 234-5311

Fax: (620) 234-6900

June 14, 2017

John Dewerff 941 SE 50 Rd Ellinwood KS 67526

RE: Water Right, File No(s). 14,442

Dear Mr. Dewerff,

You will find enclosed with this letter an application for approval to change the place of use under Water Right, File No(s). 14,442. The acres involved are located in Section 29-22S-14W. This application was completed based on a recent phone conversation with Jeff Lanterman, where the plan is to increase the authorized acreage in the NW quarter of Section 29 to include the land covered under the full pivot circle.

Please review the application and associated maps carefully and make any corrections as needed. Once you are satisfied everything is correct, an authorized representative of all owners and spouses of record must sign the application and have their signatures notarized. In addition, all domestic wells within one-half mile of the authorized well locations need to be noted on the map. If there are any wells not shown, please add them and then sign the map.

Groundwater management district monitoring will be required if this application is approved. I have included a "Statement of Review" for GMD monitoring which must be filled out and signed. This document is outlining the conditions that must be upheld upon approval of the change application. (Note the "Reversion Acres" attachment and associated map). Please review the statement, have an authorized representative of the owners of record sign the statement, and have their signatures notarized.

Finally, a "Description of Operation for Irrigation Projects" form has been included. Please fill out/sign this form and return it with the application.

The fee for filing the enclosed application is \$200. Please return the signed application to the Manhattan Office and include a check made payable to the Kansas Department of Agriculture for the total amount. If I can be of any further assistance, or if you have any questions regarding the enclosed application, contact our office at (620)234-5311.

Sincerely,

Tyler Saryerwinnie Environmental Scientist tyler.saryerwinnie@ks.gov

Enclosures

Water Resources Received

FEB 23 2018

KS Dept Of Agriculture

1320 Research Park Drive Manhattan, Kansas 66502 785-564-6700



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

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

JOHN DEWERFF 941 SE 50 RD

February 28, 2018

ELLINWOOD, KS 67526

RE: File No 14442

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.

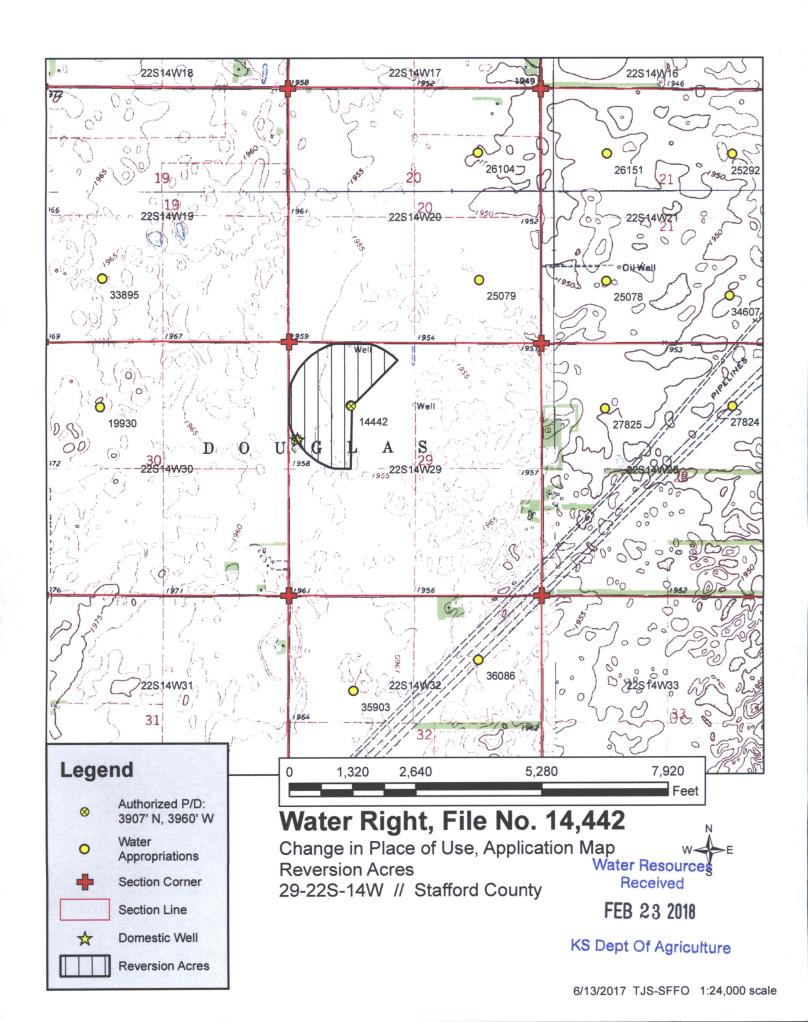
Change Applications Unit Supervisor

Water Appropriation Program

Mont A. Juney

BAT: DLW

pc: STAFFORD Field Office GMD5



APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 14442 REVERSION ACRES

MAKE ADDITIONAL COPIES AS NECESSARY

Owner of Land ---- NAME: Ell-Bar Farm Inc , John Dewerff // Vernon W & Marian K Dewerff Rev Trusts

ADDRESS: 941 SE 50 Rd, Ellinwood KS 67526 // 527 SE 100 Ave, Ellinwood KS 67526-9222

| | | | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE1/4 | | | | TOTAL |
|------|------|-------|-------|-------|-------|-------|-------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| Sec. | Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW¼ | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | ACRES |
| 29 | 228 | 14W | , | | | | 15.0 | 32.5 | 32.5 | | | | | | | | | | 80.0 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Water Resources Received

FEB 23 2018

KS Dept Of Agriculture

Page _____ File No. <u>14442</u>

