## **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.

1.	Application is hereby ma	ade for approval of the Chi	ef Engineer to change the	WATER RESOURCES RECEIVED
				EED •
	(Check one or more)	☐ Point of Diversion		FEB 0 1 2018
		☐ Use Made of Water		KS DEPT OF AGRICULTURE
				MORICULTURE
		File No	. 3404	
2.	Name of applicant: <u>Tob</u>	y B. Morris		
	Address: 10204 W. Cou	untry Club Drive		
	City, State and Zip: <u>Hute</u>	chinson, KS 67502	·	·
	Phone Number: (620)47	74-0766	E-mail address: tobymorris	488@yahoo.com
	What is your relationshi	ip to the water right; ⊠ owr	ner 🗌 tenant 🔲 agent 🔲 o	other? If other, please explain.
	Name of water use corr	respondent: <u>Toby B. Morris</u>		
	Address: 10204 W. Cou	untry Club Drive		
	City, State and Zip: Hute	chinson, KS 67502		
	Phone Number: (620)47	74-0766	E-mail address: tobymorris	488@yahoo.com
3.	The change(s) proposed	d herein are desired for the	e following reasons (please be	specific): Change the place of use from
	40 acres to 55 acres to	facilitate conversion of floo	d irrigation to more efficient ce	nter pivot irrigation.
	The change(s) (was) (w	vill be) completed by <u>June 1</u>	1, 2018	Date)
				rate)
F.C	or Office Use Only:  O. 2 GMD 2 Meets  ode	ts K.A.R. 5-5-1 (YES) NO) (	Use <u>FRP</u> Source G)S C TR# Receipt I	ounty SG By HW Date 2/1/18 Date 2/1/18 Check # 57 85

Fila	Nο	3404	
гие	INO.	3404	

	Owne	r of La	nd —	NAM	E: <u>To</u>	by B.	& Lyne	ette I	(. Morri	s									
			AD	DRES	S: <u>10</u>	204 V	/. Cou	ntry	Club Dr	<u>ive, H</u>	<u>utchin</u>	son, K	S 675	02				_	1
				NE					IW¼			SV	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW1	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
8	25S_	2W				40													40
	-							ALEX.											
																·			
ist any	other	water r	ights t	hat co	ver th	is plac	ce of u	se											
	Owne	er of La	nd —	NAM	IE:														
				DRES							,							•	
		٠, ٠		NE	=1/4			Ti,	IW¼			sv	V1⁄4			SI	=1/4		TOTAL
Sec.	Ťwp.	Range	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW3	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
	ال أسمى								ŀ										
				<u> </u>					<del> </del>										
							<u> </u>			L						<u> </u>			
, ,	(If the	ere are	more	than tv	wo lan	down	ers, at	tach	addition	nal she	eets a	s nece	ssary.	)					. •
,	(If the	ere are	more the nd —	than to place o	wo lan of use IE: <u>To</u>	downedownedownedownedownedownedownedowne	ers, att anged & Lyn	tach d to:		s									
· ·	(If the	ere are	more the nd —	than to place of NAM DRES	wo lan of use IE: <u>To</u>	downedownedownedownedownedownedownedowne	ers, att anged & Lyn	tach d to: ette	C. Morr	s		son, K				SI	=1/4		TOTAL
	(If the	ere are	more the nd —	than to place of NAM DRES	wo lan of use IE: <u>To</u> SS: <u>10</u>	downedownedownedownedownedownedownedowne	ers, att anged & Lyn	tach d to: ette	K. Morr	s		son, K	S 675		NE¼	SI NW½	- =½ SW½	SE¼	TOTAL ACRES
. It is	(If the	ere are esed that er of La	more at the at the AD	than to place NAM DRES	wo lan of use IE: <u>To</u> SS: <u>10</u>	be ch	ers, attanged & Lyne V. Cou	tach d to: ette	K. Morr	is rive, H	utchin	son, K	(S 675	02	NE%		1	SE½	
. It is	(If the propo	ere are used that er of La	more at the nd — AD	than to place NAM DRES	wo lan of use IE: <u>To</u> SS: <u>10</u>	be choby B.	ers, attanged & Lyne V. Cou	tach d to: ette	K. Morr	is rive, H	utchin	son, K	(S 675	02	NE½		1	SE%	ACRES
. It is	(If the propo	ere are used that er of La	more at the nd — AD	than to place NAM DRES	wo lan of use IE: <u>To</u> SS: <u>10</u>	be choby B.	ers, attanged & Lyne V. Cou	tach d to: ette	K. Morr	is rive, H	utchin	son, K	(S 675	02	NE½		1	SE%	ACRES
Sec.	(If the propo	ere are used that er of La	more at the at the AD	place NAM DRES	wo lan of use IE: To SS: 10 SW½	be cheby B. 204 W	ers, att	tach dito:	K. Morr	is rive, H	utchin	son, K	(S 675	02	NE½		1	SE%	ACRES
Sec.	(If the proportion of the prop	ere are assed that er of La Range 2W	more at the at the AD  NE½  25	NAM DRES NE NW½	wo lan of use IE: To SS: 10 SW½	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach dito:	K. Morr	is rive, H	utchin	son, K	(S 675	02	NE½		1	SE¼	ACRES
Sec.	(If the proportion of the prop	ere are essed that er of La Range 2W	more at the at the AD  NE½ 25  rights to	NAM DRES NE NW½	wo lan of use IE: To SS: 10 SW½ SW½	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach dito:	K. Morr	is rive, H	utchin	son, K	(S 675	02	NE½		1	SE½	ACRES
Sec.	(If the proportion of the prop	ere are assed that er of La Range 2W	more at the at the AD  NE½ 25  rights to	NAM DRES NE NAW  NAM DRES	wo lan of use IE: To SS: 10 SW½ SW½ SWY  OVER the	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach d to: ette ntry NW3	Club Dr	is rive, H	utchin	son, K	S 675	02	NE½	NW1/4	SW1/4	SE%	ACRES
Sec.	Owner Council	ere are assed that are of La Range 2W	nd — AD NE½ 25 ights had — AD	NAM DRES NE NW/2	wo lan of use IE: To SS: 10 SW½ SW½ SWY SWY SS:	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach I to: ette ntry NW	K. Morri Club Dr IW% 4 SW%	SE1/4	NE½	son, K	S 675	SE1/4	NE½	NW1/4	1		ACRES
Sec.	(If the proportion of the prop	ere are assed that er of La Range 2W	more at the at the AD  NE½ 25  rights to	NAM DRES NE NW/2	wo lan of use IE: To SS: 10 SW½ SW½ SWY  OVER the	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach I to: ette ntry NW	Club Dr	SE1/4	utchin	son, K	S 675	02		NW1/4	SW%		ACRES 55
Sec. 8	Owner Council	ere are assed that are of La Range 2W	nd — AD NE½ 25 ights had — AD	NAM DRES NE NW/2	wo lan of use IE: To SS: 10 SW½ SW½ SWY SWY SS:	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach I to: ette ntry NW	K. Morri Club Dr IW% 4 SW%	SE1/4	NE½	son, K	S 675	SE1/4		NW1/4	SW%		ACRES 55
Sec.  8	Owner Council	ere are assed that are of La Range 2W	nd — AD NE½ 25 ights had — AD	NAM DRES NE NW/2	wo lan of use IE: To SS: 10 SW½ SW½ SWY SWY SS:	be choby B. 204 V	& Lynders, attended & Lynders & Lynd	tach I to: ette ntry NW	K. Morri Club Dr IW% 4 SW%	SE1/4	NE½	son, K	S 675	SE1/4		NW1/4	SW%		ACRES 55

			·File	e No. <u>3404</u>
6	The presently authorized point(s) of diversion (is) (are) one	well		
О.	The presently authorized point(s) of diversion (is) (are) one	weii	(Provide description and number	of points) WATER RESOURCES
7.	The proposed point(s) of diversion (is) (are) NO CHANGE		•	RECEIVED
			(Provide description and number	of points)
	List all presently authorized point(s) of diversion:			FEB 0 1 2018
8.	Presently authorized point of diversion:			
	One in the Quarter of the NC-	-W Side-SE	Quarter of the	NE OF AGRIQUARTES
	of Section8, Township			
	in <u>Sedgwick</u> County, Kansas, <u>3380</u> f			
	Authorized Rate 795 GPM Authorized Quantity	60 AF		
	(DWR use only: Computer ID No GPS		feet North	feet West)
•	☑ This point will not be changed ☐ This point will be	e changed as	follows:	
	Proposed point of diversion: (Complete only if change	is requested)		
	One in the Quarter of the			Quarter
	of Section, Township			
	in County, Kansas, f			
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
•			·	
9.	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, f			
	Authorized Rate Authorized Quantity			
	(DWR use only: Computer ID No GPS		feet North	feet West)
	☐ This point will not be changed ☐ This point will be	e changed as	follows:	• • • • • • • • • • • • • • • • • • •
	Proposed point of diversion: (Complete only if change	is requested)		
	One in the Quarter of the			Quarter
	of Section, Township			
	in County, Kansas, f			
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
'				
10.	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, f			
	Authorized Rate Authorized Quantity		_	
	(DWR use only: Computer ID No GPS		feet North	feet West)
	☐ This point will not be changed ☐ This point will be	e changed as	follows:	
	Proposed point of diversion: (Complete only if change	is requested)	) 	
	One in the Quarter of the			Quarter
	of Section, Township in County, Kansas, f	feet North	feet West of So	outheast corner of section.
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
امد				
,11.	Describe the current condition of and future plans for any p	omu(s) or aiver	ision which will no longe	i ne useu. <u>INA</u>

		File No. <u>3404</u>
12	The presently sutherized use of water is for living	
12.	The presently authorized use of water is for <u>Irriga</u> It is proposed that the use be changed to <u>NO CH</u> .	
13.	If changing the place of use and/or use made of v	water, describe how the consumptive use will not be increased.
	Type of irrigation is being changed from flood irrig	ation to more efficient center pivot irrigation. Consumptive use will not be
	increased as the applicant agrees to a five year a	llocation pursuant to K.A.R. 5-5-11(b)(3). Based on 40 base acres, the
	preliminary 5 year allocation would be: 0.89' / 0.8	35 X 40 acres X 5 = 209.4 acre-feet.
	(Please show any calculations here.)	
14.	It is requested that the maximum annual quantity	of water be reduced to <u>NO CHANGE</u> (acre-feet or million gallons).
15.	It is requested that the maximum rate of diversion	of water be reduced to <u>NO CHANGE</u> gallons per minute ( c.f.s.).
16.	1:24,000, is available through the Kansas Geol Kansas 66047-3726 ( <u>www.usgs.gov</u> ). The map Distances North and West of the Southeast corr should also be shown. Identify the center of the	map or detailed plat. A U.S. Geological Survey Topographic Map, scale ogical Survey, 1930 Constant Avenue, University of Kansas, Lawrence, should show the location of the presently authorized point(s) of diversion. The presently authorized place of use section, the section lines and the section corners and show the appropriate p. In addition the following information must also be shown on the map.
	a. If a change in the location of the point(s) of di	version is proposed, show:
	<ol> <li>The location of the proposed point(s) of of must be shown. Please be certain that Paragraph Nos. 9, 10 and 11 of the appli</li> </ol>	iversion. Distances North and West of the Southeast corner of the section the information shown on the map agrees with the information shown in cation.
	domestic wells, within ½ mile of the prop	please show the location of existing water wells of any kind, including osed well or wells. Identify each well as to its use and furnish name and owners. If there are no wells within ½ mile, please indicate so on the map.
	<ol> <li>If the source of supply is surface water, and ½ mile upstream from your property</li> </ol>	the names and mailing addresses of all landowner(s) $\frac{1}{2}$ mile downstream lines must be shown.
	b. If a change in the place of use is desired, s certain that the information shown on the map	how the proposed place of use by crosshatching on the map. Please be agrees with the information shown in Paragraph No. 5 of the application.
7.	local source of supply as to which the water right	posed herein will not impair existing water rights and relates to the same trelates. This information may include statements, plats, geology reports, necessary information to show the above. Additional comments may be
	Change will not impair existing rights as the well le	ocation is not being moved and the annual authorized quantity and rate
	are not being increased. Additionally, the applica	nt agrees to a five year allocation and the Equus Beds GMD2 will monitor
	as required by K.A.R. 5-5-11(b)(3). The flood irrig	ation will be replaced with more efficient center pivot irrigation.
8.	identify the rules and regulations for which you	cable rules and regulations of the Kansas Water Appropriation Act, please equest a waiver. State the reason why a waiver is needed and why the showing that granting the request will not impair existing water rights and bublic interest.
	0.1	

File No	3404	
LIIE INO	. 3404	

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 use a authorized to make this application on their behalf, and declare furth complete. By filing this application I authorize the chief engineer to pe as specified in sections 14 and 15 of this application.	er that the statements contained herein are true, correct, and
Dated at Hytchingon W Kansas, this	2 9th day of Tankagy, 20/8
Af m	Synthellan
(Owner)	(Spouse)
Toby B. Morris	Lynette K. Morris
(Please Print)	(Please Print)
(Owner)	(Spouse)
	WATED
(Please Print)	(Please Print) RECEIVED
(Owner)	(Spouse) FEB <b>0 1</b> 2018
(Please Print)	KS DEPT OF AGRICULTURE  (Please Print)
State of Kansas )	RIE GUERRERO Public - State of Kansas
My Commission Expires OU 68-19	oresence and sworn to before me this 29 H day of Notary Public
FEE SCHED!	<u>JLE</u>
Each application to change the place of use, the point of diversion or the use application fee set forth in the schedule below:	e made of the water under this section shall be accompanied by the
<ul> <li>(1) Application to change a point of diversion 300 feet or less</li> <li>(2) Application to change a point of diversion more than 300 feet</li> <li>(3) Application to change the place of use</li></ul>	\$200 \$200

Make check payable to Kansas Department of Agriculture.

# REVERSION ACMAGE

File No. 3404

I agree that if the water right(s) become(s) subject to subsequent restrictions, the authorized place of use shall revert back to, or less than, the base acres of the water right(s), and will be as follows:

	. NE¥				NW¥			S₩¥			SE¼			TOTAL				
Sec. Twr	p. Range	NE4	NW4	SW ¼	SE¼	NE%	NW4	s₩¥	SE ¥	NE%	NW¥	sw ⅓	SE*	NE%	NW4	sw *	SE¼	TOTAL
8-2	5-2h	19			21		,						-		ľ	·		40
							,							·				

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 these conditions if my application for change in place of use is approved. (All applicants for the change in place of use must sign one of these forms.)

			malk n	
Signature		Signature	7	
				·
Signature		Signature	į	
State of Kansas County of Luc	• ; • • • • • • • • • • • • • • • • • •		,	
I hereby certify that the forego	oing was signed in my	y presence and s	sworn before me thi	s 29th day of
January, 18.		Notary Public	Sienno	
My commission expires <u>64-68-19</u>	<u> </u>	Notaty Public	· · · · · · · · · · · · · · · · · · ·	
Signature of Division of Water Resources' Sta Person Assisting in the Review, if any.	ff	Notary P	RIE GUERRERO ublic - State of Kansas G4-08-19	WATER RESOURCES RECEIVED
,,			-	FEB 0 1 2018

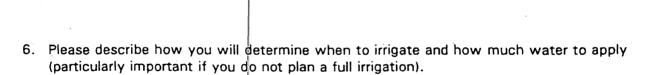
KS DEPT OF AGRICULTURE

## 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.

Legal description of the field(s) to be	e irrigated:		
55 acres in the $M$	<u>/E</u>	ction <u>8</u> , Township <u></u>	<u>u</u> s,
Range 2W(E/W), Scol	gwict co	ounty, Kansas.	
Indicate the soils in the field(s) a	and their intake	rates:	
Soil Name Nalin-Shellabarger	Percent of field (%)	Intake Rate (in/hr)	Irrigation Design Group
Sandy loams Saltcreek + Naron Fine Sandy loams	14	0. <u>20- 0.6</u> 0 0. <u>66- 0.</u> 20	7
Total:	100 %		
2. Estimate the average land slope	in the field(s):	0-/%	WATER RESOURCES RECEIVED FEB 0 1 2018
Estimate the maximum land slop	pe in the field(s	):%	KS DEPT OF AGRICULTURE
3. Type of irrigation system you pr	ropose to use (d	check one);	- WOOLINK!
☑ Center pivot	☐ Center p	ivot - LEPA "B	ig gun" sprinkler
☐ Gravity system (furrows		system (borders)	
Other, please describe:			

4.	System design features:
	a. For gravity irrigation systems, describe how you will control tailwater:
	NA
	b. For sprinkler systems:
	1) Estimate the pressure at the pivot: 20 psi
	2) What is the sprinkler package design rate? 795 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? 60 feet
	4) Is a copy of the sprinkler package design information attached?   Yes   No
5.	Crop(s) you intend to irrigate. Please note any planned rotations:
	Corn, Soybeans, milo, wheat



Professional Crop Consultant

Applicant's signature:

WATER RESOURCES
RECEIVED
FEB 0 1 2018
KS DEPT OF AGRICULTURE

#### Wells Within ½ mile

Мар							
Number	USE	Owner	Mailing Address	City	State	Zip	Property Address
1	Domestic	O'NEAL, RANDY L & DEBRA K	18919 W 117TH ST N	SEDGWICK	KS	67135-9607	18919 W 117TH ST N
	Irrigation						.*
2	#25562	O'NEAL, VIRGIL L & DONNA P LIV TR	19721 W 117TH ST N	SEDGWICK	KS	67135-9697	19721 W 117TH ST N
	Irrigation			•			•
3	#40759	STAMBACK, EVERETT W & MARTHA L	3630 PAYNE	WICHITA	KS	67204-3936	
4	Domestic	KROULIK, ROBERT K & ROBIN E	11730 N 183RD ST W	SEDGWICK	KS	67135-9506	11730 N 183RD ST W
5	Domestic	HAMILTON, RANDY G & DAWN M	11700 N 183RD W	SEDGWICK	KS	67135-9506	11700 N 183RD ST W
6	Domestic	FOSTER, CINDY L & RANDALL D	18823 W 117TH. N.	SEDGWICK	KS	67135-9613	18823 W 117TH ST N
7	Domestic	HAMILTON, RANDY G & DAWN M	11700 N 183RD W	SEDGWICK	KS	67135-9506	11636 N 183RD ST W
8	Domestic	EASH, VERNON R & CYNTHIA D	11600 N 183RD ST W	SEDGWICK	KS	67135-8718	11600 N 183RD ST W
	Irrigation						
9	#46988	KELLEY, KORTNEY L	18101 W 117TH N	SEDGWICK	KS	67135-9695	•
10	Domestic	PARKS, MATTHEW R & KATIE B	7608 W CORNELISON CIR	WICHITA	KS	67212-7383	
	Municipal						
	#s 1006						
11	& 46733	WICHITA, CITY OF	455 N MAIN	WICHITA	KS	67202-1600	18800 W 117TH ST N
12	Domestic	HUNTINGTON, EDWARD A	1411 E BIG CEDAR CT	ANDOVER	KS	67002-7915	11400 N 183RD ST W
			10204 W COUNTRY CLUB				·
13	Domestic	MORRIS, TOBY & LYNETTE K	DR	HUTCHINSON	KS	67502-9331	11613 N 183RD ST W

JEFF WINTER, PRESIDENT
VIN KISSICK, VICE PRESIDENT
ALAN BURGHART, SECRETARY
MIKE MCGINN, TREASURER
TIM BOESE, MANAGER
THOMAS A. ADRIAN, ATTORNEY



DIRECTORS:
DAVID BOGNER
JOE PAJOR
DALE SCHMIDT
BOB SEILER
DAVID STROBERG

#### EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

313 SPRUCE STREET • HALSTEAD, KANSAS 67056-1925 • PHONE (316) 835-2224 • FAX (316) 835-2225 • equusbeds@gmd2.org • www.gmd2.org

January 23, 2018

Toby Morris 10204 W. Country Club Drive Hutchinson, KS 67502 WATER RESOURCES RECEIVED

FEB 0 1 2018

RE: Change In Place of Use Application – Water Right No. 3404

KS DEPT OF AGRICULTURE

Dear Mr. Morris:

Pursuant to your request, please find the enclosed change in place of use application for Water Right No. 3404, which has been partially completed based on information provided by you and information contained in the water right file.

Please review the enclosed application and attachments for accuracy, especially names, addresses, legal descriptions, and the proposed place of use. Upon review completion, please complete the application with the necessary dates, signatures, and notaries as indicated. Please note that there are several places to sign and for some of the signature locations all owners and their spouses of the currently authorized place of use must sign and the signatures must be notarized as indicated. I have highlighted all signature locations.

The completed change application may be forwarded to the Division of Water Resources Manhattan office in the enclosed envelope accompanied with a filing fee check for \$200.00, payable to the "Kansas Department of Agriculture." Please note that approval of the change application is not guaranteed and the filing fee is non-refundable.

Should you have any questions regarding the application or need additional information, please feel free to contact our office.

Sincerely, EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

Tim Boese Manager TDB/db Enclosure





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

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

Jackie McClaskey, Secretary

Governor Sam Brownback

TOBY B MORRIS 10204 W COUNTRY CLUB DRIVE February 14, 2018

HUTCHINSON, KS 67502

RE: File No 3404

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:

> PU place of use 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

BAT: DLW

pc: STAFFORD Field Office GMD2

### Chane in Place of Use Application Map No. 3404 Large Scale



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Signature

New Application

Application No. To Change:

Point of Diversion

Place of Use

Use Made of Waterources

RECEIVED

Date

#3464

Proposed Point of Diversion

Existing Points of Diversion

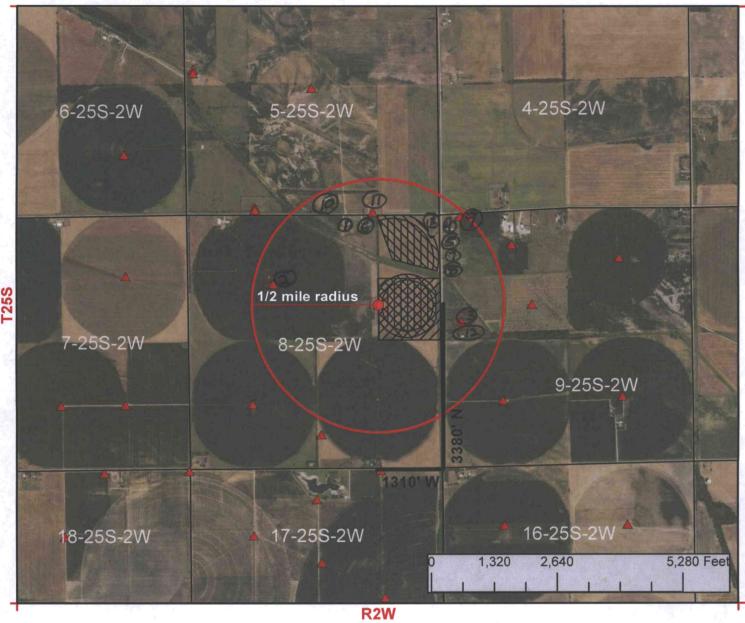
Proposed Place of Use

Authorized Place of Use

Reversion Acres

See attached for well owners within 1/2 mile.

### Chane in Place of Use Application Map No. 3404



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Point of Diversion

Point of Diversion

Place of Use

Use Made of Water OURCES

RECEIVED

Proposed Point of Diversion Application Application No. To Change:

Application No. To Change:

Application No. To Change:

Existing Points of Diversion

Proposed Place of Use

Authorized Place of Use

Reversion Acres

See attached for well owners within 1/2 mile.

FEB 0 1 2018

