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

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Garden City -- (620) 276-2901/VATER METER REQUIRED

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.

| | 100 fee | t, or if | olace (| of use | will be | e char | | | | | | | | | | | | | sion is greater and proposed |
|-------|---|----------|--------------|------------------------|------------------------------|-------------------------------|--------------|----------------|---------------------|------------------|---------------|-----------|--------------|----------------|-------------|-----------|-----------|---------|---------------------------------|
| point | (s) of div | ersion | and/or | place | of use | • | | | | | | | | | | | | REC | CEIVED |
| | | | | | | | | | _NUMBER | 1000 | | | | | | | | 10 | Oran |
| | | | | | | F | ile No | . <u>4125</u> | 5 | | | du to | | | | | | MAY | 07 2018 |
| 1. / | Applicati | on is he | reby n | nade fo | or appr | roval o | f the C | hief E | nginee | r to ch | ange t | he (ch | eck or | e or b | oth): | | S | taffor | d Field Office |
| | | | | | | | | | | | | | ion of | Water Resource | | | | | |
| ι | under the water right which is the subject of this application in accordance with the conditions described below. | | | | | | | | | | | | | | | | | | |
| - | The sour | ce of su | ipply is | s: | | ⊠G | round | water | | | Surfac | e wate | er | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | Name ar | | | | 28 | | A | | | | | | | | | | | | |
| _ | 1528 Cimarron Road, McPherson, KS 67460 | | | | | | | | | | | | | | | | | | |
| | Phone N | | 300 mm - 100 | | | 1.5 | | | | | ss: <u>cs</u> | | <u>mtelc</u> | o.net | | | | | |
| 1 | Name ar | nd addre | ess of | Water | Use C | orresp | onden | t: <u>Larr</u> | y L. & | Cindy | Lou S | tucky | | - | | | | | |
| | 1528 Cin | narron I | Road, | McPhe | rson, | KS 674 | 460 | | | 9. | | | 109 11 | | | | | | |
| I | Phone N | umber: | <u>(620)</u> | 504-47 | 701 | | | | Email | addres | ss: <u>cs</u> | ucky@ | mtelc | o.net | I STREET, L | u an | 15 | 1 171.0 | |
| 3. | The presently authorized place of use is: | | | | | | | | | | | | | | | | | | |
| (| Owner of Land NAME: CNS Land LLC | | | | | | | | | | | | | | | | | | |
| | ADDRESS: 1528 Cimarron Road, McPherson, KS 67460 | | | | | | | | | | | | | | | | | | |
| (| (If there is | more th | an one | landov | ner, at | tach su | ppleme | ntal sh | eets as | neces | sary.) | | | | | | | | |
| | | | | NE | 1/4 | | | NV | V1/4 | | | SV | V1⁄4 | | | SE | 1/4 | | TOTAL |
| Sec | . Twp. | Range | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | ACRES |
| 27 | 20S | 3W | | | | | | | 30 | | 32 | 28 | 19 | 21 | 32.5 | 32.5 | 32.5 | 32.5 | 230 |
| 34 | 208 | 3W | 32 | 13 | 5 | 15 | | | | | | | | | Thu. | | 1914 2017 | | 65 |
| | | | | 1. 4 | | | | 25 | 11 102 | | | | | | 900 | | | | Total: 295 |
| | | | | | | | | | | | | | | | | | | | |
| | lf this ap Owner o | f Land - | NA | ME: | CNS La | and LLC | | | | | | ace of | use be | chan | ged to | : | 25/1 | - | 4 ² 9. |
| (| | f Land - | NA ADDRI | ME: | CNS La | and LLO | C n Road, | McPhe | erson, k | (S 6746 | 60 | ace of | use be | chan | ged to | : | 611 | (8) | |
| (| Owner o | f Land - | NA ADDRI | AME: ESS: landow | CNS La 1528 C vner, at | and LLC imarror tach su | Road, | McPheental sh | erson, k eets as | (S 6746 neces | 60 sary.) | ar Ko | use be | Se i est | | - 01 | =1/4 | , e, | TOTAL |
| (| Owner o | f Land - | ADDRI | AME: ESS: landow | CNS La 1528 C vner, at | and LLC imarror tach su | C n Road, | McPheental sh | erson, k | (S 6746 neces | 60 | ar Ko | V¼ SW¼ | Se i est | ged to | SE | =¼ SW¼ | SE1/4 | TOTAL ACRES |
| (| Owner o | f Land - | ADDRI | AME: ESS: landow | CNS La 1528 C vner, at | and LLC imarror tach su | Road, | McPheental sh | erson, k eets as | (S 6746 neces | 60 sary.) | SV | V1⁄4 | Se i est | | SE | | SE½ 31 | |
| Sec | Owner o | f Land - | ADDRI | AME: ESS: landow | CNS La 1528 C vner, at | and LLC imarror tach su | Road, | McPheental sh | erson, k eets as | (S 6746 neces | sary.) | SV NW¼ | V¼ SW¼ | SE1/4 | NE¼ | SE NW¼ | SW1/4 | | ACRES |

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| 7. | | | or the following reason | | | | |
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| | undumonzed dores. | | <u> </u> | E | որույրուրույրուրո | \pm uuluuluuluu \pm | ГПП |
| | 2000 100 20 10 20 | | | F | <u> </u> | - | 킠 |
| 8. | If a well, is the test ho | ole log attached | ? ☐ Yes ☐ No | 200 | -1+1+1- | $\stackrel{=}{=}$ $_{1}$ $+$ $_{1}$ $+$ | 1 = 200 |
| ^ | The change(s) (was) | واسموم لامط الثيبة | to d bus | E | | = | ` ∄ |
| 9. | The change(s) (was) | will be) comple | ted by? | E | | <u> </u> | 3 |
| | Upon Approval | | | 100 | -1 + 1 + 1 - | - | 1 - 100 |
| 10 | If the point of diversion | n is a well· | | E | | = | 4 |
| | 32. | | an old well? | West | | = X onlandandanlan | |
| | (a) What are you go | ing to do with th | ie old well? | West E | | = | |
| | NA | | | E | | <u> </u> | ∃ |
| | (b) When will this be | done? NA | | 100 | - + + - | = + + | 100 |
| | (~) valieti wili ulis be | AOIIO F INA | | E | _ | <u> </u> | 4 |
| 11 | Groundwater Man | agement Di | strict recommendat | ion 200 | . 1 _ | 三十十十 | 200 |
| 11. | attached? Yes | | strict recommendat | 200 | 1 + 1 + 1 | |] 200 |
| | | Z 140 | | F | | | . 🖹 |
| 12. | Assisted by <u>T Boese</u> | GMD2 | <u> </u> | 300 300 | | 0 100 200 | 300 300 |
| 13a | a.If the proposed point | t of diversion v | vill be relocated more | <u>than</u> | | outh Scale: 1 hashmari | k=10 ft |

300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

| If the proposed groundwater point of diversion is 300 or fe | wer feet from the existing point of diversion, complete the following: |
|--|--|
| (a) Does the undersigned represent all owners of the cur☐ Yes☐ No(If no, all owners must sign | rently authorized place(s) of use identified in this application? |
| (b) Will the ownership interest of any owner of the curre affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must significant of the curre affected if this application is approved as requested? | ently authorized place(s) of use identified in this application be adversely on this application.) |
| (c) If this application is not approved expeditiously, will the ☐ Yes ☐ No (If no, all owners must sign | nere be substantial damage to property, public health or safety? n this application.) |
| If the application proposes a surface water change in point of or a change in place of use, the application must be signed by agent (attach notarized statement authorizing representation). | diversion, a groundwater change in point of diversion greater than 300 feet, all owners of the currently authorized place of use, or their duly authorized |
| age and the owner, the spouse of the owner, or a du | or affirmation and under penalty of perjury, that I am of lawfully authorized agent of the owner(s) to make this application on this application pertains. I further verify that the statements implete. |
| Dated at <u>Halstead</u> , Ka | ansas, this <u>4th</u> day of <u>May</u> , 20 <u>18</u> . |
| 7 7 14 | |
| Larry Striky | (Spause) |
| (Owner) | (Spouse) |
| Larry L. Stucky, CNS Land LLC (Please Print) | (Please Print) |
| (i lease i mily | (lease that |
| (Owner) | (Spouse) |
| | |
| (Please Print) | (Please Print) |
| | of X is the terminal of the in- |
| (Owner) | (Spouse) |
| The state of the s | en in the service of the enterior of the service of |
| (Please Print) | (Please Print) |
| State of Kansas) SS | NOTARY PUBLIC - State of Kansas REBECCA WILSON |
| County of HARVEY | My Appt. Exp. 06 11/2018 |
| I hereby certify that the foregoing application was signal 10 to 1 | ned in my presence and sworn to before me this 4TH day of |
| | Labora Dilson |
| My Commission Expires Db 11 2018 | Notary Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be accurate information; maps, if necessary, must be included; signature the appropriate fee must be paid. | complete, all of the applicable portions of the application form must be completed with es of all the appropriate owners' must be affixed to the application and notarized; and |
| E | E SCHEDULE |
| Each application to change the place of use or the point of div forth in the schedule below: Make checks payable to: Kansa (1) Application to change a point of diversion 300 fee (2) Application to change a point of diversion more the | version under this section shall be accompanied by the application fee set |

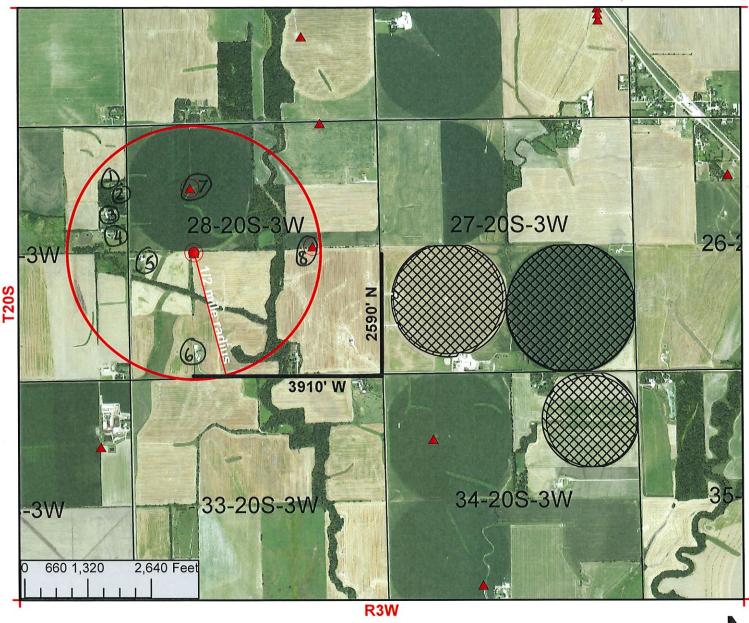
MAY 07 2018

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

| pro | ovisions of the Kansas Water Appropriation Law. K.S.A. 82a- | 08b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable -701 et. seq., and rules and regulations promulgated thereunder, rein, this Summary Order does not change the terms, conditions |
|-----------------------------------|--|--|
| 1. | A change application was received on | requesting that the place of use and / or point of ber be changed as described in the application. |
| 2. | On and after the effective date of this summary order, the a on the topographic map accompanying the application to | uthorized place(s) of use shall be located substantially as shown change the place of use. 🔀 Applicable 🔲 Not Applicable |
| 3. | The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. ☐ Applicable | nts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot le \ \mathbb{X}\ Not Applicable |
| 4. | The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application | ely corrected to be more accurately described using the Global □ Applicable ☑ Not Applicable |
| 5. | The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. ☐ Applicable ☒ N | be located more than feet from the previously ot Applicable |
| 6. | As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level accordance with K.A.R. 5-6-13. ☐ Applicable ☑ N | a well with a diversion rate of 100 gallons per minute or more, a measurements shall be installed, operated and maintained in ot Applicable |
| 7. | operated and maintained in accordance with K.A.R. 5-1- | operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, 4 through 5-1-12. As required by K.S.A. 82a-732, as amended, report the reading of the water flow meter and the total quantity of following the end of each calendar year. |
| 8. | Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form provi | completed on or before December 31, 20 , or within any applicant shall notify the Chief Engineer that construction of the ided by the Chief Engineer, as required by K.A.R. 5-8-4e. |
| 9. | The completed well log shall be submitted with the requi | i red notice. |
| 10. | with an in-line, automatic, quick-closing check valve capal | oreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The ned in accordance with K.A.R. 5-3-5c. 🛮 Applicable 🗌 Not |
| 11. | Additional Conditions are attached. | |
| 12. | water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promu | .R. 5-5-14, all of the owners of the authorized place(s) of use of per are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may lended, and/or the suspension or revocation and dismissal of the lons authorized by law. |
| | Administrative Appeal and Effective Date of Order | FOR OFFICE USE ONLY |
| lf vo | ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, | APPLICATION APPROVED AND |
| you Eng Agr filed adn | may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for hinistrative review by the Secretary must be filed within 30 | By: Duly Authorized Designee of the Chief Engineer |
| revi | s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, | (Print Name): |
| Leg | al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may | Date of Issuance: |
| pre | clude review under the Kansas Judicial Review Act. | State of Kansas)) SS |
| | For Use by Register of Deeds | County of) |
| | | Acknowledged before me on |
| | | by |
| | | Signature: |
| | RECEIVED | Signature:Notary Public |
| | STATE OF THE STATE | My commission expires:(Notary Seal) |
| | MAY 0 7 2018 | (Notary Seal) |

DWR 1-121 (Revised 04/5/2018) Stafford Field Office Division of Water Resources

<u>WATER RIGHT NO. 41255</u> CHANGE IN PLACE OF USE APPLICATION MAP



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 plotten on the application map.

Lang I Sturky Signature

 $\frac{5-4-8}{\text{Date}}$

New Application

Application No. 41255 To Change:

RECEIVED Point of Diversion

Place of Use MAY 0 7 2018

Use Made of Water

Authorized Point of Diversion No. 41255 **Existing Points of Diversion**

Authorized Place of Use

Proposed Place of Use

See attached for well owner information within 1/2 mile





Well owners within 1/2 mile

- 1) Domestic Well Terry G & C Karen Schrag PO Box 907 McPherson, KS 67460
- 2) Domestic Well Janet C Potter **PO Box 207** McPherson, KS 67460
- 3) Domestic Well Roger J Jr & Jennifer L Gawanda 765 14th Ave McPherson, KS 67460
- 4) Domestic Well Bruce D & Barbara R Wagoner 755 14th Ave McPherson, KS 67460
- 5) Domestic Well Brent R & Kandice Busby 746 14th Ave McPherson, KS 67460
- 6) Domestic Well Allen & Denise Siemens 1432 Cimarron Rd McPherson, KS 67460
- 7) Irrigation Well No. 40394 Niehage Farms LLC 1584 Comanche Rd McPherson, KS 67460
- 8) Irrigation Well Nos. 39205 & 47468 CNS Land LLC Attn: Larry & Cindy Stucky 1528 Cimarron Rd McPherson, KS 67460 RECEIVED

MAY 07 2018