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 Ch	ief Engineer to change the	Water Resources						
				Received						
	(Check one or more)	☐ Point of Diversion								
		Use Made of Water		DEC 27 2019						
				KS Dept Of Agriculture						
		File No	o. <u>49,731</u>	K2 Debt at 1.8.						
	2. Name of applicant: \(\)	WESTERN PACIFIC FAR	RMS INC (Preston Withers Cont	act)						
	Address: <u>2257 100TH R</u>	(D								
	City, State and Zip: COP	PELAND KS 67837								
	Phone Number: <u>(620)27</u>	′2-1376	E-mail address: pwithers65	@outlook.com						
	What is your relationship	_	rner ☐ tenant ☐ agent ☐	other? If other, please explain.						
	Address:		icant							
	Phone Number: ())	E-mail address:							
3.	The change(s) proposed	d herein are desired for the	e following reasons (please be	specific):						
	Change needed to cover illegal acres and form a complete PU overlap with Pending Application File No. 50,083.									
	The change(s) (was) (wi	ill be) completed by <u>ASAF</u>) (I	Date)						
F.C	or Office Use Only: O.	s K.A.R. 5-5-1 (YES / NO) Fee \$ 200	Use \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	County A By NW Date 12 27 18 Date (2 18 Check # 9457						

Assisted by: MJM/SFFO

DWR 1-120 (Revised 06/16/2014)

1/4/2019 LCM

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Sec.	Twp.	Range	NE¼	NW1⁄4	30074	SE1/4	INE 74	190074	3VV /4	3E/4	INE /4	144474	3VV /4	3L/4	INL 74	1000/4	34474	JL/4	
6	328	25W	4	39	39	16	9.5			1.5					11	23			143
31	32S	25W			15				3	15	40	7		26	38	38_			182
									Con	nbined	Total A	cres							325
st any	other	water	ights t	that co	ver th	is plac	ce of u	se. <u>Pa</u>	artial C	Overla	o with	Pendi	ng Ap	olicatio	on 500	083			
	Owne	er of La	nd —	- NAM	E:					·									
			AD	DRES	s: _														
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Sec.	Twp.	Range		INVV74				INVV74		3E/4	INE /4	INVV74	3VV /4	J⊑/4	INE /4	1444/4	344/4	SL/4	
6	328	25W	15	38	28.5	9	3.5		1.5										95.5
31	32S	25W									23.5	:		23.5	1.5	38	38.5	1.5	126.5
4	338	25W		26	26		26			26									104_
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st anv	other	water r	ights t	that co	ver th	is plac	ce of u	se. W					rlap w	ith pe	ndina	Applic	ation	<u></u> 50,083	
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6.	The presently author	orized point(s	s) of diversion is <u>Battery</u>	of 4 Wells	(Provide description and numb		·
7	The consequent	(-) - f -lt	and (in) (and Net Ober al	,	(Provide description and numi	der or points)	
7.	i ne proposea point	(s) of diversi	on (is) (are) <u>Not Changi</u>	ng	(Provide description and numb	per of points)	·
	List all presently a	uthorized p	oint(s) of diversion:				
8.	Presently authoriz	ed point of	diversion:				
•				NW	Quarter of the	SW	Quarter
	of Section	32	 . Township	32	South, Range	25	(W),
ı					5120 feet West of S		
l			Authorized Quantity				
					 feet North	feet Wo	est)
	` .	-	ged				,
	-		Complete only if chan	_			
l					Quarter of the		Quarter
					South, Range		
			•		feet West of S		
			Proposed Quantity _			30411.0401.00111	
	•				— nts that will use this point		
ı	This point isAd	iditional Well		other water rigi	no that will doe the point		•
9. l	Presently authoriz	ed point of	diversion:			-	
_	•			NW	Quarter of the	SW	Quarter
ı					 South, Range		
					5120 feet West of S		
- 1			Authorized Quantity				
- 1							
	(DWR use only: C	omputer ID	No. 1 GI			feet Wo	est)
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources Received

File No. <u>49,731</u>

DEC 27 2018

1. T	ne presently authorized use of water is for <u>irrigation</u> purposes.
lt	is proposed that the use be changed to Not Changing purposes.
2. If	changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
_	
(F	lease show any calculations here.)
3. It	is requested that the maximum annual quantity of water be reduced to N.A. (acre-feet or million gallons)
4. It	is requested that the maximum rate of diversion of water be reduced to <u>N.A.</u> gallons per minute (c.f.s.)
1 K D sl	ne application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence ansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion istances North and West of the Southeast corner of the section must be shown. The presently authorized place of use nould also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate action, township, and range numbers on the map. In addition the following information must also be shown on the map.
а	If a change in the location of the point(s) of diversion is proposed, show:
	 The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
	2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map
	3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
b	If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
lc w	ttach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same cal source of supply as to which the water right relates. This information may include statements, plats, geology reports ell logs, test hole logs, and other information as necessary information to show the above. Additional comments may be ade below.
id re	the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please entify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the equest should be granted. Attach documentation showing that granting the request will not impair existing water rights and ill not prejudicially and unreasonably affect the public interest.
_	
	Water Resources

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

File No. <u>49,731</u>

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

FILE NO. 49731

One in the		<u>diversion:</u>		4		
One in the	SW	Quarter of the	NW	Quarter of the	SW	Quarte
of Section	32	, Township	32	South, Range	25	(W
in CA (Bat 3 of 4)	Cou	unty, Kansas, 1945	feet North	4830 feet West of S	outheast corn	er of section.
Authorized Rate		Authorized Quantity		Depth of well	(fe	et)
(DWR use only: Co	mputer ID	No. 4 G	 PS	Depth of well feet North	feet W	est)
⊠This point will not b	e changed	This point will be change	ged as follows:	No change, point better de	escribed with GI	PS as follows:
				ed or if existing point is		
				Quarter of the		
of Section		Township		South, Range		(E/W
				feet West of S		
Proposed Rate		Proposed Quantity	100011101111 _	Proposed well depth (feet)	0. 0. 000
This point is: \(\sum \text{Add}	ditional Well	Troposca &duntity _	other water righ	nts that will use this point		
This point isTue	andonal VVCII		other water rigi	to that will doe the point		
Presently authorize	ed point of	diversion:				
One in the	SW	Quarter of the	NW	Quarter of the	SW	Quart
of Section	32	, Township	32	South, Range	25	(W
				5245 feet West of S		
				Depth of well		
(DWR use only: Co	mputer ID	No. 5 GI	 PS	feet North	feet W	est)
				No change, point better de		
				ed or if existing point is		
		-		Quarter of the		
				South, Range		
				feet West of S		
				Proposed well depth (
This point is. Auc	illoriai vveii	Geo Center List	other water rigi	nts that will use this point	· · · · · · · · · · · · · · · · · · ·	
Presently authorize	d point of	diversion:				
				Quarter of the		Quart
OLOGOROLE		LOWISHID		South Range		{ E /V\
				South, Range feet West of S		
in	Cοι	unty, Kansas,	feet North _	feet West of S	outheast corn	er of section
in Authorized Rate	Cou	unty, Kansas, Authorized Quantity	feet North _	feet West of S Depth of well	outheast corne (fe	er of section et)
in Authorized Rate (DWR use only: Co	Cou	unty, Kansas, Authorized Quantity No G l	feet North _ PS	feet West of S Depth of well feet North	outheast corne (fe feet W	er of section et) est)
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in	omputer ID e changed diversion: (unty, Kansas, Authorized Quantity No Gl □This point will be chang (Complete only if chan Quarter of the , Township	feet North _ PS ged as follows: [age is requeste	feet West of S Depth of well feet North No change, point better de d or if existing point is Quarter of the South, Range	outheast corne (fe feet W escribed with GF better describ	er of section et) est) PS as follows: ped by GPS Quart (E/M
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File No.	49,731	

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, executo

attorney, or are executor, executive, conservatory, it will be necessary to attack	in proper documents showing such authority.
I declare that I am an owner of the currently authorized place of use authorized to make this application on their behalf, and declare furth complete. By filing this application I authorize the chief engineer to p as specified in sections 14 and 15 of this application. Dated at Kansas, this	ner that the statements contained herein are true, correct, and ermanently reduce the quantity of water and/or rate of diversion
Kulhtell fresident.	
Restar W. Mas	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
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	PUBLIC - Size of Kansas RON ISENDERG Evalues 85-2020 presence and sworn to before me this
My Commission Expires 8-5-2020	Ross Scientry Public Y
FEE SCHED	<u>ULE</u>
Each application to change the place of use, the point of diversion or the us application fee set forth in the schedule below:	e made of the water under this section shall be accompanied by the
 (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	
Make check payable to Kansas Department of Agriculture.	Water Resources Received
	DEC 27 2018

KS Dept Of Agriculture

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE Manhattan, KS 66502 PHONE: (785) 564-6700 Fax: (785) 564-6777



900 SW Jackson, Room 456 TOPEKA, KS 66612 PHONE: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

WESTERN PACIFIC FARMS, INC 2257 100TH RD

January 3, 2019

COPELAND, KS 67837

RE: File No 49731

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condi	ition 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 iail. 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.

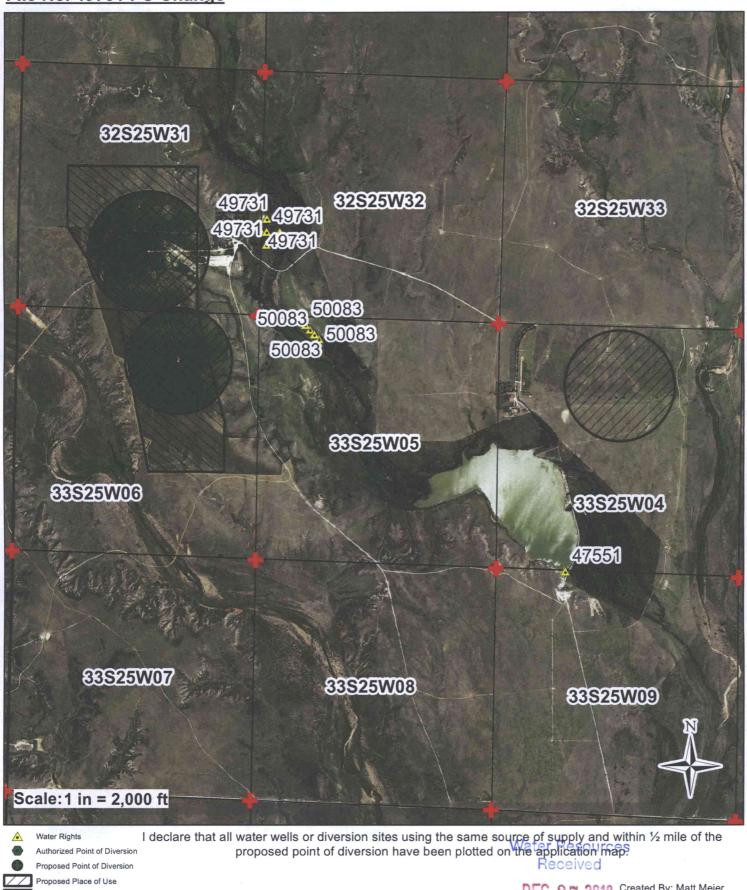
Change Applications Unit Supervisor

Water Appropriation Program

BAT: DLW

pc: STAFFORD Field Office **GMD**

File No. 49731 PU Change



Proposed Point of Diversion
Proposed Place of Use
Authorized Place of Use
Domestic Wells
Section Corner

Proposed Place of Use
Signature
Date
Date

Created By: Matt Meier F.O. 2
Date: 12/20/18

KS.20 apt Of Agriculture

File No. 49731 PU Change

