Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 49842	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:					
	ied by DWR/GMD	Dismiss by Reques		7. Filing Date of Change: 6/29/18					
8a. Applicant(s) New to system	Person IDAdd Seq#	8c. Landown		Person IDAdd Seq#					
8b. Landowner(s) New to system □ NAME CHANGE JACK E & DIANE M LIVI 11716 SW 80 TH ST SPIVEY KS 67142	Person ID 65008 Add Seq# 1	11716	rstem □ HIMESCH SW 60TH ST Y KS 67142	Person ID <u>65007</u> Add Seq# <u>1</u>					
9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/18 N & P Date to Comply: N & P Date to Comply: N & P Date to Comply: Date Approved: 7/17/18 Date to Comply: Date to Comply									
10. Use Made of Water From:		To:							
			Date Prepared: 7/13 Date Entered:	/18 By: TJS By:					

File No. 49842	11. County: KINGMAN	E	Basin: Ch	nikask	ia Rive	er			St	ream:							Fo	rmation C	ode: 100	Special Use: -	
12. Points of Diversion CHK MOD DEL PDIV ENT Qualifier	S	T R	ID	,	N	'W		Com	ment	(AKA I	_ine)				-		Ad Rate gpm/d		antity mgy	Overlap PD Files	
CHK 86139			3																	None	
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13. Storage: Rate		F Qu	antity					ac/ft	A:	ddition	al Rat	e				NF	Addi	tional Qua	ıntity		ac/ft
14. Limitation:																					
15. 5YR Allocation: Allocation								_													
16. Place of Use CHK			NE¼			NW	11/4			sv	V1/4			s	E¼		Total	Owner	Chg?	Overlap Files	
MOD DEL ENT PUSE S T R	ΙD	NE NV		SE ¼	NE 1/4	NW ¼	SW 1/4	SE ¼	NE ¼	NW ¼	SW 1/4	SE ¼	NE 1/4	NW 1/4	SW ¼	SE ¼					
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Base Acres: Year: Comments:	Permit м	inimum Re	easonab	e Qua	intity: 1	1.15	AF/a	acre	_												

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



PHONE: (620) 234-5311 FAX: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

July 17, 2018

Dan Thimesch 11716 SW 80th St Spivey KS 67142

Re: Water Right, File No(s). 49842

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

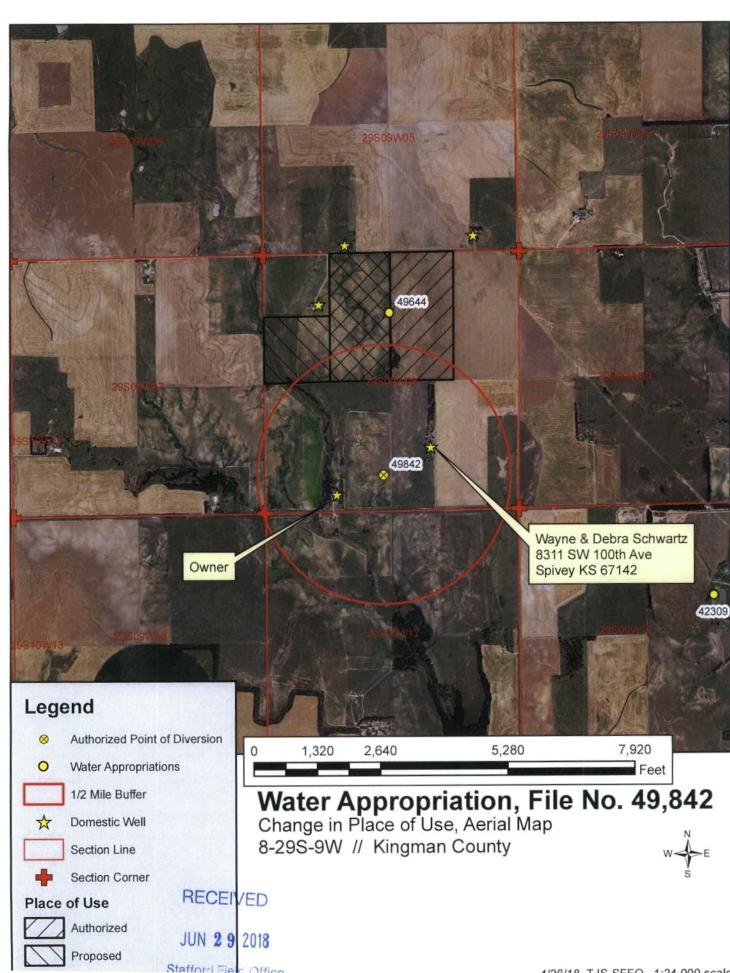
Sincerely.

Jeff Lanterman

Water Commissioner

Enclosures

pc: Water Rights Section



CERTIFICATE OF SERVICE

On this **17th** day of **July, 2018**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **49842**, dated **July 17, 2018** was mailed via Certified U.S. mail to the following:

Dan Thimesch 11716 SW 80th St Spivey KS 67142

Staff

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



STATE OF KANSAS

WATER 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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater

File No. 49842 1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): □ Place of Use □ Point of Diversion □ Point of Diversion □ Point of Diversion □ Vater Resoluted 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: □ Dan Thimesch □ 11716 SW 80 th St, Spivey KS 67142 Phone Number: (620)388-3582		100 fee s) of div						nged,	include	e a top	oograp	hic ma	ap or o	detaile	d plat	showi	ng the	autho	REC	DEIVED
Place of Use							ı	File No	. <u>4984</u>	2									JUN	2 9 2018
2. Name and address of Applicant: Dan Thimesch 11716 SW 80 th St, Spivey KS 67142 Phone Number: (620)388-3582																				
11716 SW 80 th St, Spivey KS 67142						s tne s				ation i					ndition	s desc	inbed i	below.		
3. The presently authorized place of use is: Owner of Land NAME: A.) Jack E & Diane M Living Trust	1 P N	11716 SW 80 th St, Spivey KS 67142 Phone Number: (620)388-3582 Email address: Name and address of Water Use Correspondent: Dan Thimesch																		
Sec. Twp. Range NE½ NW½ SE½ NE½ NW½ SE½ NE½ NW½ SE½ ACRES A.) 8 29S 9W 39 39 39 78 78 B.) 8 29S 9W 39 39 39 78 78 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: Jack E & Diane M Living Trust ADDRESS: 11716 SW 80th St, Spivey KS 67142 (If there is more than one landowner, attach supplemental sheets as necessary.) NE½ NW½ NW½ SW½ SE½ TOTAL ACRES Sec. Twp. Range NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½ NE½ NW½ SW½ SE½	3. T	he pres	ently a f Land -	uthoriz NA	ed pla AME: ESS:	ce of u A.) Jac A.) 11	ck E & 716 S\	N 80 th	M Livi	ng Tru ivey K	ıst S 6714	// B.) Judy	Kinsle	r					
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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: Jack E & Diane M Living Trust ADDRESS: 11716 SW 80th St, Spivey KS 67142 (If there is more than one landowner, attach supplemental sheets as necessary.) NE% NW% SW% SE% NE% NW% SE% ACRES	- and the	= 10.74.65			39	39		39			39									
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	8	298	9W					39		40	40									119

For Office Use Only: Code _____ Fee \$200 TR #___

Receipt Date _

Check # 791

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	Upon approval				100	-1 +	1 + 1	= 1	+ + +	- 1	100
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ısa	I.If the proposed po 300 feet but within					propose	ed point of o	diversion v	will be relo	cated w	ithin 300
	attach a topogra	aphic map or	aerial photogra	ph. F	or feet	of the exis	sting point of	f diversion	n, indicate	its location	on on the
	groundwater source one-half mile of the	e proposed poin	t of diversion and	the nam	es diver	ram snov rsion. (P l	vn above i LEASE NO	n relation TE: The	n to the "X" in ce	existing enter of	diagram
	and mailing addr	esses of the c	wners. For surf	ace wat	er abov	e repre	sents the	presen	tly autho	rized p	point of
	sources, show the one-half mile dow	names and ad	aresses of the lar	eam fro	e	rsion.)					
	your property lines				ones.						

DWR 1-121 (Revised 04/5/2018)

File No. <u>49842</u>

14. If the proposed groundwater point of diversion is 200 or fewer feet fr	om the existing point of diversion, complete the following:
14. If the proposed groundwater point of diversion is 300 or fewer feet fr	
 (a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this applied) 	
 (b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application) 	
(c) If this application is not approved expeditiously, will there be sul ☐ Yes ☐ No (If no, all owners must sign this appli	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this appoint this application are true, correct and complete.	rized agent of the owner(s) to make this application of plication pertains. I further verify that the statements
Dated at, Kansas, this	5n day of June , 20 18 .
Judy Kmshu	Ploss Kinely
O (Owner)	(Spouse)
Judy Kinsler	Koss Ninsler
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	r-th-
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this day
LORI MERTENS Notary Public - State of Kansas	Notary Public
My Commission Expires My Appt. Expires 28 2021	Notary Fubility
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the athe appropriate fee must be paid.	
FEE SCHED	II F
Each application to change the place of use or the point of diversion undeforth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	er this section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the application fee set the section shall be accompanied by the section shall be accom
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DWR 1-121 (Revised 04/5/2018)

Page 3

Stafford Field Office

File No. 49842

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

Wit and	visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> -th the exception of those conditions expressly contained her d limitations of File No. 49842	08b, as amended, and K.A.R. 5-5-1, et seq. 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 <u>6/29/2018</u> diversion authorized under the above-referenced file num	requesting that the place of use and / or point or ber be changed as described in the application.
	On and after the effective date of this summary order, the a	authorized 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 rigl previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. ☐ Applicable	hts and shall be limited to the same source or sources of water as by this summary order shall be located within a foot ble
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 Globa n. ☐ 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 lot 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 lot Applicable
7.	December 31, 2018, or before the first use of water, voperated 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 prov ☐ Applicable ☐ Not Applicable	completed on or before December 31, 20, or within any applicant shall notify the Chief Engineer that construction of the rided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	ired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The ined in accordance with K.A.R. 5-3-5c. Applicable \(\Bigcap\) No
11.	Additional Conditions are attached.	
12.	water appropriated under the above-referenced file numl limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of use of the are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the Kansas Water algated thereunder. Failure to comply with these provisions may needed, and/or the suspension or revocation and dismissal of the long authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
you Eng Agr filed adn day	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30 is pursuant to K.S.A. 77-531. Any request for administrative	By: Duly Authorized Designee of the Chief Engineer (Print Name): Ameron R. Carcat
File Le g	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS	Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 7/17/18
665 pre	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas)
	For Use by Register of Deeds	County of Hafford) SS
		Acknowledged before me op 7/17/18
		Signature: Ussica Walbuch
	RECEIVED	Notary Public JESSICA ENGELBRECHT
	JUN 2 9 2018	My commission expires My Appointment Expires (Noteman Section 1

DWR 1-121 (Revised 04/5/2018)

Stafford Field Office

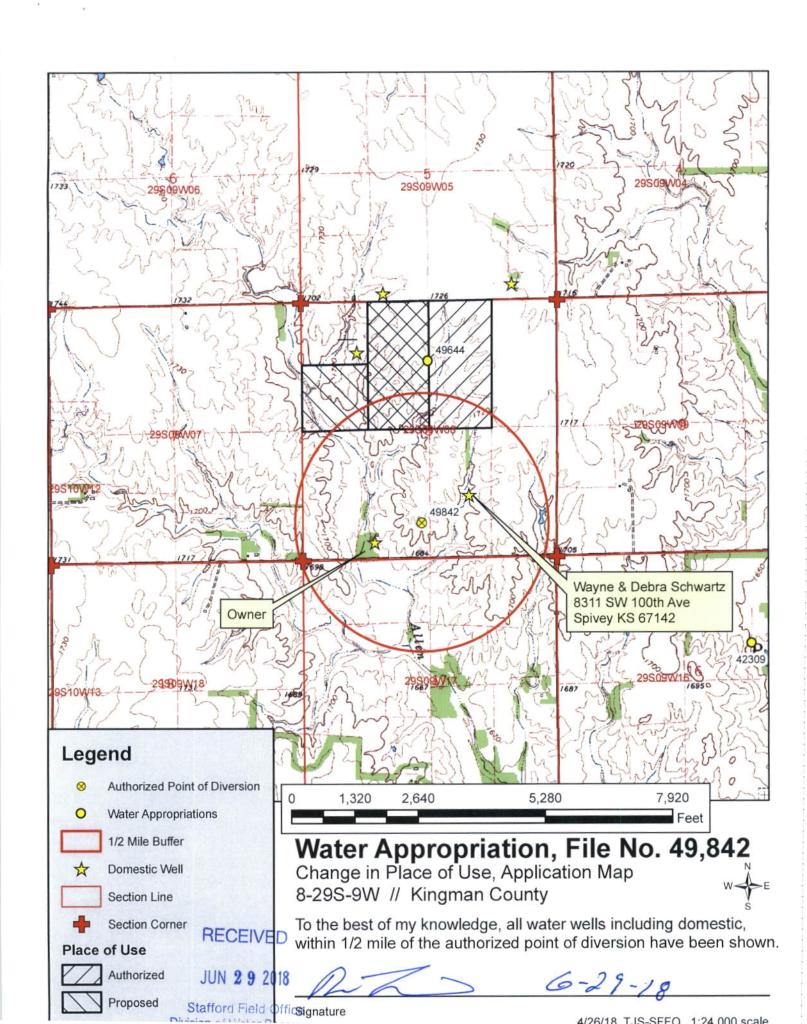
Page 4

File No. 49842

14. If the proposed groundwater point of diversion	is 300 or fewer feet from the	ne existing point of divers	ion, complete the following:
(a) Does the undersigned represent all owners Yes No (If no, all owners)	s of the currently authorize rs must sign this applicatio		ed in this application?
(b) Will the ownership interest of any owner of affected if this application is approved as roll Yes □ No (If yes, all ownership)			d in this application be adversely
(c) If this application is not approved expedition Yes No (If no, all owner	ously, will there be substan rs must sign this applicatio		public health or safety?
If the application proposes a surface water change or a change in place of use, the application must be agent (attach notarized statement authorizing repre-	e signed by all owners of the		
I hereby verify, being first duly sworn upon age and the owner, the spouse of the owne their behalf, in regards to the water right(s contained in this application are true, corre	er, or a duly authorized to which this applica	agent of the owner(s	s) to make this application or
Dated at	, Kansas, this	day of	, 20
Y Jack Thimesch (Please Print)			
(Owner)		(Sp	oouse)
Y Sack Thimesch		/Dlace	on Drint\
(Please Pfint)		(Flea	se Print)
(Owner)		(Sp	oouse)
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(Owner)		(Sp	oouse)
(Please Print) State of Kansas County of KINGMAN SS	KATHLEEN Notary Fublic - S My Appt. Expires 3	NALBERS State of Kansas 9-22	se Print)
I hereby certify that the foregoing application of			
My Commission Expires 3-9-22		Kattleen Co	y Public
wiy Commission Expires			
ONLY COMPLETE APPLICATIONS WILL BE PROCESSI accurate information; maps, if necessary, must be included the appropriate fee must be paid.			
	FEE SCHEDULE		
Each application to change the place of use or the plotted forth in the schedule below: Make checks payable to the place of use or the place of use of the place of use the plac	point of diversion under this to: Kansas Department of the condition on 300 feet or less	JUL 1 3 2	\$100 \$200 \$200 \$200
		Stafford Field	Office

File No. 49842

Division of Water Resources





KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File **DATE**: 7/13/2018

FROM: Tyler Saryerwinnie RE: File Nos. 49644 & 49842

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016. With directive from Lane Letourneau Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use applications filed on <u>6/29/2018</u> for the above referenced files meet this criteria and surrounding well owners will not be notified.

Property Details for PID: 04817308000000001000

QuickRef ID: R5846

Owner Name: KINSLER, JUDY

Location: 00000 SW 70 ST, Cunningham, KS 67035

Abbreviated Boundary S0

Description:

S08, T29, R09W, ACRES 156.1, NE4

LESS R/W

Owner Information:

Owner KINSLER, JUDY

Mailing Address 2746 NW 30 ST KINGMAN, KS 67068

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 280 PETERS 332

Neighborhood Code 019

No Secondary Address Details found

Market Land Details:

Actual Width: 0

Property Details for PID: 04817308000000002000

QuickRef ID:

R5848

Owner Name:

THIMESCH, JACK E & DIANE M LIV TR

Location:

00000 SW 70 ST, Cunningham, KS 67035

Abbreviated Boundary

Description:

S08, T29, R09W, ACRES 119.3, S2 NW4 & NE4

0

NW4 LESS R/W

Owner Information:

Owner

THIMESCH, JACK E & DIANE M LIV TR

Mailing Address

11716 SW 80 ST SPIVEY, KS 67142

Property Information:

Type

Agricultural Use

Status

Active

Taxing Unit

280 PETERS 332

Neighborhood Code

019

No Secondary Address Details found

Market Land Details:

Actual Width: