Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 38764	2. Status Change Date:	3. Change Num:	4. Field Office: 02	5. GMD:						
6. Status: Approved	nied by DWR/GMD.	Dismiss by Reques	Dismiss by Request/Failure to Return 7. Filing Date of Change 5/6/19							
8a. Applicant(s) New to system □	Person IDAdd Seq#	GWEN PO BO	8c. Landowner(s) Person ID Add Seq# 1 GWENDOLYN C SALMANS PO BOX 128 HANSTON KS 67849-0128							
8b. Landowner(s) New to system GOOD EARTH RANCH WALT SALMANS PO BOX 128 HANSTON KS 67849-0		WALT PO BO	EARTH RANCH SALMANS							
9. Documents and Enclosure(s): ☑ □ ☑ Anti-Reverse Meter ☑ Mete ☐ Conservation Plan Date Requ	r Seal 🔲 Check Valve	□ N & P Form	☐ Water Tube ☐	to Comply: H & E Letter to Comply:						
10. Use Made of Water From:		To:								
			Date Prepared: 5/8/ Date Entered:	19 ву: ТЈЅ Ву:						

File No. 38764	11. County: HODGEMAI	N	Ва	sin: B	uckne	r Cree	k	Stream: Formation Code: 113 Special Use:												
12. Points of Diversion														Rate a	and Q	uantity				
CHK MOD														А	uthor	ized		A	dditional	
DEL PDIV ENT Qualifier	S	Т	R	ID		'N	ʻW		Com	ment	(AKA	Line)	l l	Rate gpm/c		Quantit af/mgy		Rate gpm/c		Overlap PD Files
CHK 66402				6																36647, 20177052-MF
			2																	
																1				
		-0																		
13. Storage: Rate	N	F 🦪	Quar	ntity					ac/ft	A	ddition	ıal Rat	e				NF	Addi	tional Quantity _	ac/ft
14. Limitation:	af/yr at	t				gpm (_				cfs) wl	hen co	mbine	ed with	file nu	ımber	(s)				
Limitation:	af/yr at	t				gpm (_				cfs) wl	hen co	mbine	d with	file nu	ımber	(s)				
15. 5YR Allocation: Allocation																				
16. Place of Use CHK			, NE	Ε1/4			NW	I1/4			sv	V1/4			S	6E1/4		Total	Owner Chg	? Overlap Files
MOD DEL ENT PUSE S T R	ID	NE 1⁄4	NW 1⁄4	SW 1/4	SE 1⁄4	NE ¼	NW 1⁄4	SW 1/4	SE 1⁄4	NE 1⁄4	NW 1⁄4	SW 1/4	SE 1⁄4	NE 1⁄4	NW 1/4	SW 1/4	SE 1/4			
MOD 31019 31 22S 2	2W 3									17.5	Lot 3 13.5	Lot 4 31	20.5					82.5		HG 65, 8407, 19130, 1, 36647, 20177052-MF
MOD 35362 36 22S 2	23W 1											Lot 4 12	20	14.5	15	17.5	19.5	98.5		HG 65, 8407, 19130, 1, 36647, 20177052-MF
MOD 10365 6 23S 2	2W 1	Lot 1 30.5	Lot 2 25	17	13	Lot 3 4.5	Lot 4 3.5											93.5	8b. No, I	HG 65, 8407, 19130, 1, 36647, 20177052-MF
MOD 58076 1 23S 2	3W 2	Lot 1 8	Lot 2 10	3.5	2.5								×	30	30	31	31	146	8c. Yes,	HG 65, 8407, 19130, 1, 36647, 20177052-MF
Base Acres: 170.95 (50.95	add') Ye	ar: 19	990	Minir	num F	Reaso	nable (Quanti	ity: 1.	32 A	\F/ac	cre				•		•		
Comments:	,																			

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

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



STATE OF KANSAS

Check # 5998

Receipt Date

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.

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•	,						ile No.	<u>3876</u>	4								MΔ		oam 2019
	pplication		·			⊠ PI	ace of	Use			Point o	of Dive	rsion			DI\	Staf /ISION (ford Fie	d Office ER RESOURCES
					tile st				ationii			e wate		aitionic	40001	ibea b	CIOW.		
2. N																			
_	Phone Number: (620)623-0105 Email address:																		
						orresp	 onden					Walt S	Salmar	ns					
	Name and address of Water Use Correspondent: Good Earth Ranch Inc, Walt Salmans PO Box 128, Hanston Kansas 87849-0128																		
_	Phone Number: (620)623-0105																		
	he pres					se is:													
	wner of						th Rar	ch Inc	, Walt	Salma	ıns	B.)	Gwen	dolyn	C Saln	nans			
		P	ADDRE	ESS: A	4.) PO	Box 1	28, Ha	nston	Kansa	as 878	49-012	28 B.)	PO B	ox 128	, Hans	ton Ka	ansas (<u> 67849-</u>	0128
(I	f there is	more th	an one	landow	ner, at	tach su	ppleme	ntal sh	eets as	neces	sary.)								
				NE	1/4			NV	V1⁄4			sv	11/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE1/4	ACRES
A.) 31	228	22W									17	Lot 3 14	Lot 4 30	24					85
A.) 36	228	23W									1		Lot 4 11	20	22	18	17	21	110
A.) 6	238	22W	Lot 1 30	Lot 2 26	16	12	Lot 3	Lot 4											91
B.) 1	238	23W			5										30	30	31	31	122
4. II	this ap	plication	is for	a chai	nge in	place	of use	it is p	ropose	ed that	the pla	ace of	use be	chan	ged to	1 %			
C	wner o	f Land -	NA	ME:	A.) Go	od Ea	rth Rar	nch Ind	c, Walt	Salma	ans		Gwen						
			ADDRE			1200000	/ 11/					28 B.)	PO B	ox 128	3, Hans	ston Ka	ansas	67849-	0128
(f there is	more th	an one	landov	vner, at	tach su	ippleme	ental sh	eets as	neces	sary.)								
				NE	1/4								TOTAL ACRES						
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4		SW¼ Lot 4	SE¼	NE1/4	NW¼	SW¼	SE1/4	AONEO
A.) 3	1 228	22W					4	-			17.5	13.5	31 Lot 4	20.5					82.5
A.) 3	6 22S	23W					1,59						12	20	14.5	15	17.5	19.5	98.5
A.) 6	238	22W	Lot 1 30.5	Lot 2 25	17	13	Lot 3 4.5	Lot 4 3.5											93.5
B.) 1		23W	Lot 1 8	Lot 2 10	3.5	2.5									30	30	31	31	146
					2.17		27												

Fee \$ 700.00 TR#

For Office Use Only: Code _____

- 1	Presently authorized point of diversion:					1
	One in the SW Quarter of the of Section 36 \(\mathcal{O} \osers \frac{9}{5} \), Township 2	SE	Quarter of the	S	E	Quarter
	of Section 36 36, Township 2	22	South, Range		23	W,
	in Hodgeman 5304em County, Kansas, 280 fee	et North	796 feet Wes	t of Southea	ast corner of	section.
	Authorized Rate 400 GPM (Limited) Authorized Quantity1					
	(DWR use only: Computer ID No. 6 GPS					
	☑This point will not be changed ☐This point will be changed as					follows:
	Proposed point of diversion: (Complete only if change is					
	One in the Quarter of the					
	of Section, Township		South, Range			_ ,
	in County, Kansas, fee					section.
	Proposed Rate Proposed Quantity					
	This point is: Additional Well Geo Center List other					
L						
6. Г	Presently authorized point of diversion:					
٥.	One in the Quarter of the		Quarter of the			Quarter
	of Section, Township					
	in County, Kansas, fee					
	Authorized Rate Authorized Quantity					
	(DWR use only: Computer ID No GPS					
	This point will not be changed ☐ This point will be changed as					follows:
	Proposed point of diversion: (Complete only if change is					
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	of Section, Township	ot North	South, Range	t of Souths	act corner of	(L/VV),
- 1	in County, Kansas, fee					
- 1	Proposed Rate Proposed Quantity					
L	This point is: Additional Well Geo Center List other	water right	s mat will use this p	oint <u>ivone</u>		·
7.	The changes herein are desired for the following reasons?					
1.	(please be specific) Modifying the place of use to include			North		
	a new small pivot in the NE of 1-23-23W and create a	300	200 100	0 100	200	300
	complete overlap between File Nos. HG 65, 8407, 19130,	E	علىسا يتنجيباليين	Ŧ IIII	eater Hill III	Ħ
0	28176, 36641, 36647, & 38764.	E		<u> </u>	_	=
8.	If a well, is the test hole log attached? Yes No	200	+ + 1	= 1 +	+ -	200
9.	The change(s) (was)(will be) completed by?	E				=
٥.		400 E	_1_ · T ·	= +		100
	Upon Approval	100	+ + + 1	= ' +	+ -	100
10.	If the point of diversion is a well:	L		_		L
		West D ##	lice is limite	. ™ c duul	ada ulunca t	⊕ 0 East
	(a) what are you doing to do with the old well?	416260	*	63		
	(a) What are you going to do with the old well?	E	- mp	=	_	3
	NA	E	— — —			
	NA	100	+ + I			100
		E	 - + + 1	- +		100
11	NA (b) When will this be done? NA	100	 - + + + 1 			
11.	NA (b) When will this be done? NA Groundwater Management District recommendation	E	 - + + + I - + + 1	- +		100
11.	NA (b) When will this be done? NA	100		- + - + - +		
	NA (b) When will this be done? NA Groundwater Management District recommendation	200	 - + - + - - + - + -		- - - - - - -	1 1 1 200
12.	NA (b) When will this be done? NA Groundwater Management District recommendation attached? Yes No Assisted by TJS/EKF - SFFO	200	 - + + I - + + I 200 100		- - - - - - -	200
12.	NA (b) When will this be done? NA Groundwater Management District recommendation attached? ☐ Yes ☒ No Assisted by TJS/EKF - SFFO a. If the proposed point of diversion will be relocated more than 300 feet but within 2.640 feet of the existing point of diversion,	200 200 300	- + +	iversion will	200 cole: 1 hostmark=16	200 300 0):
12.	NA (b) When will this be done? NA Groundwater Management District recommendation attached? ☐ Yes ☒ No Assisted by TJS/EKF - SFFO a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For	200	+ +	South sliversion wilf diversion, i	200 cole: 1 hostmark=16	200 300 0 fr 1 within 300 ation on the
12.	NA (b) When will this be done? NA Groundwater Management District recommendation attached? ☐ Yes ☒ No Assisted by TJS/EKF - SFFO a. If the proposed point of diversion will be relocated more than 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	100 200 13b. If the feet o diagra	- + +	O 100 South stiversion will f diversion, i	200 cole: 1 hostmark=10 be relocated its loc to the existing	200 300 0/s I within 300 ation on the
12.	NA (b) When will this be done? NA Groundwater Management District recommendation attached? ☐ Yes ☒ No Assisted by TJS/EKF - SFFO a. If the proposed point of diversion will be relocated more than 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	100 100 100 100 100 100 100 100 100 100	+ + - + + 200 100 proposed point of come shown above ison. (PLEASE NO erepresents the	O 100 South s liversion will f diversion, i n relation (TE: The ")	200 cole: 1 hashmark=10 be relocated its loc to the existin (" in center"	200 300 0/s I within 300 ation on the
12.	NA (b) When will this be done? NA Groundwater Management District recommendation attached? ☐ Yes ☒ No Assisted by TJS/EKF - SFFO a. If the proposed point of diversion will be relocated more than 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	100 300 300 13b. If the feet of diversion above diversions above diversions and the feet of the feet o	- + +	O 100 South s liversion will f diversion, i n relation (TE: The ")	200 cole: 1 hashmark=10 be relocated its loc to the existin (" in center"	200 300 0/s I within 300 ation on the

your property lines

14. If the proposed groundwater point of diversion is 500 of fewer feet in	on the existing point of diversion, complete the following.
(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 author 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 sub ☐ Yes ☐ No (If no, all owners must sign this application)	
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 appropriate in this application are true, correct and complete.	rized agent of the owner(s) to make this application on
Dated at Hauston , Kansas, this	$\underline{}$ day of $\underline{}$ $\underline{}$, 20 $\underline{}$, 20 $\underline{}$.
Wilt Silman (Owner)	Gwendolyn C. Salmans Gwendolyn C. Salmans
Walt Salmans	Gwendolyn C. Salmans
(Please Print)	J (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas) SS	
County of Hoclgeman	and
I hereby certify that the foregoing application was signed in of, 20_10	my presence and sworn to before me this day
,	Kichelle Siee
My Commission Expires $9-19-2022$.	RICHELLE LEE
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, al accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	of the applicable portions of the application form must be completed with
Each application to change the place of use or the point of diversion und forth 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 (3) Application to change the place of use	ler this section shall be accompanied by the application fee set nent of Agriculture \$100 et

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 38764 requesting that the place of use and / or point of A change application was received on <u>May</u> diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.

Applicable

Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a radius of the authorized point(s) of diversion.

Applicable Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than _ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable feet from the previously As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☐ Applicable ☒ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2019**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. ☐ Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable ☐ Applicable The completed well log shall be submitted with the required notice. ☐ Applicable 10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. ☒ Applicable ☒ Not Applicable No. * 11. Additional Conditions are attached. X Yes 12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. FOR OFFICE USE ONLY **Administrative Appeal and Effective Date of Order** APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative R. Conent Cameran (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Division of Water Resources - Kansas Department of Agriculture Date of Issuance: **66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas SS For Use by Register of Deeds County of C TIS-SFFO Acknowledged before me on Signature: Notary Public JESSICA ENGELBRECHT NOTARY PUBLIC My Appointment Expires My commission expire (Notations)

File No.

38764

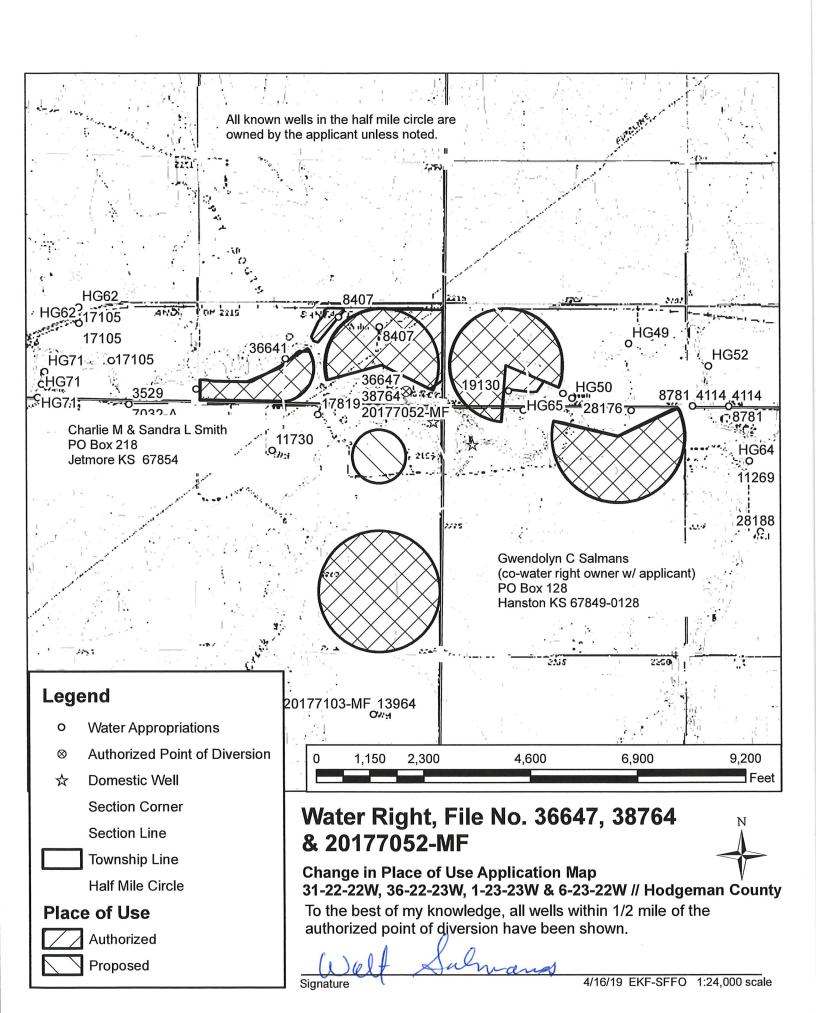
ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

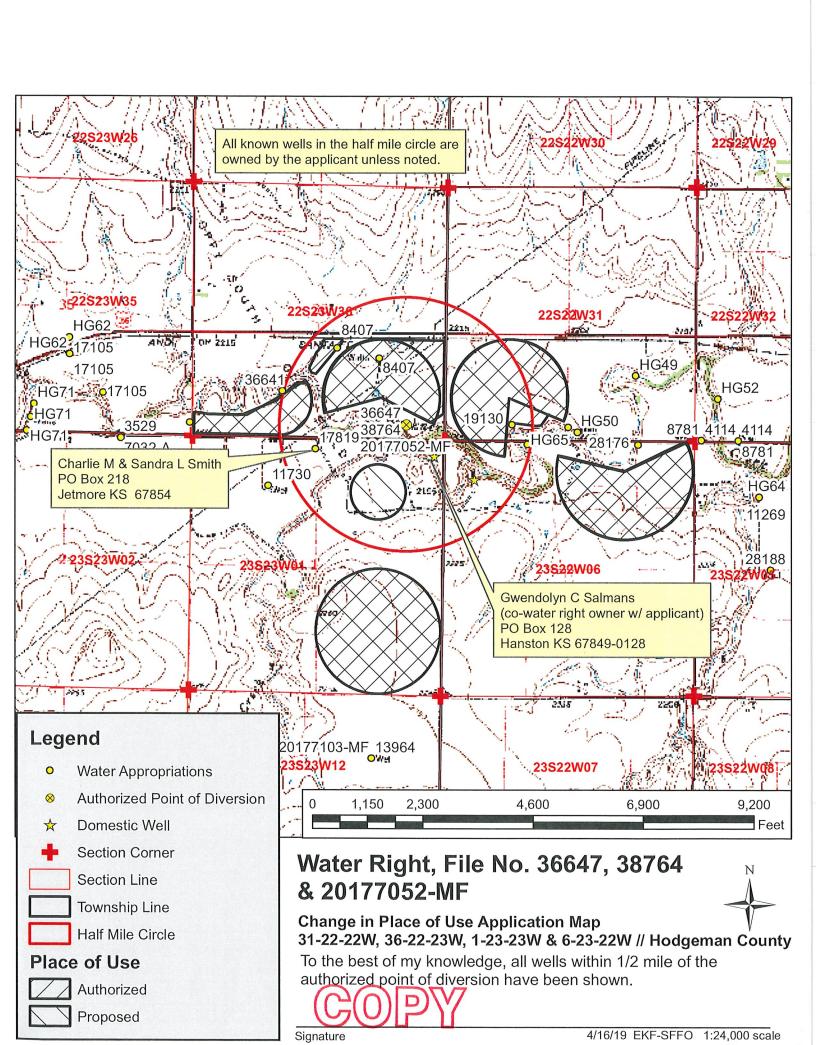
The effective date of the change shall be the date this order is executed by the Chief Engineer, after which Water Right, File No. 38764 shall be subject to the following conditions:

- 11a. If the water flowmeter is replaced with a new flowmeter then the owner of the authorized place(s) of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer
- 11b. A seal shall be placed on the water flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

Page 5

File No. 38764





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



Phone: 620-234-5311 Fax: 620-234-6900 www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

May 14, 2019

Walt Salmans PO Box 128 Hanston KS 67849

Re: Water Right, File No(s). 38764

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 <u>Certified Water Flowmeters</u> 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 **14th** day of **May, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **38764**, dated **May 14, 2019** was mailed via Certified U.S. mail to the following:

Walt Salmans PO Box 128 Hanston KS 67849

(Issica Algebrust
Staff



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 5/8/2019

FROM: Tyler Saryerwinnie

RE: File No. HG-65, 8407, 19130, 28176,

36641, 36647, & 38764

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>5/6/2019</u> for the above referenced files meet this criteria and surrounding well owners will not be notified.