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 than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

|      |   |          |          |         |          | F       | ile No  | . <u>3717</u> | 2        |         |               |                               |        |                |         |         | F     | 1:4<br>FB 1 | 5 p.m.<br>4 2022 |
|------|---|----------|----------|---------|----------|---------|---------|---------------|----------|---------|---------------|-------------------------------|--------|----------------|---------|---------|-------|-------------|------------------|
| 1. A | pplication  | on is he | reby n   | nade fo | or appr  | oval o  | f the C | hief E        | nginee   | r to ch | ange t        | he (ch                        | eck or | e or b         | oth):   |         |       |             | office           |
|      | Place of Use Point of Diversion Stafford F                          |          |          |         |          |         |         |               |          |         |               | Field Office<br>later Resourc |        |                |         |         |       |             |                  |
| u    | nder the  | water    | right w  | hich is | the s    | ubject  | of this | applica       | ation ir | n acco  | rdance        | with t                        | he cor | ditions        | s desc  | ribed b | elow. | JII OI II   |                  |
| Т    | he sour   | ce of su | apply is | S:      |          | ⊠ G     | round   | water         |          |         | Surfac        | ce wate                       | er     |                |         |         |       |             |                  |
|      | lame and address of Applicant: Mark & Gina Greene                   |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
| _    | 37 170 <sup>th</sup> Ave, Garfield, KS 67529                        |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      | Phone Number: (620)923-5050 Email address: markgreene5050@gmail.com |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      | Name and address of Water Use Correspondent: Mark & Gina Greene     |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      | 37 170 <sup>th</sup>  |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      | hone N  |          |          |         |          |         |         |               | Email    | addres  | ss: <u>ma</u> | arkgree                       | ene505 | 0@gn           | nail.co | m       |       |             |                  |
|      | he pres   | -        |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
| C    | wner of   |          |          |         |          |         |         |               |          | 2000    |               |                               |        |                |         |         |       |             |                  |
|      |   |          |          |         |          |         | e, Gar  |               |          |         |               |                               |        |                |         |         |       |             |                  |
| (1   | f there is  | more th  | an one   | landov  | ner, at  | tach su | ppleme  | ntal sh       | eets as  | neces   | sary.)        |                               |        |                |         |         |       |             |                  |
|      |   |          |          | NE¼ NW¼ |          |         | SW¼     |               |          |         | SE¼           |                               |        | TOTAL<br>ACRES |         |         |       |             |                  |
| Sec. | Twp.  | Range    | NE¼      | NW¼     | SW¼      | SE¼     | NE¼     | NW¼           | SW1/4    | SE1/4   | NE1/4         | NW¼                           | SW1/4  | SE¼            | NE1/4   | NW¼     | SW1/4 | SE¼         | ACKES            |
| 4    | 248   | 17W      |          |         |          |         | 40      | 40            | 40       | 40      |               |                               |        |                |         |         |       | ,           | 160              |
|      |   |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      |   |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      | this apply  | f Land - | NA       | AME:    | NO CH    | HANGI   |         |               | •        |         | the pl        | ace of                        | use be | e chan         | ged to  | :       |       |             |                  |
| (    | f there is  | more th  | an one   | landov  | vner, at | tach su | ıppleme | ental sh      | eets as  | neces   | sary.)        |                               |        |                |         |         |       | П           |                  |
|      | NE1/4   |          |          | NW¼     |          |         | SW1/4   |               |          | SE1/4   |               |                               |        | TOTAL<br>ACRES |         |         |       |             |                  |
| Sec. | Twp.  | Range    | NE¼      | NW¼     | SW¼      | SE¼     | NE¼     | NW¼           | SW¼      | SE¼     | NE¼           | NW¼                           | SW1/4  | SE¼            | NE¼     | NW¼     | SW1/4 | SE¼         | AONLO            |
|      |   |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      |   |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
|      |   |          |          |         |          |         |         |               |          |         |               |                               |        |                |         |         |       |             |                  |
| F    | or Offic  | ce Use   | Only:    | Code    | UT       | Fe      | e \$    | 0000          | _ TR     | #       |               | Re                            | eceipt | Date _         |         |         | Chec  | k# <u>\</u> | 560              |

| 5.          | Presently authorized point of diversion:   |  |
|-------------|--|--|
| - 1         | One in the Quarter of the  | Quarter of the NC NW Quarter   |
|             |  | 24 South, Range 17 (W),  |
|             |  | et North3975 feet West of Southeast corner of section.   |
|             | Authorized Rate 600 gpm Authorized Quantity  | 195 AF Depth of well 84 (feet)   |
|             | (DWR use only: Computer ID No. 3 GPS   | 4013 feet North 3888 feet West)  |
|             | ☐This point will not be changed ☐This point will be changed as   | follows: No change, point better described with GPS as follows:  |
|             |  | requested or if existing point is better described by GPS)   |
|             |  | Quarter of the <u>NC NW</u> Quarter  |
|             |  | 24 South, Range(W),  |
|             |  | et North <u>3848</u> feet West of Southeast corner of section.   |
|             |  | o change Proposed well depth (feet) ~84 ft   |
|             |  | water rights that will use this point  |
| L           |  |  |
| 6. <b>[</b> | Presently authorized point of diversion:   |  |
| ۲. ا        |  | Quarter of the Quarter   |
|             | of Section . Township  | South, Range (E/W),  |
|             | in County Kansas, fee  | et North feet West of Southeast corner of section.   |
|             | Authorized Rate Authorized Quantity  |  |
|             | (DWR use only: Computer ID No GPS  |  |
|             |  | follows: No change, point better described with GPS as follows:  |
|             |  | requested or if existing point is better described by GPS)   |
|             |  | Quarter of the Quarter   |
|             | of Section Township  | South, Range(E/W),   |
|             | in County, Kansas, fee   | et North feet West of Southeast corner of section.   |
|             | Proposed Rate Proposed Quantity  | Proposed well depth (feet)   |
|             | This point is: Additional Well Geo Center List other   |  |
| L           | по решие Думинами.   |  |
| 7.          | The changes herein are desired for the following reasons?  |  |
|             | (please be specific) Needs new well because old well lost  | North 200 200 200  |
|             | production.  | 300 200 100 0 100 200 300<br>Empiripinginginginginginging  |
|             |  |  |
| 8.          | If a well, is the test hole log attached?  Yes  No   | 200  |
|             |  | 200 + 1 + 1 + 1 = 1 + 1 + 1 = 200  |
| 9.          | The change(s) (was)(will be) completed by?   |  |
|             | As soon as possible  | 100 -   +   +   =   +   +   = 100  |
|             |  |  |
| 10.         | If the point of diversion is a well:   |  |
|             | (a) What are you going to do with the old well?  | West 0   |
|             | Keep for domesetic stock use   |  |
|             |  | 100 +   +   =   +   +   = 100  |
|             | <b>(b)</b> When will this be done? <u>Upon completion of new well.</u>   |  |
|             |  |  |
| 11.         | Groundwater Management District recommendation attached?   | 200 - 1 + 1 + 1 - 1 + 1 + 1 = 200  |
|             | ☐ Yes   ☐ No   |  |
| 10          | Againted by TMA SEEO   | <u> </u>   |
|             | Assisted by TMA SFFO   | 300 200 100 0 100 200 300<br>South Scale: 1 hashmark=10 ft   |
| 13a         | a. If the proposed point of diversion will be relocated more than 300  | 42b If the averaged point of diversion will be releasted within 200 fo   |
|             | feet but within 2,640 feet of the existing point of diversion, attach  | 13b. If the proposed point of diversion will be relocated within 300 fe of the existing point of diversion, indicate its location on the |
|             | a topographic map or aerial photograph. For groundwater  | of the existing point of diversion, indicate its location on the   |
|             | a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile      | diagram shown above in relation to the existing point  |
|             | sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing | diagram shown above in relation to the existing point diversion. (PLEASE NOTE: The "X" in center of diagra                               |
|             | sources, show all wells (including domestic) within one-half mile  | diagram shown above in relation to the existing point  |

lines

| 14. II U          | he proposed groundwater point of diversion is 500 of fewer fe   | et from the existing point of diversion, complete the following.   |
|-------------------|---|--|
| (a)               | Does the undersigned represent all owners of the currently a Yes  No  (If no, all owners must sign this a   |  |
| (b)               | Will the ownership interest of any owner of the currently at affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign this                              | uthorized place(s) of use identified in this application be adversely application.)  |
| (c)               | If this application is not approved expeditiously, will there be $\boxtimes$ Yes $\square$ No (If no, all owners must sign this a   |  |
| or a cha          | opplication proposes a surface water change in point of diversion<br>ange in place of use, the application must be signed by all ow<br>attach notarized statement authorizing representation).  | on, a groundwater change in point of diversion greater than 300 feet, ners of the currently authorized place of use, or their duly authorized                  |
| age ar<br>their b | nd the owner, the spouse of the owner, or a duly aut<br>behalf, in regards to the water right(s) to which this<br>ned in this application are true, correct and complet                         |  |
| Dated a           | at <b>Stafford</b> , Kansas,  | this 14th day of February, 20 22.  |
|                   | the three   | 0  |
|                   | (Owner)   | (Spouse)   |
|                   | Gina Greene<br>(Please Print)   | (Please Print)   |
|                   | (Owner)   | (Spouse)   |
|                   | (Please Print)  | (Please Print)   |
|                   | (Owner)   | (Spouse)   |
|                   | (Please Print)  | (Please Print)   |
|                   | of Statford Statford  |  |
| I he              | reby certify that the foregoing application was signed.  20 FAITH CURTIS  My Appointment Expires  | my presence and sworn to before me this 4th day  |
| Му Сог            | mmission Expires  | Notary Public  |
| accurate          |   | e, all of the applicable portions of the application form must be completed with the appropriate owners' must be affixed to the application and notarized; and |
|                   | the schedule below: Make checks payable to: <b>Kansas Dep</b><br>(1) Application to change a point of diversion 300 feet or les<br>(2) Application to change a point of diversion more than 300 | under this section shall be accompanied by the application fee set artment of Agriculture  |

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

| prov<br>Witl | s Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.,</i> and rules and regulations promulgated thereunder, he the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No. 37172   |
|--------------|--|
| 1.           | A change application was received on diversion authorized under the above-referenced file number be changed as described in the application.   |
| 2.           | 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   |
| 3,           | 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 50 foot radius of the authorized point(s) of diversion.  |
| 4.           | 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   |
| 5.           | The point(s) of diversion authorized herein shall not actually be located more than 90 feet from the previously authorized point(s) of diversion.  |
| 6.           | 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   |
| 7.           | The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2022, 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.    Applicable   Not Applicable   N |
| 8.           | Installation of the works for diversion of water shall be completed on or before December 31, 2022, or within any authorized extension of time. By March 1, 2023 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   |
| 9.           | The completed well log shall be submitted with the required notice.  |
| 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   |
| 11.          | Additional Conditions are attached.  |
| 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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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.  |
|              | Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY  |
| If yo        | ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED  |
| you          | may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of  |
| Agr          | iculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer   |
| adr          | ninistrative review by the Secretary must be filed within 30   |
| rev          | iew must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture  |
| File<br>Lec  | any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS   |
| 665          | 502. Failure to timely request a hearing or review may Clude review under the Kansas Ludicial Review Act  State of Kansas  )   |
| pre          | For Use by Register of Deeds  County of Stafford  Stafford  County of Stafford  Stafford   |
|              | Acknowledged before me on 21412072   |
|              | by Faith Curtis  |
|              | Signature: — Futh Cut's  |
|              | Notary Public  My commission expires:  |
|              | (Notary Seal)  |
|              | WASTE COLL   |