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.

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1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both):    Place of Use   Point of Diversion   Stafford Field Office																		
2. Name and address of Applicant: Steve Dillon  1 Compound Drive, Hutchinson, KS 67502  Phone Number: (620)669-7065  Email address: milo2396w@yahoo.com																			
3.	Name and address of Water Use Correspondent: Steven Richard Dillon Trust  1 Compound Drive, Hutchinson, KS 67502  Phone Number: (620)669-7065 Email address: milo2396w@yahoo.com  The presently authorized place of use is:  Owner of Land NAME: Steven Richard Dillon Trust																		
	ADDRESS: 1 Compound Drive, Hutchinson, KS 67502  (If there is more than one landowner, attach supplemental sheets as necessary.)																		
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downstream and one-half mile upstream from your property lines			ne-nait mile u	pstream from your	property						

14. If the proposed groundwater point of diversion is 300 or fewer feet from the	e existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently authorized   ☐ Yes ☐ No (If no, all owners must sign this application	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☑ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	
(c) If this application is not approved expeditiously, will there be substant ⊠ Yes □ No (If no, all owners must sign this application	
If the application proposes a surface water change in point of diversion, a group or a change in place of use, the application must be signed by all owners of the agent (attach notarized statement authorizing representation).	undwater change in point of diversion greater than 300 feet, ne currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmation age and the owner, the spouse of the owner, or a duly authorized their behalf, in regards to the water right(s) to which this application are true, correct and complete.	agent of the owner(s) to make this application on
Dated at Stafford , Kansas, this 13th	day of <u>February</u> , 20 <u>23</u> .
St Dill	(0)
Steve illon	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas )	
County of Stafford SS	and the
I hereby certify that the foregoing application was signed in my pof	presence and sworn to before me this 3 day
FAITH CURTIS  My Appointment Expires  April 29, 2023	Faith Cut's Notary Public
My Commission Expires	,
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	applicable portions of the application form must be completed with riate owners' must be affixed to the application and notarized; and
FEE SCHEDULE	
Each application to change the place of use or the point of diversion under this forth in the schedule below: Make checks payable to: Kansas Department of (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	of Agriculture \$100 \$200

#### 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 20075. limitations of File No. 29075 requesting that the place of use and / or point of A change application was received on February 13, 2023 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 2. Not Applicable the topographic map accompanying the application to change the place of use. ☐ 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 50 radius of the authorized point(s) of diversion. 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. \(\subseteq\) Applicable \(\subseteq\) Not Applicable The point(s) of diversion authorized herein shall not actually be located more than 75 feet from the previously authorized point(s) of diversion. 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 Applicable ☐ Not Applicable K.A.R. 5-6-13. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2023, 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 Installation of the works for diversion of water shall be completed on or before December 31, 2023, or within any authorized extension of time. By March 1, 2024 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. ☐ Not Applicable The completed well log shall be submitted with the required notice. □ Applicable ☐ Not 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 11. Additional Conditions are attached. □ Yes ⊠ No 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 ameran (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: H Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: Notary Public

My commission expires:



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

Mike Beam, Secretary

www.agriculture.ks.gov
Laura Kelly, Governor

Phone: 620-234-5311

Fax: 620-234-6900

February 13<sup>th</sup>, 2023

Steve Dillon 1 Compound Drive Hutchinson, KS 67502

Re: Water Right, File No(s). 29075

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 <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits">https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits</a>. 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.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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

Groundwater Management District No. 5

### **CERTIFICATE OF SERVICE**

On this **13th** day of **February**, **2023**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **29075**, dated **February 13th**, **2023** was hand delivered to the following:

Steve Dillon

Faith Cute
Staff