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.

nan 1		or if pla	ace of u	use wil														id propo	Sed point(s) ECEIVED 9'.3()	
						F	ile No.	48262	2									NO	9'.30am V 2 7 2023	
. А	Application is hereby made for approval of the Chief Engineer to change the (check one or both):												Staffo	rd Field Offic						
											Point of Diversion Change the (check one or both): Division of Water Resor									
uı	nder the	water	right w	hich is	the su	ubject	of this	applica	ation ir	n accoi	rdance	with t	he cor	ditions	desc	ribed b	elow.			
	he sour		-				roundv					e wate								
2. N	Name and address of Applicant: Gray Metal Inc																			
	B170 N Ohio St, Wichita KS 67219-4134																			
	Phone Number: () Email address:																			
	Name and address of Water Use Correspondent: Mark & Joyce Vogts Trust																			
	1795 Arapaho Rd, Moundridge KS 67107 Phone Number: (620)345-6616 Email address: mjfarms01@yahoo.com																			
. Т	The presently authorized place of use is:																			
0	Owner of Land NAME: Gray Metal Inc																			
	ADDRESS: 3170 N Ohio St, Wichita KS 67219-4134																			
(11	f there is	more th	an one	landow	ner, at	tach su	ppleme	ntal she	ets as	necess	sary.)									
				N	E¼			N	N1⁄4			SI	N1/4			S	E¼		TOTAL	
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	ACRES	
26	228	3W			32.5	32	35	27		18.5	20	37.5	33.5	11	32	32			311	
				7				100												
С	this appoint the thick the	Land -	NA Addre	ME: <u>(</u> ESS: <u>(</u>	Gray N 3170 N	<u>/letal lr</u> / Ohio	nc St, Wi	chita K	(S 672	19-41	34	ace of	use be	chan	ged to					
(1	- There is	more u	an one			tacii su	ppieme			Heces	sary.)									
0	T	D	NEW	NE		051/	NEW	NN		051/	NEW	SW		051/	NE1/	SE		051/	TOTAL ACRES	
Sec.	Twp.	Range	NE¼	NW¼	SW1/4 32.5	SE1/4	NE¼	NW¼	SW¼	SE1/4	NE¼ 17.5	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE1/4	244	
26	22S	3W			32.5	32.5	34.5	27		29.5	17.5	36.5	28.5	10.5	31.5	30.5		$\vdash \dashv$	311	
																		$\vdash \vdash \vdash$		
										- 0										
F	or Offic	e Use	Only:	Code	CPU	L Fe	e\$ 7	$^{-}$ COO $_{c}$	TR :	#		Re	ceipt	Date			Chec	k# 2	253	

5.	Presently authorized po					
		Quarter of the				
		6, Township				
	in Harvey	County, Kansas, <u>1,107</u>	feet North _	1,671 feet West of S	outheast corner of	of section.
		gpm Authorized Quantity 3				
	(DWR use only: Compt	iter ID No. 4 GPS	1,107	feet North1,67	1 feet West)
	This point will not be cha	nged This point will be changed	d as follows:	☐ No change, point better de	escribed with GPS a	s follows:
		sion: (Complete only if change				
	One in the	Quarter of the		Quarter of the		Quarter
	of Section	, Township		South, Range		(E/W),
	in	County, Kansas,	feet North	feet West of S	outheast corner of	of section.
	Proposed Rate	Proposed Quantity		Proposed well depth (feet)	
-		al Well Geo Center List of				
L	This point is	LI VVOII COO CONTON ELOCOC	nor water rigi	no triat viii doo triio point <u>r</u>	10110	
_ Г	Presently authorized po	oint of diversion:				
6.		Quarter of the		Quarter of the		Quarter
	of Section	, Township		South Pange		(E/M)
	or Section	, rownship County, Kansas,	foot North	South, Nange	Coutheast corner	of section
		County, Kansas, Authorized Quantity _				
		uter ID No GPS				
		anged ☐This point will be change				
		rsion: (Complete only if chang				
	One in the	Quarter of the		Quarter of the		Quarter
-		, Township				
- 1		County, Kansas,				
		Proposed Quantity				· · · · · · · · ·
L	This point is: Addition	nal Well Geo Center List of	ner water rigi	nts that will use this point.		·_
7	The changes havein are	desired for the following reasons	.2			
7.		y the authorized acres) :	North		
	(produce to opening) internal	,	300		100 200	300
			E	····[·····]·····]····· <u>±</u> '···	.1	'''∄
0	If a well to the test halo to	wattachada 🗆 Vaa - 💆 Na	E			1
8.	If a well, is the test hole lo	g attached? 🗌 Yes 🛮 No	200	-1+1+1=	1 + 1 + 1	− 200
9.	The change(s) (was)(will b	ne) completed by?	E			4
٥.		, oop	400	=		100
	ASAP		100		1 + 1 + 1	了100
10.	If the point of diversion is	a well:		 		킄
	(a) What are you going to		West 0		4	ı++ ☐ 0 East
	(a) What are you going t			<u> </u>		4
	N/A					=
	(b) When will this be don	e? <u>N/A</u>	100	-1+1+1=	1 + 1 + 1	100
	()		E	=		=
11	Groundwater Managemer	nt District recommendation attached	d? 200	-1+1+1=	1 + 1 + 1	<u>−</u> ∃ 200
		No				₫
						<u> </u>
12.	Assisted by EKF/SFFO		300	0 200 100 0	100 200	300
12	. If the proposed point of div	version will be relocated more than		South	Scale: 1 hashmark	=10 ft
136	feet but within 2,640 feet of	of the existing point of diversion, att	ach 13b. If the	proposed point of diversion	n will be relocated y	within 300 feet
	a topographic map or a	erial photograph. For groundwa	ater of th	ne existing point of diversi ram shown above in rel	on, indicate its lo	cation on the
	of the proposed point of	ncluding domestic) within one-half rediversion and the names and ma	ling dive	rsion. (PLEASE NOTE:	The "X" in cente	r of diagram
	addresses of the owners.	For surface water sources, show	the above	ve represents the pre	sently authorize	ed point of
	names and addresses	of the landowner(s) one-half I If mile upstream from your prop	nne aive ertv	rsion.) RECEIV	VED	

NOV 2 7 2023

File No. <u>48262</u>

lines

14. If the proposed groundwater point of diversion is 300 or fewer feet from	the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently authoriz☐ Yes☐ No(If no, all owners must sign this application)	
 (b) Will the ownership interest of any owner of the currently authorize affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this applicant of the currently authorized applicant of the currently authori	
(c) If this application is not approved expeditiously, will there be substa ☐ Yes ☐ No (If no, all owners must sign this applicati	
If the application proposes a surface water change in point of diversion, a gr or a change in place of use, the application must be signed by all owners of agent (attach notarized statement authorizing representation).	oundwater change in point of diversion greater than 300 feet, the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirmati age and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this applic contained in this application are true, correct and complete.	d agent of the owner(s) to make this application on cation pertains. I further verify that the statements
Dated at, Kansas, thisa	20° day of November, 20, 23.
Gray Metal Inc. (Owner)	
(Owner)	(Spouse)
Gray Metal 170 . (Please Print)	(Please Print)
POA Kortney Kelley (Owner)	(· · · · · · · · · · · · · · · · · · ·
(Owner)	(Spouse)
POA Kortney Kelley (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas) SS	
County of Ogalice	2 44
I hereby certify that the foregoing application was signed in my of November, 20	presence and sworn to before me this 20 day
JACKIE	BEARDEN Lacky Bland
My Commission Expires 3-28-2025 . My Appt. Expir	Paragraph and Designation of American Street
<u>ONLY COMPLETE APPLICATIONS WILL BE PROCESSED</u> . To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the apprehe appropriate fee must be paid.	the applicable portions of the application form must be completed with opriate owners' must be affixed to the application and notarized; and
FEE SCHEDUL	
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	t of Agriculture
	NOV 2 7 2023

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. 48262 A change application was received on Nowmbur 27, 2023 requesting that the place of use and / or point of 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 2. 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 ______ foot radius of the authorized point(s) of diversion.

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 ______ feet from the previously authorized point(s) of diversion.

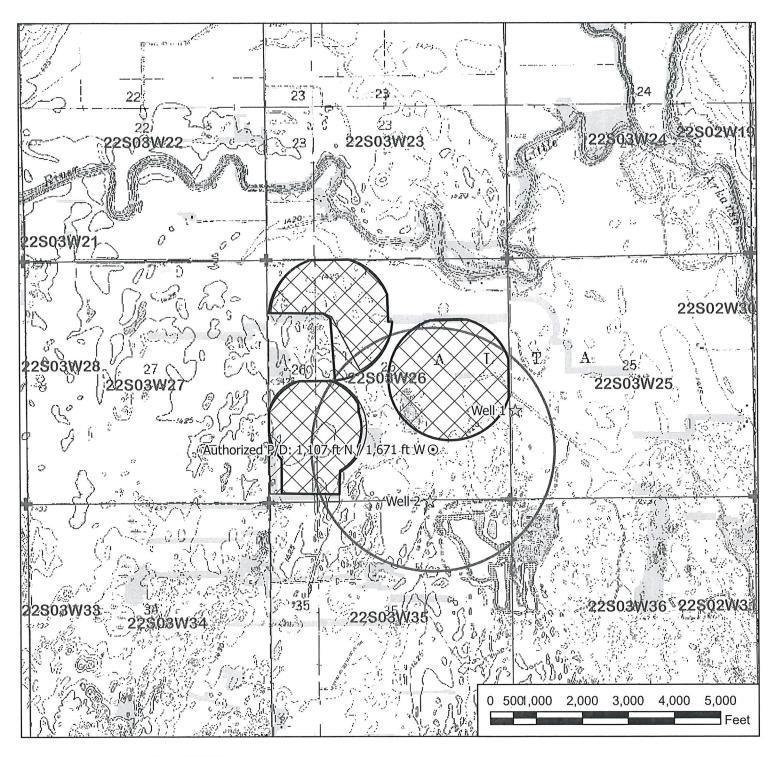
Applicable

Not Applicable 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, 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, 2024, 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. ☐ Applicable Not 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 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 administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Ву: __ Duly Authorized Designee of the Chief Engineer (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 ___ RECEIVED Acknowledged before me on _____ NOV 2 7 2023 Signature: _____ Stafford Field Office Notary Public Division of Water Resources My commission expires: _____

(Notary Seal)



Legend ○ Water Appropriation ○ Authorized Point of Diversion ☆ Domestic Well ☐ Section Line ☐ Half Mile Circle ☐ Proposed Place of Use

Authorized Place of Use

Water Right, File No. 48262

Application to Change the Place of UserMap/ED 26-22-3W // Harvey County

To the best of my knowledge, all water wells within one-half mile of the authorized point of diversion have been shown.

Stafford Field Office Division of Water Resources