

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.

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 10:17am
 DEC 20 2023

File No. 50681

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under 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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Ken-Win Farms, Inc., Attn: Bradley J. Ott
6650 N. 119th St. W., Maize, KS 67101

Phone Number: (316) 214-5983 Email address: ottbradley@yahoo.com

Name and address of Water Use Correspondent: Ken-Win Farms, Inc., Attn: Bradley J. Ott
6650 N. 119th St. W., Maize, KS 67101

Phone Number: (316) 214-5983 Email address: ottbradley@yahoo.com

3. The presently authorized place of use is:
 Owner of Land ---- NAME: Ken-Win Farms, Inc.

ADDRESS: 6650 N. 119th St. W., Maize, KS 67101

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	Lot 3 NE¼	Lot 4 NW¼	Lot 5 SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6	26S	1W					43.22	42.10	37.48	43.20									166

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: NO CHANGE

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code CGT Fee \$ 200⁰⁰ TR # _____ Receipt Date _____ Check # 1169

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the Lot 5 (SW-NW) Quarter
 of Section 6, Township 26 South, Range 1W (E/W),
 in Sedgwick County, Kansas, 3700 feet North 5200 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 215.8 AF Depth of well Not drilled (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the Lot 4 (NW-NW) Quarter
 of Section 6, Township 26 South, Range 1W (E/W),
 in Sedgwick County, Kansas, 4082 feet North 4320 feet West of Southeast corner of section.
 Proposed Rate 800 GPM Proposed Quantity 215.8 AF Proposed well depth (feet) ~40-60
 This point is: Additional Well Geo Center List other water rights that will use this point _____

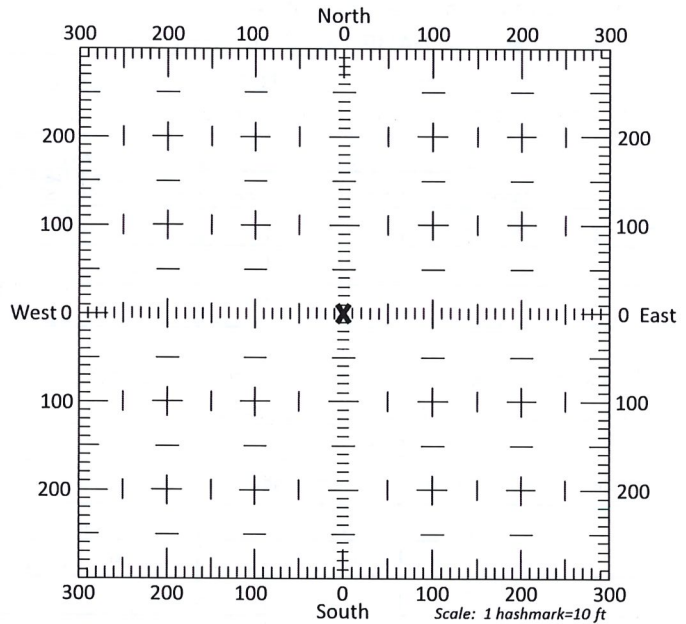
6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 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 Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) Move authorized well 382' north and 880'
east to drill well closer to proposed center pivot location.
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
ASAP
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
n/a - Original well was not drilled.
 (b) When will this be done? n/a

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by D. Randolph, GMD2

13a. 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 sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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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 authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Halstead, Kansas, this 15th day of December, 2023.

<p><u>Bradley J Ott president</u> (Owner) <u>Bradley J. Ott, Ken-Win Farms, Inc.</u> (Please Print)</p>	<p>_____ (Spouse) _____ (Please Print)</p>
<p>_____ (Owner) _____ (Please Print)</p>	<p>_____ (Spouse) _____ (Please Print)</p>
<p>_____ (Owner) _____ (Please Print)</p>	<p>_____ (Spouse) _____ (Please Print)</p>

State of Kansas }
 County of HARVEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of DECEMBER, 2023.

Rebecca Wilson
 Notary Public

My Commission Expires 06/21/2026.

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: **Make checks payable to: Kansas Department of Agriculture**

(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200

NOTARY PUBLIC - State of Kansas
 REBECCA WILSON
 My Appt. Exp. 06/21/2026

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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. 50,681.

1. A change application was received on December 20, 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.
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 Not 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
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 1,259 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
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, 2024**, 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
8. **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, 2025 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.** 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.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 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 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
 Duly Authorized Designee of the Chief Engineer

(Print Name): _____
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas _____)
 _____) SS
 County of _____)

Acknowledged before me on _____
 by _____

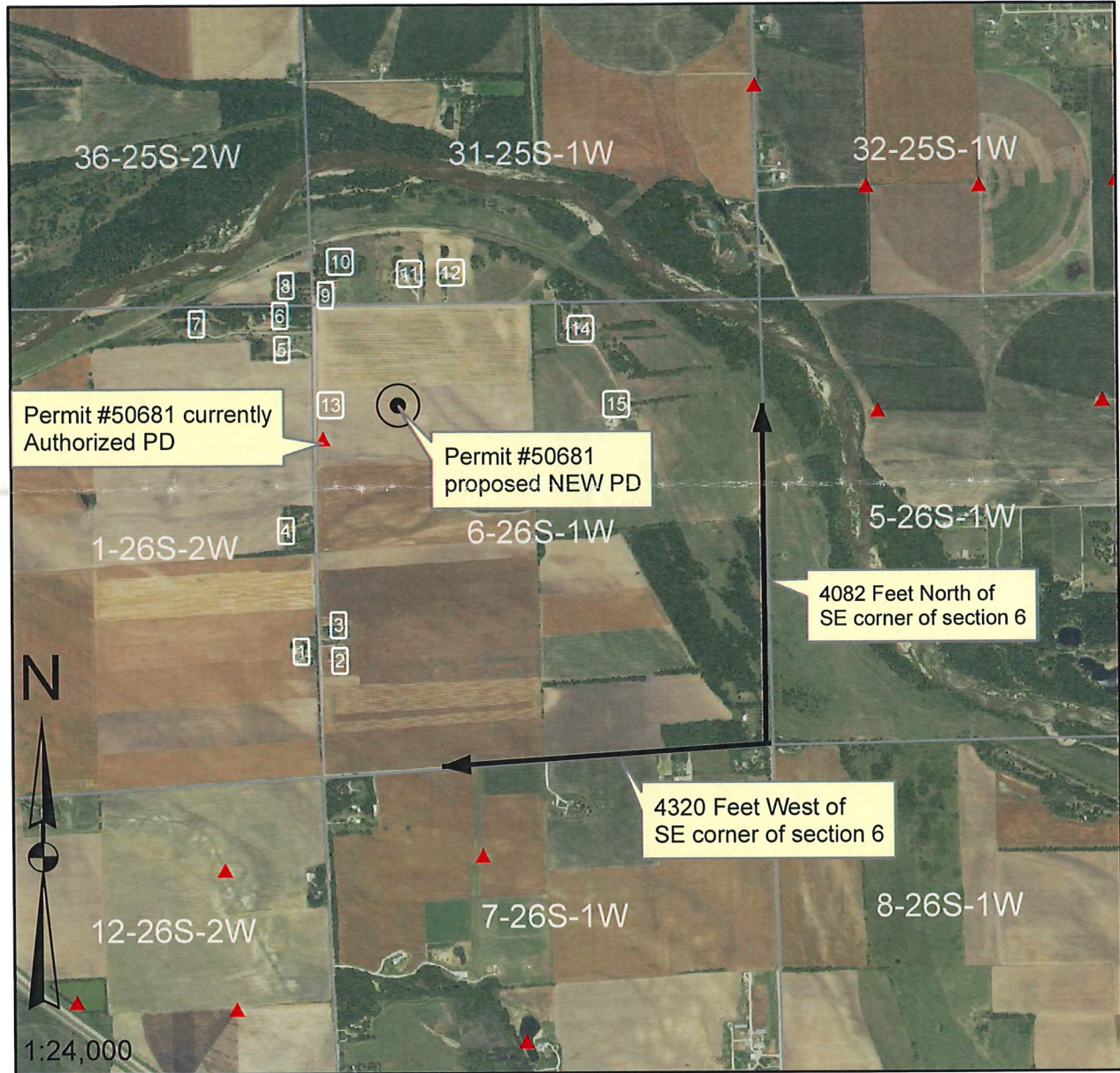
Signature: _____
 Notary Public

My commission expires: _____
 (Notary Seal)

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Application Map - File No. 50681



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Brendly J. Oct
Signature

12/15/23
Date

- New Application
- Application No. 50681 To Change:
 - Point of Diversion
 - Place of Use
 - Use Made of Water
 - Proposed Point of Diversion
 - Existing Points of Diversion
 - Proposed Place of Use
 - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) See Attached Sheet for details
- 2)
- 3)

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Change in PD Application No. 50681 - Wells Within ½ Mile

1. Domestic Well
Douglas E. & Virginia K. Holmes Liv. Trust
7501 N. 119th St. W, Maize, KS 67101
2. Domestic Well
Bruce & Doris E. Nicholson Liv. Trust
7180 N. 119th St. W, Maize, KS 67101
3. Domestic Well
Christina D. Nicholson ETAL
7214 N. 119th St. W, Maize, KS 67101
4. Domestic Well
Thomas T. Inkelaar
PO Box 316, Maize, KS 67101
5. Domestic Well
Matthew T. & Kelly L. Thorn
7717 N. 119th St. W, Maize, KS 67101
6. Domestic Well
George L. & Jennifer B. Warren
7781 N. 119th St. W, Maize, KS 67101
7. Domestic Well
Thomas G. Bauer
7737 N. 119th St. W, Maize, KS 67101
8. Domestic Well
Michael A. & Karen A. Hultman
7815 N. 119th St. W, Maize, KS 67101
9. Domestic Well
Roberta M. & Albert C. Proctor
7810 N. 119th St. W, Maize, KS 67101
10. Domestic Well
Edward L. Robinson
4158 Lakeridge Ct., Wichita, KS 67205
11. Domestic Well
GNAD Trust
11520 W. 77th St. N, Maize, KS 67101
12. Domestic Well
Steven A. Eddy
11420 W. 77th St. N, Maize, KS 67101
13. Applicant's Livestock Well
14. Domestic Well
Isaac E. Jack
11021 W. 77th St. N, Maize, KS 67101-9474
15. Domestic Well
James E & Wanda L. Nicholson
11011 W. 77th St. N, Maize, KS 67101-9474

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Division of
Stafford

Property Information Report

Owner Name: KEN-WIN FARMS INC
PIN Number: 00286554
AIN: 087-083-06-0-21-00-001.00
Geocode: PK 00032
Tax Unit: 18-05

Owner Address

Owner Name: KEN-WIN FARMS INC
Owner Address: 6413 N MAIZE RD
Owner City: MAIZE
Owner State: KS
Owner ZIP: 67101-9493

Property Address

Property Address:
Property City: null
Property State: KS
Property ZIP:

Appraised Values

Appraised Land Value: \$21,520
Appraised Improvement Value: \$0
Appraised Total Value: \$21,520

Assessed Values

Assessed Land Value: \$6,456
Assessed Improvement Value: \$0
Assessed Total Value: \$6,456

Land Information

Total Acres: 165.759
Total Square Feet: 7,220,482

Abbreviated
Legal
Description:

GOV LOTS 3-4-5 & SE1/4 NW1/4 SEC 6-26-1W

Improvement Information

Year Built:
Year Last Sold: N/A
Style: N/A
Basement Type: N/A
Arch Style Desc: N/A
Neighborhood Code: 715.1

Living Unit: N/A
Bedrooms: N/A
Bathrooms: N/A
Half Bath: N/A

Total Sq Ft: N/A
Ground Floor Sq Ft: N/A

Other Information

School District: 266