

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
VATER VETER REQUIRE STATE OF KANSAS

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.

							File No	o. <u>241</u> 0	02					-				MAD	RECEIVED 3:00 06 2024
1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Place of Use Point of Diversion									06 2024										
						□ F	Place o	of Use		\boxtimes	Point	of Div	ersion				12101	OF WAY	ield Occ
	under th	e water	right v	which i	s the s	subject	of this	appli	cation	in acco	ordanc	e with	the co	ndition	s desc	cribed	below.	-41/	ER RESOLD
•	The sou	rce of s	upply i	is:		\boxtimes	Ground	lwater			Surfa	ce wat	er						RCES
2.	Name a	nd addr	ess of	Applic	ant N	leville	Farms	HC											
	14601 V				_		unio	, LLO											
	Phone N								Email	addre	ss: BN	NCFarr	ms15@	Damail	.com				
1	Name a	nd addr	ess of	Water	Use C	orresp	onder	nt: Ne						2.0					
	14601 V																		
1	Phone N	lumber:	(316)	640-3	679				Email	addre	ss: BN	ICFarr	ns15@	gmail	.com				
3.	The pres	sently a	uthoriz	ed pla	ce of u	ıse is:													
(Owner o	f Land -	NA	AME:	1) Nev	ille Far	ms, LL	.C				2) Lyle	e L. & /	Anita R	. Lidde	ke			
			ADDR	ESS:	146	01 W.	77th St.	N., Co	olwich,	KS 670	030	185	517 SW	/ 84 th S	t., Bur	rton KS	6702	0	
(If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	neets as	s neces	sary.)								
NE1/4						N	N1/4			SV	V1/4			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	NE¼	NW¼	SW1/4	SE1/4	ACRES
1) 26	24S	3W	40	30.3	40	33													143.3
2) 26	248	3W		9.7															9.7
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																			
(If there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
NE:				1/4		NW¼			SW¼			SE1/4				TOTAL			
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
																		1	

(please be specific) Old well casing. Screens plugged. Move well 43 ft West B. 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? Plug It (b) When will this be done? When new well drilled. 11. Groundwater Management District recommendation attached? 12. Assisted by D. Randolph, GMD2	5.	Presently authorized point of diversion:				
of Section		One in the Quarter of the		Quarter of the	NC-NE	Quarter
in Harvey		of Section, Township	24	South, Range	. 3	WEST,
(DWR use only: Computer ID No. 12 GPS 3940 feet North 1353 feet West)		in <u>Harvey</u> County, Kansas, <u>3960</u> fee	et North	1320 feet Wes	t of Southeast co	rner of section.
(DWR use only: Computer ID No. 12 GPS 3940 feet North 1353 feet West)		Authorized Rate 820 GPM Authorized Quantity 2	213 AF	_ Depth of well	120	(feet)
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 NC-NE Quarter of Section 26		(DWR use only: Computer ID No. 12 GPS	3940	feet North	1353 feet	West)
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS) One in the Quarter of Section 26 Township 24 South, Range 3 WEST, in Harvey County, Kansas, 3940 feet North 1396 feet West of Southeast corner of section. Proposed Rate 820 GPM		☐This point will not be changed ☐This point will be changed as	follows:	No change, point be	tter described with	GPS as follows:
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of Section, Township	o			Quarter of the		Quarter
InCounty, Kansas,feet North		of Section . Township		South, Range		(E/W),
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B. If a well, is the test hole log attached? \[\text{Yes} \ \ \text{No} \] 9. The change(s) (was)(will be) completed by? ASAP 100			200	200 100	North 100	200
3. If a well, is the test hole log attached? \[\text{Yes} \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		Move well 43 ft West	ALL 300		$\frac{1}{11}$	
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Plug It (b) When will this be done? When new well drilled. 100	10.	If the point of diversion is a well:	Ē		Ē	1
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Yes No E		Diver IA	F		- -	
Yes No E			100 =	1 + 1 + 1	= 1 + 1 .	┼ │ ┤ 100
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South Scale: 1 hashmark=10 ft	12.	Assisted by <u>D. Kandoiph, GiviD2</u>	300	200 100	0 100 2	200 300
13a. If the proposed point of diversion will be relocated more than 300	13a	If the proposed point of diversion will be relocated more than 300	101			
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 feet a topographic map or aerial photograph. For groundwater of the existing point of diversion, indicate its location on the		eet but within 2,640 feet of the existing point of diversion, attach	13b.If the p	roposed point of dive existing point of d	ersion will be reloc iversion, indicate	ated <u>within 300 feet</u> its location on the
sources, show all wells (including domestic) within one-half mile diagram shown above in relation to the existing point of		sources, show all wells (including domestic) within one-half mile	diagra	m shown above i	n relation to the	existing point of
of the proposed point of diversion and the names and mailing diversion. (PLEASE NOTE: The "X" in center of diagram		of the proposed point of diversion and the names and mailing	diversi	on. (PLEASE NO	ΓE: The "X" in	center of diagram
addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile diversion.) RECEIVED		addresses of the owners. For surface water sources show the	ahava	represents the	nresently auti	norized noint of

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lines

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

Stafford Field Office
DIVISION OF WATER RESOURCES

14. If t	the proposed groundwater point of diversion is 300 o	or fewer feet fro	om the ex	isting point	of diversion, comple	ete the following:
(a)	 Does the undersigned represent all owners of the	currently auth	orized pla cation.)	ice(s) of use	e identified in this ap	oplication?
(b)	 Will the ownership interest of any owner of the caffected if this application is approved as requested Yes ⊠ No (If yes, all owners must 	ed?		e(s) of use	identified in this ap	oplication be adversely
(c)	If this application is not approved expeditiously, w ⊠ Yes ☐ No (If no, all owners must			amage to p	roperty, public heal	h or safety?
or a cha	application proposes a surface water change in point ange in place of use, the application must be signer attach notarized statement authorizing representation	d by all owners	groundw of the cu	vater change errently auth	e in point of diversion orized place of use	on greater than 300 feet , or their duly authorized
age ar their b	by verify, being first duly sworn upon my ond the owner, the spouse of the owner, or a behalf, in regards to the water right(s) to wined in this application are true, correct and	duly author hich this ap	ized age	ent of the	owner(s) to make	e this application on
Dated a	at_2:00 pm	, Kansas, this	5	day of _	March	. 20 <u>74</u> .
1	hend Neill					
	(Owner)	-			(Spouse)	
	Brock Neviile, member of Neville Farms, LLC					
	(Please Print)				(Please Print)	
-	(Owner)		, , , , , , , , , , , , , , , , , , , 		(Spouse)	
	(Please Print)	-			(Please Print)	
	(Owner)	-			(Spouse)	
	(Please Print)				(Please Print)	
State of County	of Sudguick ss			_		-refo
her Ny Appt	ROBIN W. BELL 20	signed in m	y presen	ce and sw	Notary Public	e this _5 day of

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

FEE SCHEDULE

the appropriate fee must be paid.

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set

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. 24,102 requesting that the place of use and / or point of A change application was received on March 6, 2024 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 of 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. 🛛 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 <u>93</u> 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 ☐ Not Applicable Applicable 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 valent days 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, 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. ☐ 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 \sum Not Applicable □ Yes ⊠ No 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 *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 By: 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 review must state a basis for review pursuant to K.S.A. 77-527. Lameron (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, 2024 March Date of Issuance: 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 Acknowledged before me on Signature: **Notary Public** RECEIVED My commission expires: Seal) MF.O. **FAITH CURTIS** MAR **0 6** 2024 NOTARY PUBLIC

DWR 1-121 (Revised 04/5/2018)

Stafford Field Office Page 4 Division of Water Resources

My Appointment Expires April 29, 2027

le No._ 24,102



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

March 14, 2024

Neville Farms LLC 14601 W 77th St N Colwich, KS 67030

Re: Water Right, File No(s). 24102

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the 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 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 in formation.

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.2

CERTIFICATE OF SERVICE

On this 14th day of March, 2024, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. 24102, dated March 14, 2024 was mailed via First Class U.S. mail to the following:

Neville Farms LLC 14601 W 77th St N Colwich, KS 67030

A copy of the letter was sent via electronic mail to the following:

GMD 2

Faith Cutie