

File No. **4835-D2** 11. County: **MP** Basin: **SMOKY HILL RIVER** Stream: **SMOKY HILL RIVER** Formation Code: Special Use:

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity af	Rate gpm	Quantity af	
DEL	30095		SW NW NE		27	17S	05W	1	4010	2354		264	35	264	35	613, 7901, MP21
ENT	30183		NW NE SE		27	17S	05W	9	2190	840		264	35	264	35	9221, 29247, 36308

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
CHK	6065		27	17S	05W	1		10	10	39	18				32										109	NEW1	YES	MP21, 613, 4835-D2, 7901	
ENT	38739		27	17S	05W	5										39	40	23	38	11	35	38	36	260	NEW2	YES	9221, 26275, 29247, 36308		

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **SWAPPING PDS WITH 26275 TO INCREASE PUMPING RATE AT NORTH PUMPSITE**

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192

STATE OF KANSAS



PHONE: (785) 425-6787
FAX: (785) 425-6842
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 25, 2018

Ericson-Oakleaf Farms LLC
Shannon Ericson Mgr
5425 W. 100th Terr.
Overland Park, KS 66207

Re: Water rights, File Nos. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Sir or Madam:

Enclosed are eight (8) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change. Also, the approval of the orders does require the installation of a water flow meter(s) on the point(s) of diversion authorized under the above file numbers by **December 31, 2018**. Please complete and return the enclosed Notice(s) of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters is found in K.A.R. 5-1-4 through K.A.R. 5-1-12, along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address: <http://agriculture.ks.gov/meters>

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water 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 (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: <http://kdheks.gov/waterwell>

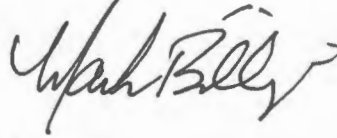
Since these orders modify the original certificates, they should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

These documents are summary orders by this agency regarding this matter. These orders shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

(over)

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,



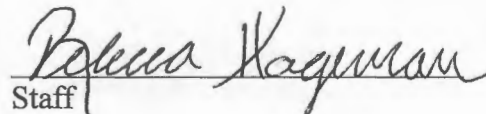
Mark Billinger
Assistant Water Commissioner

MB:rfh
Enclosures

CERTIFICATE OF SERVICE

On this 4th day of April, 2018, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE AND/OR POINT OF DIVERSION** for water rights, File Nos. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308, dated on the 4th day of April, 2018, were mailed postage prepaid, first class, U.S. mail, to the following:

Ericson-Oakleaf Farms LLC
Shannon Ericson Mgr
5425 W. 100th Terr.
Overland Park, KS 66207


Staff

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-705b(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.

RECEIVED

File No. 4835.D2

APR 04 2018
 4:17 P.M.
 Stockton Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

APPLICATION COMPLETE

under the water right which is the subject of this application in accordance with the conditions described below.

4/25/18

The source of supply is: Groundwater Surface water

Reviewer ms

2. Name and address of Applicant: The Terry Oakleaf Revocable Trust Agreement
10030 Delmar Ln. Overland Park, KS 66207

Phone Number: (913)221-1292 Email address: toakleaf@gmail.com

Name and address of Water Use Correspondent: Ronald W. & Kelly L. Larson
412 S. Bridge St. Marquette, KS 67464

Phone Number: (620)242-3503 Email address: _____

3. The presently authorized place of use is:
 Owner of Land --- NAME: The Terry Oakleaf Revocable Trust Agreement

ADDRESS: 10030 Delmar Ln. Overland Park, KS 66207

(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	
27	17	5 W	10	10	39	18				32									109

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: The Terry Oakleaf Revocable Trust

ADDRESS: 10030 Delmar Ln. Overland Park, KS 66207

(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	
27	17	5 W	10	10	39	18				32									109

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

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NW Quarter of the NE Quarter
 of Section 27, Township 17 South, Range 5 WEST,
 in McPherson County, Kansas, 4010 feet North 2354 feet West of Southeast corner of section.
 Authorized Rate 264 gpm Authorized Quantity 35 AF Depth of well n/a (feet)
 (DWR use only: Computer ID No. 1 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NW Quarter of the NE Quarter of the SE Quarter
 of Section 27, Township 17 South, Range 5 WEST,
 in McPherson County, Kansas, 2190 feet North 840 feet West of Southeast corner of section.
 Proposed Rate 264 gpm Proposed Quantity 35 AF Proposed well depth (feet) n/a
 This point is: Additional Well Geo Center List other water rights that will use this point 9221, 29247, 36308

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ WEST,
 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:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ WEST,
 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. Why do you need a new point of diversion? swapping
pd with 26275 to allow the North pumpsite to pump at a
higher rate.

8. If a well, is the test hole log attached? Yes No

9. When do you propose to complete the new point of diversion?
n/a

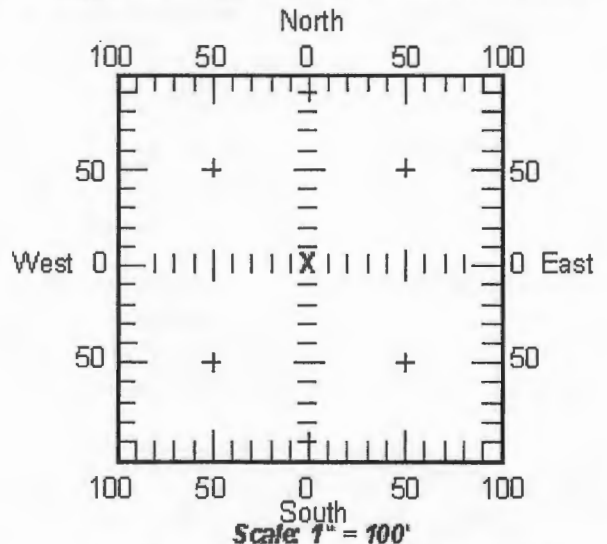
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
n/a

(b) When will this be done? n/a

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by DLM

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Overland Park, Kansas, this 22 day of Dec, 2016.

<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>TERRY R DAKLEAF</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)

State of Kansas }
County of Johnson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22 day of dec, 2016.

My Commission Expires 5/23/2019

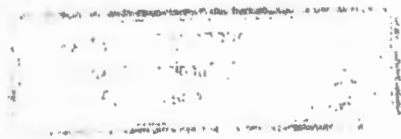
[Signature]
Notary Public

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



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APR 04 2018

JESSICA FREEMAN
Notary Public
State of Kansas
My Commission Expires 5/23/2019

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 4835.D2
MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

APR 04 2018

Stockton Field Office
Division of Water Resources

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: _____
ADDRESS: _____

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		

Owner of Land ---- NAME: _____
ADDRESS: _____

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			

Owner of Land ---- NAME: _____
ADDRESS: _____

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				

4. *Continued:* 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: ERICSON OAKLEAF FARMS LLC
ADDRESS: 5425 W 100th Terr. Overland Park, KS 66207

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				
27	17	5 W									39	40	23	38	11	35	38	36	260			

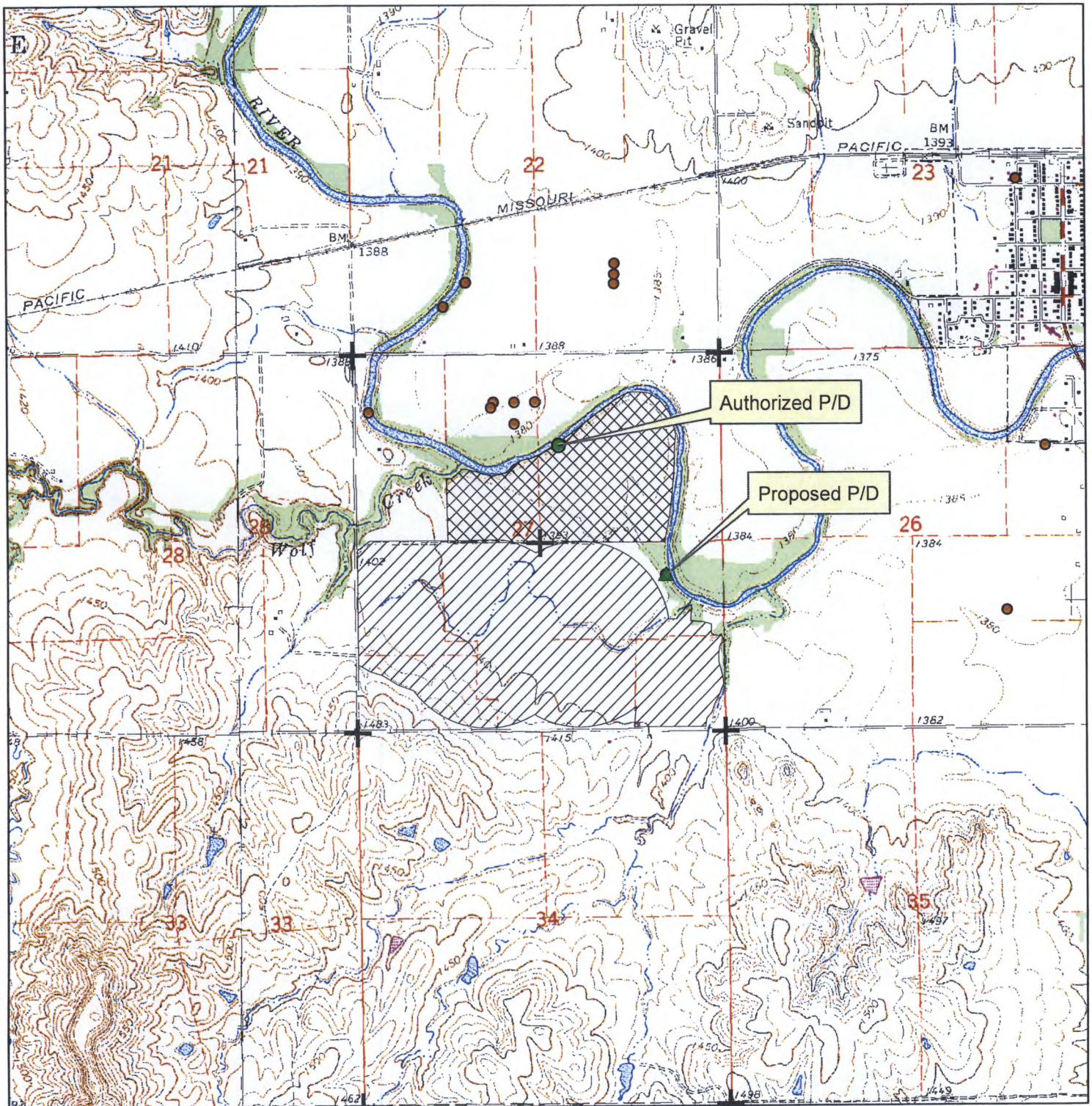
Owner of Land ---- NAME: _____
ADDRESS: _____

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					

Owner of Land ---- NAME: _____
ADDRESS: _____

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						

Application to Change the Place of Use and Point of Diversion For Water Right File No. 4835.D2

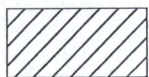


Authorized Place of Use

● Authorized P/D

▲ Proposed P/D

1:24,000



Proposed Place of Use

The names and addresses of the landowners 1/2 mile downstream and 1/2 mile upstream from my property lines are shown.



RECEIVED

APR 04 2018

Signature

Jerry R. Callan

Date

4-2-2018

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.