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

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. 48,619  Application is hereby made for approval of the Chief Engineer to change the (check one or both):						SEP 0 6 2019 8:41 a.m.												
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	Name and address of Water Use Correspondent: KANSAS DEPT OF WILDLIFE PARKS AND TOURISM																		
	STAGE LEVELS ONLY (TOP) 1020 S KANSAS AVE FL 2 TOPEKA, KS 66612-1389  Phone Number: ()																		
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	For Office Use Only: Code Fee \$ TR # Receipt Date Check #																		

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For surface water's names and addresses of the landowner's of the landowner's pages and addresses of the landowner's pages and add	Proposed point of diversion: (Complete only if change is One in the SE Quarter of the of Section 30 , Township    n REPUBLIC County, Kansas, 3014 fee Proposed Rate Proposed Quantity   This point is: Additional Well Geo Center List other    Presently authorized point of diversion: One in the Quarter of the Of Section Township   In County, Kansas, fee   Authorized Rate Authorized Quantity   (DWR use only: Computer ID No. GPS   This point will not be changed This point will be changed as   Proposed point of diversion: (Complete only if change is   One in the Quarter of the Quarter of the   One in the Proposed Point of December    Proposed Quantity   This point is: Additional Well Geo Center List other   The changes herein are desired for the following reasons? (please be specific) WETLAND DESIGN WAS CHANGED   AFTER APPROVAL OF APPLICATION.  If a well, is the test hole log attached? Yes No   The change(s) (was)(will be) completed by?   UPON APPROVAL    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?    Groundwater Management District recommendation attached?   Yes No   Assisted by M. BILLINGER    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   mames and addresses of the landowners on one-half mile   of the proposed point of diversion and the names and mailing   addresses of the landowners. For surface water sources, show the   mames and addresses of the landowners. 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14. If the proposed groundwater point of diversion is 3	oo or lewer leet from the	ne existing point of diversion, o	complete the following.
<ul><li>(a) Does the undersigned represent all owners of</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners more)</li></ul>	f the currently authorize nust sign this application		this application?
(b) Will the ownership interest of any owner of the affected if this application is approved as required Yes ☐ No (If yes, all owners to the content of			this application be adversely
(c) If this application is not approved expeditiously  ☐ Yes ☐ No (If no, all owners m	y, will there be substar nust sign this applicatio		c health or safety?
If the application proposes a surface water change in p or a change in place of use, the application must be sig agent (attach notarized statement authorizing represen	gned by all owners of t	oundwater change in point of d he currently authorized place	iversion greater than 300 feet, of use, or their duly authorized
I hereby verify, being first duly sworn upon m age and the owner, the spouse of the owner, o their behalf, in regards to the water right(s) to contained in this application are true, correct	or a duly authorized o which this applic and complete.	d agent of the owner(s) to ation pertains. I further v	make this application on verify that the statements
Dated at Webber	, Kansas, this <u>22</u>	day of August	, 20 <u>19</u>
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State of Kansas ) SS County of Republic			and
I hereby certify that the foregoing application of	was signed in my NOTARY PUBLIC - State of LISA M. BOYL My Appt. Exp.	Kansas ) -	efore me this 22 day
My Commission Expires 4-15-2023		Notary	abilg
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. accurate information; maps, if necessary, must be included; s the appropriate fee must be paid.	. To be complete, all of the signatures of all the appro	ne applicable portions of the applic priate owners' must be affixed to t	cation form must be completed with the application and notarized; and
Each application to change the place of use or the poir forth in the schedule below: Make checks payable to:  (1) Application to change a point of diversion  (2) Application to change a point of diversion  (3) Application to change the place of use	Kansas Department 300 feet or less more than 300 feet	nis section shall be accompanion of Agriculture	\$100 \$200
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DWR 1-121 (Revised 04/5/2018)	Page 3	SEP 0 6 2019	File No

## 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. 48,619 change application was received on \_\_\_\_\_\_ 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. A change application was received on 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 the topographic map accompanying the application to change the place of use. 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 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 \_\_\_ 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, 20\_\_\_\_\_, 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.

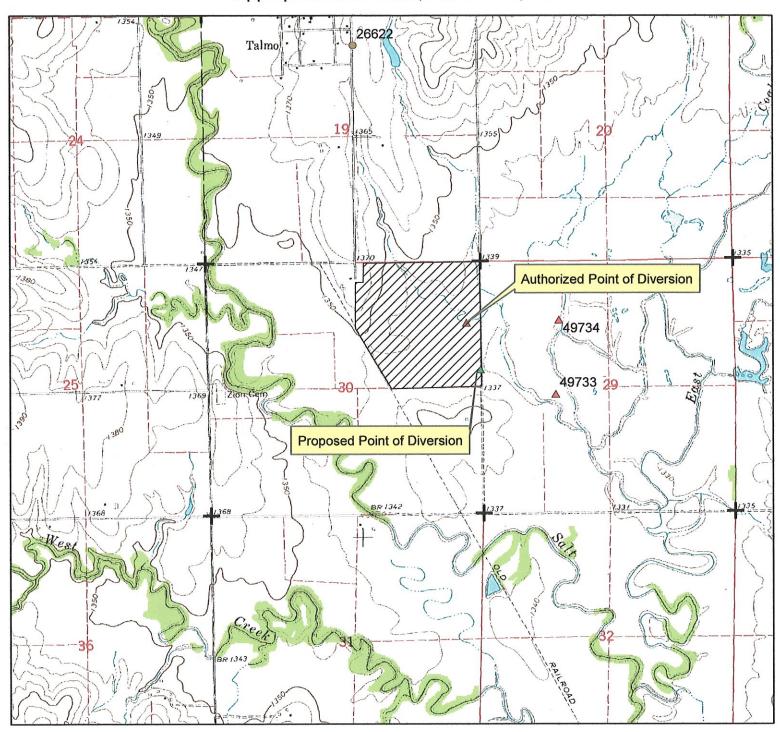
\[ Applicable \]

Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. By March 1, 2020 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 Applicable Not Applicable The completed well log shall be submitted with the required notice. 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 Additional Conditions are attached. Yes  $\boxtimes$  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, 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. If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, **SUMMARY ORDER ISSUED** Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: \_\_\_ State of Kansas ) SS For Use by Register of Deeds County of Acknowledged before me on by \_\_\_ Signature: Notary Public My commission expires: \_\_\_

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(Notary Seal)

## Application to Change the Point of Diversion, Appropriation of Water, File No. 48,619



**Present Point of Diversion** 

Authorized Place of Use



**Proposed Point of Diversion** 

All landowners both 1/2 mile upstream and downstream have been identified on this map (see attached list):

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SEP 06 2019

Stockton Field Office Division of Water Resources