Stockton Field Office 820 S. Walnut Stockton, KS 67669-0192



Phone: 785-425-6787 Fax: 785-425-6842 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

February 26, 2020

STANLEY & MARTHA PETTIBONE 7005 ROAD 2 KANORADO, KS 67741-9597

Re: Water Right, File No. 10,715

Dear Mr. & Mrs. Pettibone:

Enclosed is the order executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the terms, conditions, and limitations specified in this approval for change.

Since this order modifies the original certificate, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This document is a summary order by this agency regarding this matter. This order 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.

If 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,

Mark Billinger

Assistant Water Commissioner

Wall Bil

MB:rh Enclosures pc: G.M.D. No. 4 Iris Scheopner Greg Pettibone

CERTIFICATE OF SERVICE

On this 26th day of February, 2020, I hereby certify that the attached <u>SUMMARY ORDER</u> <u>APPROVING APPLICATION FOR CHANGE in PLACE OF USE</u> for water right, File No. 10,715, dated on the 26th day of February, 2020, was mailed postage prepaid, first class, U.S. mail, to the following:

STANLEY & MARTHA PETTIBONE 7005 ROAD 2 KANORADO, KS 67741-9597

Blean Kaymun

A copy of this Change Approval was sent to the following:

GROUNDWATER MANAGEMENT DISTRICT NO. 4 P.O. BOX 905 COLBY, KS 67701

IRIS M SCHEOPNER 1919 FRONTAGE RD GOODLAND, KS 67735

GREG PETTIBONE 406 WALNUT ST. KANORADO, KS 67741 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

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



STATE OF KANSAS

APPLICATION COMPLETE
2/26/2020

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.

2/26/2020 Reviewer_mB

point	t(s) of div	rersion a	and/or	place	of use												RF	CF	IVED
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						F	File No	. <u>10,7</u>	15								FE	B 24	2020
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5. Г	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the C	Quarter
	of Section Township	South, Range	(E/W),
	in County, Kansas, fee	et North feet West of Southeast corner of se	ction.
	Authorized Rate Authorized Quantity	Depth of well (feet)	
ı	(DWR use only: Computer ID No GPS	feet North feet West)	
	☐This point will not be changed ☐This point will be changed as	s follows: No change, point better described with GPS as fo	llows:
	Proposed point of diversion: (Complete only if change is	s requested or if existing point is better described by	<u>GPS)</u>
	One in theQuarter of the	Quarter of the (Quarter
	of Section Township	South, Range	(E/W),
	in County, Kansas, fe	et North feet West of Southeast corner of se	ection.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	·
	This point is: ☐ Additional Well ☐ Geo Center List other	water rights that will use this point	<u> </u>
-	-		
a. [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,fe	et North feet West of Southeast corner of se	ection.
	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	s follows: No change, point better described with GPS as fol	lows:
	Proposed point of diversion: (Complete only if change is	s requested or if existing point is better described by	GPS)
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	of Section, Township	South, Range	(E/W),
ı	in County, Kansas, fe	eet North feet West of Southeast corner of se	ection.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	
	This point is: Additional Well Geo Center List other	r water rights that will use this point	•
L	The point of		
7.	The changes herein are desired for the following reasons?		
	(please be specific) So all authorized acres are under one	North 300 200 100 0 100 200 30	10
	owner.		
		<u> </u>	
		200 + + + + + + + + + + + + + + + + + +	200
8.	If a well, is the test hole log attached? Yes No		200
9.	The change(s) (was)(will be) completed by?	100 = + + = + + =	100
40	If the market of discoveries in a walls	West 0 ##1 1111 111 111 111 111 111 111 111 11	O East
10.	If the point of diversion is a well:	west 0 [U Last
	(a) What are you going to do with the old well?		
			100
	(1) 10H	<u> </u>	
	(b) When will this be done?		200
	District Commence of the comme		200
11.	Groundwater Management District recommendation	F = =	
	attached?	grupunpunpunpungungunpunpunpunpung	
12	Assisted by Shannon Kenyon, GMD 4	300 200 100 0 100 200 30 South Scale: 1 hashmark=10 ft	00
			and a co
13a	If the proposed point of diversion will be relocated <u>more than</u>	1 13b.If the proposed point of diversion will be relocated was feet of the existing point of diversion, indicate its location.	on on the

3a.If the proposed point of diversion will be relocated <u>more than 300 feet but within 2,640 feet</u> 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.)

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth☐ Yes☐ No(If no, all owners must sign this applied to the currently authors of the currently	norized place(s) of use identified in this application? ication.)
 (b) Will the ownership interest of any owner of the currently authoral 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 sul ☐ Yes ☐ No (If no, all owners must sign this appli	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, s of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirn age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at, Kansas, this	29th day of January , 2020.
Nois m Shew To T	∠ .
Ins M. Scheopner	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Sherman SS	
I hereby certify that the foregoing application was signed in of January	my presence and sworn to before me this $\underline{\underline{\mathcal{A}9}}$ day
My Commission Expires 4/9/2021 MY Applies 4/9/2021 MY Applies 4/9/2021	Brende J. Hall Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, al accurate information; maps, if necessary, must be included; signatures of all the atthe appropriate fee must be paid.	l of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use	er this section shall be accompanied by the application fee set nent of Agriculture \$100
	FEB 2 4 2020

14. If the proposed groundwater point of diversion is 300 or fe	ewer feet from th	ne existing point of diversion, comp	lete the following:
(a) Does the undersigned represent all owners of the cur☐ Yes☐ No(If no, all owners must sig			pplication?
 (b) Will the ownership interest of any owner of the curre affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must significant of the curre affected if this application is approved as requested? 			pplication be adversely
(c) If this application is not approved expeditiously, will the ☐ Yes ☐ No (If no, all owners must sig			Ith or safety?
If the application proposes a surface water change in point of or a change in place of use, the application must be signed by agent (attach notarized statement authorizing representation).	all owners of t	undwater change in point of diversine currently authorized place of use	on greater than 300 feet, e, or their duly authorized
I hereby verify, being first duly sworn upon my oath age and the owner, the spouse of the owner, or a dutheir behalf, in regards to the water right(s) to whic contained in this application are true, correct and contained in this application are true, correct and contained in this application are true.	uly authorized th this applications omplete.	l agent of the owner(s) to mak	te this application on that the statements
Dated at <u>Manoraclo</u> , K	ansas, this <u> </u>	day of 1221 acre	/
Stanley Pettibore		with a Pettil	one
STANIEY PETTIBONE		1 ARTHA PET (Please Print)	TIBONE
head hettilione		Jaely tetho	XC
(Owner)		(Spouse)	SOME
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(Owner)		(Spouse)	
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State of Kansas		NOTARY PUBLIC - State of Ka	naas
County of Sherman ss		My Appt. Expires 5/24/7	020
I hereby certify that the foregoing application was sof, 20	signed in my	presence and sworn to before	me this day
O. The first of the second		Bertany Muna	1
My Commission Expires May 24, 2020.		Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be accurate information; maps, if necessary, must be included; signature the appropriate fee must be paid.			
<u>E</u>	E SCHEDULE		
Each application to change the place of use or the point of div forth in the schedule below: Make checks payable to: Kansa	s Department	of Agriculture	
 (1) Application to change a point of diversion 300 fee (2) Application to change a point of diversion more the 	nan 300 feet		\$200
(3) Application to change the place of use			\$200
Secretary and the secretary an		RECEIVED	•
GAMBORA A COBRES AND THE STATE OF THE STATE		FEB 2 4 2020	
DWR 1-121 (Revised 04/5/2018)	Page 3	Stockton Field Office	File No. 10,715
and the second s		Division of Mater Persures	

Stockton Field Office Division of Water Resources

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With and	visions of the <i>Kansas Water Appropriation Law, K.S.A. 8</i> In the exception of those conditions expressly contained illumitations of File No	2a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 82a-701 et. seq., and rules and regulations promulgated thereunder, d herein, this Summary Order does not change the terms, conditions
		requesting that the place of use and / or point of number be changed as described in the application.
2.	On and after the effective date of this summary order, the on the topographic map accompanying the application	the authorized place(s) of use shall be located substantially as shown n to change the place of use. Applicable Not Applicable
	previously authorized. The point of diversion authorize radius of the authorized point(s) of diversion. Appli	
	Positioning System (GPS), as described in the applica	
	authorized point(s) of diversion.	
	As required by K.A.R. 5-3-5d, if the works for diversion tube or other device suitable for making water lev accordance with K.A.R. 5-6-13.	n is a well with a diversion rate of 100 gallons per minute or more, a evel measurements shall be installed, operated and maintained in Not Applicable
	December 31, 20, or before the first use of wa operated and maintained in accordance with K.A.R. 5 and K.A.R. 5-3-5e, the owner shall maintain records a water diverted annually to the Chief Engineer by March ☐ Applicable	
	authorized extension of time. By March 1, 20 works for diversion has been completed, on the form p ☐ Applicable	Il be completed on or before December 31, 20, or within any the applicant shall notify the Chief Engineer that construction of the provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
		required notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve can check valve(s) shall be installed, operated and mai Applicable	ther foreign substance will be injected into the water shall be equipped capable of preventing pollution of the source of the water supply. The aintained in accordance with K.A.R. 5-3-5c. Applicable Not
	Additional Conditions are attached. Yes	
12.	water appropriated under the above-referenced file null limitations, as amended and/or supplemented by this same appropriation. Law and the Rules and Regulations pro	d K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of number are responsible for compliance with its terms, conditions and a Summary Order, and with applicable provisions of the <i>Kansas Water</i> bromulgated thereunder. Failure to comply with these provisions may as amended, and/or the suspension or revocation and dismissal of the actions authorized by law.
į	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If you you Eng Agrifiled adm revie File Leg 665	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, a may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative iew must state a basis for review pursuant to K.S.A. 77-527. The any request with Kansas Department of Agriculture, and Division, 1320 Research Park Drive, Manhattan, KS 1502. Failure to timely request a hearing or review may be clude review under the Kansas Judicial Review Act.	By: Duly Authorized Designee of the Chief Engineer Chrint Name Marc Buches Duty Authorized Designee of the Chief Engineer Chrint Name Marc Buches Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 2 - 26 - 2020 State of Kansas
	Tol Ose by Neglstol of Doods	County of Rooks)
		Acknowledged before me on 2-76-2020
	•	by Mark Billinger
		Signature: Pella F. Kegunu Notary Public
DIA	ID 4 404 (Deviled AME (0049)	My commission expires: Wy Appointment Expires Page 4 REBECCA F. HAGEMAN My Appointment Expires Fillulio 29 20235
DVVI	/R 1-121 (Revised 04/5/2018)	Page 4

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4. The	e prese	ently au	ıthorize	ed pla	ce of u	use is:		4	<i>a :</i>					_					
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10	12	1200					-1	21	10	15					-			-	120
List any	other	water r	rights t	that co	ver th	is plac	ce of u	se											
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List any other water rights that cover this place of use.

RECEIVED
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

FEB 2 4 2020

#10,715 - Change in Place of Use

