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

June 12, 2020

TERRY WALT 26028 120 AVE COLLYER, KS 67631-6026

Re: Water Rights, File Nos. 15,088 & 49,446

Dear Mr. Walt:

Enclosed are two (2) orders executed by Chris Beightel, Acting 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 <u>December 31, 2020</u>. 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.

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 12th day of June, 2020, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in POINT OF DIVERSION</u> for water rights, File Nos. 15,088 & 49,446, dated on the 12th day of June, 2020, were mailed postage prepaid, first class, U.S. mail, to the following:

TERRY WALT 26028 120 AVE COLLYER, KS 67631-6026

Bullea Hagewall

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

APPLICATION COMPLETE

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.

Reviewer mg

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						□Р	lace o	f Use			Point	of Dive	ersion		-	Div	ision (ot vvate	er Resources
	under the	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the co	ndition	s desc	ribed l	pelow.	/ * * · ·	
	The sour	ce of s	i ylqqu	s:		⊠ c	round	water	•		Surfac	ce wat	er		· . ·.	•			
2.	Name ar	nd addre	ee of	Annlic:	ent T	FRRY	۱۸/ΔΙ Τ	•					. 1						
۵.,	26028 12										•						•		
	Phone N	umher	(785)	769-3	140			• • • • •	Email	addre	ss: <u>tlw</u>	alt64@	D <u>gmai</u>	.com					
	Name ar	nd addre	ess of	Water	Use C	orresp	onden	t: <u>SA</u> l	ME			1			,				
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	Phone N	umber:	(_)					Email	addre	ss:							·	
	The pres	-													4				
	Owner of Land NAME: TERRY WALT ADDRESS: 26028 120 AVE COLLYER KS 67631-6026																		
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	For Offic	e Use	Only:	Code		<i>F</i> e	e \$		TR	#		Re	ceipt	Date _		' 'ea	Chec	k#	

5.	Presently authorized point of diversion:				•
	One in the Quarter of the	SW	Quarter of the	NE	Quarter
	of Section, Township	13 -	South, Range	25	W,
	in TR County, Kansas, 3750 fe	et North_	2630 feet West of S	Southeast corr	ner of section.
	Authorized Rate 130 GPM Authorized Quantity	80 AF	Depth of well	(fe	eet)
	(DWR use only: Computer ID No. 3 GPS		feet North	feet V	Vest)
	☐This point will not be changed ☑This point will be changed as				
	Proposed point of diversion: (Complete only if change is	s request	ed or if existing point is	<u>better descri</u>	bed by GPS)
	One in the Quarter of the	SW	Quarter of the	NE	Quarter
	One in the Quarter of the of Section 19, Township	13	South, Range	25	W,
	in TR County, Kansas, 3614 fe	et North _	2578 feet West of S	Southeast corr	ner of section.
	Proposed Rate130 GPM Proposed Quantity				
	This point is: ☐ Additional Well ☐ Geo Center List other	water rig	hts that will use this point	49,446	*
•					
6.	Presently authorized point of diversion:				
-	One in the Quarter of the	NW	Quarter of the	NE	Quarter
	of Section 19, Township				
	in TR County, Kansas, 4000 fe				
	Authorized Rate Authorized Quantity				
	(DWR use only: Computer ID No. 4 GPS				
	☐This point will not be changed ☐This point will be changed as				-
	Proposed point of diversion: (Complete only if change is				
l	One in the NW Quarter of the				
	of Section, Township				
	in TR County, Kansas, 3935 fe				
	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List other				
L		_			
7.	The changes herein are desired for the following reasons?				
	(please be specific) WELL COLLAPSED	20	North 0 200 100 0	100 200	0 300
				<u>, 100 20</u>	uuluud a
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8.	If a well, is the test hole log attached? Yes No	200	-1+1+1=		- 1 - = 200
_		2007		1 1 1 1	1 = 200
9.	The change(s) (was)(will be) completed by?		Shart was		·
	UPON APPROVAL	100	- + + =	1+1+	- -= 100
40	If the major of divinasion is a smaller	. [=		. 🗐
10.	If the point of diversion is a well:	Wasto		daalaataah	3 C Ench
	(a) What are you going to do with the old well?	westu	= = = = = = = = = = = = = = = = = = =	. 11.11.11.11.11.11.11.11.11.11.11.11.11	TITITE O East
	PLUG OR CAP				· 🚽
		100	-1 + 1 + 1 =	1+1+	- -===100
	(b) When will this be done? <u>UPON COMPLETION</u>		= =	^ − −	. 🗐
	On the Land British and the Control of the Control	200	-		1 = 300
11.	Groundwater Management District recommendation attached? Yes No	200		1 + 1 +	- 1 = 200
	attached: [] Les [7] NO				
12.	Assisted by M. BILLINGER				
		300	0 200 100 0 South	100 200 Scale: 1 hashı	
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,	13h If the	nronosed point of diversi	on will be relo	cated within 300
	attach a topographic map or aerial photograph. For	feet	of the existing point of diver	sion, indicate i	ts location on the
	groundwater sources, show all wells (including domestic) within	diag	ram shown above in relation. (PLEASE NOTE:	ation to the e	existing point of
	one-half mile of the proposed point of diversion and the names	aivei	aiuii. IFLEAGE NUIE:	THE VILLE	mei vi ulayran
	and mailing addresses of the owners. For surface water	abov	e represents the pres	sently author	rized point of
	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	abov dive	re represents the pression.)	sently author	rized point of

14. If the proposed groundwater point of diversion is 300 or fewer	er feet from the exi	sting point of diversion, compl	ete the following:
(a) Does the undersigned represent all owners of the currer ☐ Yes ☐ No (If no, all owners must sign the		ce(s) of use identified in this a	oplication?
 (b) Will the ownership interest of any owner of the current affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign 		e(s) of use identified in this a	oplication be adversely
(c) If this application is not approved expeditiously, will ther ☐ Yes ☐ No (If no, all owners must sign t	re be substantial da	amage to property, public heal	th or safety?
If the application proposes a surface water change in point of div or a change in place of use, the application must be signed by al agent (attach notarized statement authorizing representation).			
I hereby verify, being first duly sworn upon my oath o age and the owner, the spouse of the owner, or a duly their behalf, in regards to the water right(s) to which contained in this application are true, correct and compated at	authorized age this application plete.	nt of the owner(s) to mak pertains. I further verify	e this application or
Mana & W)		Laura Walt	• · · · · · · · · · · · · · · · · · · ·
Terry L Walt		(Spouse) Laura Walt	** ·
/ (Please Print)		(Please Print)	
(0)	•	·	
(Owner)	· · · · · · · · · · · · · · · · · · ·	(Spouse)	
(Please Print)		(Please Print)	Ministrative productive and the second secon
(Owner)	-	(Spouse)	÷ ;
(Please Print)		(Please Print)	
State of Kansas County of SS			
I hereby certify that the foregoing application was sign	ned in my preso	ence and sworn to before	me this 27 day
of May , 20 20	\mathcal{L}	ρ	
LAURA LEE HERL		ma see Ver	<u> </u>
My Commission Expires 12-26 My Appt Expires 12-26	7020	Notary Public	e de la companya de l
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be con accurate information; maps, if necessary, must be included; signatures of the appropriate fee must be paid.			
FEE	SCHEDULE		
Each application to change the place of use or the point of diver forth in the schedule below: Make checks payable to: Kansas (1) Application to change a point of diversion 300 feet of the place of	Department of Agor less	griculture	\$100
(2) Application to change a point of diversion more than(3) Application to change the place of use			
Solven and the first of the first of the second of the sec		RECEIVED	
DWR 1-121 (Revised 04/5/2018)	Page 3	JUN 1 0 2020	File No.
STATE OF THE PROPERTY OF THE P	_	Stockton Field Office	

Stockton Field Office Division of Water Resources

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. 15,088 10-10-2020 A 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. 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 50 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 5. 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 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, 2020, 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. Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 2020, or within any authorized extension of time. By March 1, 2021 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 \(\Boxed{\Boxes}\) 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 FOR OFFICE USE ONLY 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 SUMMARY ORDER ISSUED 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: administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Daly Authorized Designee of the Chief Engineer MARK BILLINGER review must state a basis for review pursuant to K.S.A. 77-527. (Print Name): File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Division of Water Resources - Kansas Department of Agriculture 6-12-2020 Date of Issuance: 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas For Use by Register of Deeds SS County of Acknowledged before me on Billinger

My commission expires 6-29-23

Signature:

Page 4

HOTATA PUBLIC

d,

Notary Public

REBECCA F. HAGEMAN My Appointment Expires plugg 2023

RECEIVED

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

JUN 1 0 2020

FILE NO. 15,088

		FILE NO	. 13,000		Stockton Fie	eld Office
Presently authorize	ed point of	diversion:			Division of Wate	r Resources
One in the	NW	Quarter of the	SW	Quarter of the	NE	Quarter
of Section	19	, Township	13	South, Range	25	W, [
in TR	Coi	untv. Kansas. 3750	feet North	2630 feet West of	Southeast corne	er of section.
Authorized Rate	:	Authorized Quantity	· ·	Depth of well	(fee	et)
(DWR use only: Co	omputer ID	No. 5 GF	S 3636	feet North 256	66 feet We	est)
This point will not b	e changed	This point will be change	ed as follows:	No change, point better c	described with GP	S as follows:
Proposed point of	diversion:	(Complete only if chance	ge is requeste	ed or if existing point is	better describe	ed by GPS)
Our attraction	N/I/A/	Quarter of the	C/V/	Quarter of the	NE	Quarter I
of Section	19	Township	13	South, Range	25	w,
in TR	Co	unty Kansas. 3636	feet North	2566 feet West of	Southeast corne	er of section.
Proposed Rate		Proposed Quantity		Proposed well depth	(feet)	
This point is: \(\sum_\text{Ad}	Iditional Wel	1 ropoded dadriidy _	other water righ	nts that will use this point	49.446	
THIS POINT IS. L. AU	iditional vvei		Arior water rigi	TO CITAL TO COMPANY		
Presently authoriz	ed point of	diversion:				
O !- !b-	***KBA/	Ougstor of the	SW	Quarter of the	NE	Quarter
of Section	19	. Township	13	South, Range	25	W,
in TR	Co	unty. Kansas. 3500	feet North	South, Range 2630	Southeast corne	er of section.
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Proposed point of	diversion:	(Complete only if chan	ae is reaueste	ed or if existing point is	s better describ	ed by GPS)
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of Section	19	Township	13	South, Range	25	W,
in TD	Cc	ounty Kansas 3275	feet North	2594 feet West of	Southeast corn	er of section.
Proposed Pate		Proposed Quantity	1001 1101111_	Proposed well depth	(feet)	
Floposed Rate	······································	I Toposca additity _			. ()	
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Presently authoriz	zed point of	f diversion: Quarter of the	other water rig	hts that will use this poin Quarter of the	t <u>49,446</u>	Quarter
Presently authoriz	zed point of	f diversion: Quarter of the	other water rig	hts that will use this poin Quarter of the	t <u>49,446</u>	Quarter
Presently authorize One in the of Section	zed point of	diversion: Quarter of the , Township	other water rig	hts that will use this poin Quarter of the South, Range	t 49,446	 Quarter (E/W),
Presently authorize One in the of Section in	zed point of	diversion: Quarter of the , Township bunty, Kansas,	other water rig	hts that will use this poin Quarter of the South, Range feet West of	t 49,446 Southeast corn	Quarter (E/W), er of section.
Presently authorize One in the of Section in Authorized Rate	zed point of	f diversion: Quarter of the , Township bunty, Kansas, Authorized Quantity	other water rig	hts that will use this poin Quarter of the South, Range feet West of Depth of well	Southeast corn	Quarter (E/W), er of section.
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