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

April 17, 2020

VANIER LAND COMPANY LP 834 E PRESCOTT SALINA, KS 67401

Re: Water Right & Appropriation of Water, File Nos. 17,283 & 50,042

Dear Sir or Madam:

Enclosed are two (2) 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.

Since these orders modify the original certificates, they should be recorded with the Register of Deeds as other instruments affecting real estate.

These documents are summary orders by this agency regarding these matters. These orders shall become final if requests for hearings are not filed with the Chief Engineer within 15 days of the date of service of these orders.

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

Machely

MB:rh Enclosures

#### **CERTIFICATE OF SERVICE**

On this 17<sup>th</sup> day of April, 2020, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE</u> for Water Right & Appropriation of Water, File Nos. 17,283 & 50,042, dated on the 17<sup>th</sup> day of April, 2020, were mailed postage prepaid, first class, U.S. mail, to the following:

VANIER LAND COMPANY LP 834 E PRESCOTT SALINA, KS 67401

Blua Vagunan

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 4 1/7 20 Reviewer MB

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.  RECEIVED 3: 45 pm																			
						F	ile No.	50,04	-2								AP	R 16	2020
1.	Stockton Field Office																		
2.	THE SOURCE OF SUPPLY TO.																		
3.	Phone Number: () Email address:																		
	(II ther	e is more th	an one	NE			ppiome		V¼			SV	11/4			SE	1/4		TOTAL
Se	ec. Tw	p. Range	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE1/4	NW¼	SW1/4	SE¼	ACRES
_2	4 11	S 20W	40		40	40				21	25				6.8	3.4			176.2
												. ,							
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: VANIER LAND COMPANY LP  ADDRESS: 834 E PRESCOTT SALINA, KS 67401  (If there is more than one landowner, attach supplemental sheets as necessary.)																			
NE½ NW¼ SW¼ SE½									TOTAL										
S	ec. Tv	vp. Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE¼	NW¼		SE¼	ACRES
_2	24 1	1S 20W	22		25	37.5					25.5	29	3.8	24.5	4.6	3.8	0.5		176.2
_																			
_			I										•				1		0 4 9
	For C	Office Use	Only:	Code		Fe	e \$		TR	#		Re	eceipt	Date _			Chec	:k#	

resently autho	rized point of (	Quarter of the	SE	Quarter of the South, Range	NW	Quarter
one in the	<u> </u>	Guartor or the	11	South, Range	20	W,
f Section	24	, TOWNSHIP	feet North	South, Range 3135 feet West of S	Southeast corne	er of section.
n <u>EL</u>	Col	Inty, Natisas, <u>2007</u>	155 AF	Depth of well feet North	(fee	et)
Authorized Rate	1500 GPM	Authorized Quantity	98	feet North	feet We	est)
DWR use only:	Computer ID	No Gr	ed as follows:	☐ No change, point better d	escribed with GF	S as follows:
oxtimesThis point will r	not be changed	Inis point will be chang	go is roques	ted or if existing point is	better describ	ed by GPS)
Proposed point	of diversion:	Complete only il chan	ge is requee	Quarter of the South, Range		Quarter
One in the		Quarter of the		South, Range		W
of Section		, Township	foot North	feet West of S	Southeast corne	er of section.
n	Co	unty, Kansas,	leet North	Proposed well depth	(feet)	
Proposed Rate		Proposed Quantity		Proposed well depth	(,	
This point is:	Additional Wel	I ☐ Geo Center List	otner water n	ghts that will use this point		
Presently auth	orized point of	diversion:				
				Quarter of the South, Range		Quarte
One in the	· · · · · · · · · · · · · · · · · · ·	Quarter of the		South, Range		(E/W)
of Section		, TOWNSHIP	feet North	n feet West of	Southeast corn	er of section.
in	Cc	Authorized Quentity		Depth of well	(fe	eet)
Authorized Rate	e	Authorized Quantity	PS	Depth of well feet North :  \sum No change, point better of	feet V	Vest)
(DWR use only	: Computer IL	) NO	and an follows	· No change, point better of	described with G	PS as follows:
☐This point will	not be changed	I his point will be chan	ged as follows	eted or if existing point is	s better descri	bed by GPS)
Proposed poir	<u>it of diversion:</u>	(Complete only if cha	nge is reque	Ouarter of the		Quarte
One in the		Quarter of the		South, Range		 (E/W
of Section		, Township		South, Nange	Southeast corr	ner of section
in	C	ounty, Kansas,	feet Nort	h feet West of Proposed well depth	(foot)	
Proposed Rate		Proposed Quantity		Proposed well depth	1 (leet)	
This point is:	Additional We	ell Geo Center Lis	t other water	rights that will use this poin		
The changes h (please be spec	erein are desire cific) <u>TO MAXIMI</u>	ed for the following reas ZE PU FOR PIVOTS	— — —	300 200 100 0 	th 100 20	00 300 
If a well, is the	test hole log atta	ched? Yes No	2		-   +   -	<u> </u>
The change(s)	(was)(will be) co	mpleted by?				_
ine change(s)			1	00 = 1 + 1 + 1 =	- 1 + 1 -	十   -
UPON APPRO	VAL			Ē _ =		_ = 킄=
If the point of d	iversion is a well	:		to <del>[    </del>	: Nacitara haratara	lundarii o Fas
(a) Mhatiara	voru going to do y	vith the old well?	Wes	ro Endumination	indiadan Mida	
				F	<del>-</del>	- = 100 +   = 100
N/A		· .	— ,	.00 = 1 + 1 + 1 =	- 1 + 1 -	<del> </del>
(h) Mhan will	this he done?	·				
(b) When win	tills be done					, , ]
. Groundwater N [	Management Dis ☐ Yes  ⊠ No	trict recommendation atta	ched? 2	10 + 1 + 1 + 1 = 100 + 1 + 1 + 1 = 100 + 1		+ 1 - 200 
				200 200 100	100	200 300 ashmark=10 ft
feet but within a topographic sources, show of the propose	2,640 feet of the map or aerial all wells (included bed point of diver	on will be relocated more to existing point of diversion photograph. For grouing domestic) within one-lision and the names and surface water sources, she landowner(s) one-hle upstream from your	ndwater nalf mile mailing	If the proposed point of diversof the existing point of diversing point of diversion. (PLEASE NOTE above represents the diversion.)	relation to the incident to the incident inciden	center of diag

APR 1 6 2020

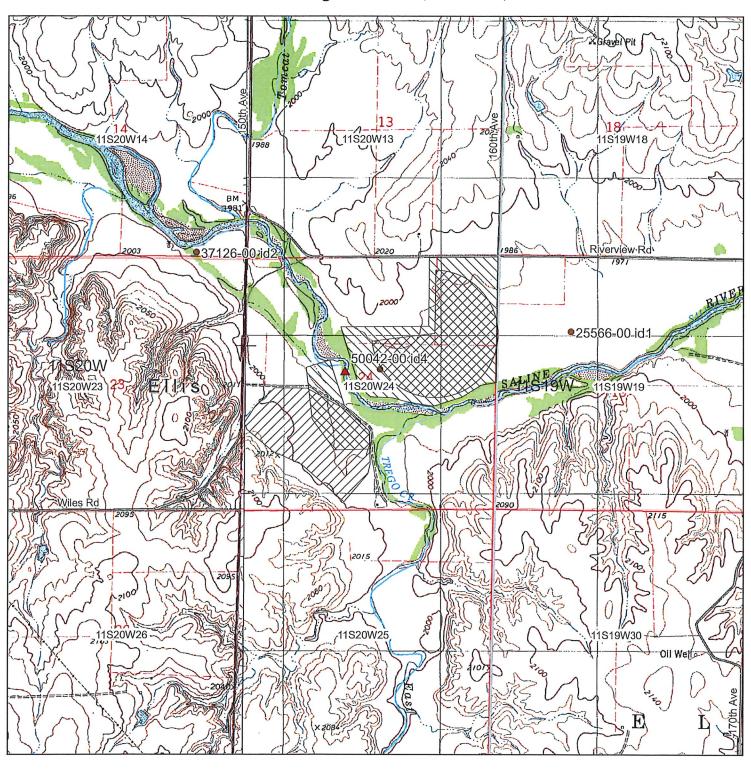
lines

4. If the proposed groundwater point of diversion is	s 300 or fewer feet from the exist	ing point of diversion, complete the	e following.
(a) Does the undersigned represent all owners	s of the currently authorized place s must sign this application.)	e(s) of use identified in this applicat	
(b) Will the ownership interest of any owner of affected if this application is approved as re ☐ Yes ☐ No (If yes, all ownership)	ers must sign this application.)		
(c) If this application is not approved expedition	5 Illust sight time applications	v v v v v v v v v v v v v v v v v v v	
If the application proposes a surface water change or a change in place of use, the application must be agent (attach notarized statement authorizing repre	S Signou by an entire	ter change in point of diversion gre rently authorized place of use, or the	eater than 300 feet, neir duly authorized
I hereby verify, being first duly sworn upor age and the owner, the spouse of the owner their behalf, in regards to the water right(s contained in this application are true, correctly	s) to which this application	pertains. I further verify tha	at I am of lawful is application on t the statements
Dated at Hays	, remove, and		
(Owner)		(Spouse)	
Jeff Weilert (Please Print)		(Please Print)	
(Owner)		(Spouse)	
(Please Print)		(Please Print)	2 13
(Owner)		(Spouse)	
(D) Drint		(Please Print)	
(Please Print)  State of Kansas County of £(1)5	EMILY K. REED  Notary Public - State of Ka  My Appt. Expires 3.22.2	ansas 22	12
I hereby certify that the foregoing application of	ation was signed in my pres	ence and sworn to before me	e this <u>15</u> day
My Commission Expires 3.22.22		Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCEs accurate information; maps, if necessary, must be incluted appropriate fee must be paid.	SSED. To be complete, all of the apuded; signatures of all the appropriate	plicable portions of the application form e owners' must be affixed to the applica	n must be completed wit ation and notarized; and
Each application to change the place of use or the forth in the schedule below: Make checks payable (1) Application to change a point of diversity (2) Application to change a point of diversity (3) Application to change the place of under th	ersion 300 feet or less		\$100
		APR 1 6 2020	

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	s Summary Order is issued under authority of K.S.A. 82a-7 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> n the exception of those conditions expressly contained here tations of File No. 50,042	ein, this Sur	nmary Order does n	not change the te	rms, conditions and
1.	A change application was received on 4-16-diversion authorized under the above-referenced file nur	2020 mber be cha	requesting th anged as described	at the place of u in the application	se and / or point of n.
2.	On and after the effective date of this summary order, the a the topographic map accompanying the application to ch	uthorized p nange the p	lace(s) of use shall $k$ lace of use. $\qquad igties A$	be located substa Applicable 🔲	antially as shown on Not Applicable
	The change in point of diversion shall not impair existing ripreviously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. ☐ Application	ghts and sh I by this sur able ⊠	all be limited to the nmary order shall be Not Applicable	same source or e located within a	sources of water as afoot
	The point(s) of diversion described herein is administrating Positioning System (GPS), as described in the application	ively correction.   App	ted to be more acci icable ⊠ Not Applic	Sabio	
5.	The point(s) of diversion authorized herein shall not actuall authorized point(s) of diversion. ☐ Applicable ☒	lv be locate	d more than	feet	from the previously
	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measuren K.A.R. 5-6-13.   Applicable  Not Applicable	a well with a nents shall l e	diversion rate of 10 be installed, operate	a aria mamama	
	The owner of the authorized place(s) of use shall proceed and maintained in accordance with K.A.R. 5-1-K.A.R. 5-3-5e, the owner shall maintain records and reproducted annually to the Chief Engineer by March 1 follows Not Applicable	properly in er, whichev -4 through 5 ort the read wing the er	i-1-12. As required ing of the water flow do of each calendar	by K.S.A. 82a-73 meter and the to year.	2, as amended, and tall quantity of water
	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form pro  ☐ Applicable  Not Applicable	ovided by the	ne Chief Engineer, a	as required by K.	A.R. 5-8-4e.
9.	The completed well log shall be submitted with the rec	quired noti	ce. $\square$ Applicab	ole 🛛 Not Ap	plicable
10.	All diversion works into which any type of chemical or othe with an in-line, automatic, quick-closing check valve carcheck valve(s) shall be installed, operated and maintained.	er foreign su	ibstance will be inje	cted into the wat	er shall be equipped e water supply.  The
11.	Additional Conditions are attached.   Yes  No				
12.	In accordance with K.S.A. 82a-708a, as amended, and k water appropriated under the above-referenced file nu limitations, as amended and/or supplemented by this S Appropriation Law and the Rules and Regulations pro result in civil penalties pursuant to K.S.A. 82a-737, as water or appropriation right or any other enforcement as	Summary Or mulgated th amended, a	der, and with applications and with applications applications applications are suspensionally and the suspension are suspensionally as a suspension and the suspension are suspensionally as a	cable provisions to comply with the on or revocation	of the Kansas Water
	Administrative Appeal and Effective Date of Order		FOR O	FFICE USE ONLY  ON APPROVE	D AND
you Eng Ag file add day rev	rou are aggrieved by this order, pursuant to K.S.A. 82a-1901, u 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 riculture. A request for hearing by the Chief Engineer must be riculture 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 riculture and request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS	`I	Fint Name):	Y ORDER ISS  Designee of the Cl	nief Engineer
66	502. Failure to timely request a hearing or review may eclude review under the Kansas Judicial Review Act.		of Kansas	) ) S	S
	For Use by Register of Deeds	Count	y of <u>RookS</u>	)	•
		Ackno	wledged before me	on <u>9-17-20</u>	3
		by 🗘	lark Billing	fer	·
		Sign	ature: W	F Kassus Notary Pu	blic
		My 6		VIBUC (NO	BECCA F. HAGEMAN Appointment Expires June 29, 2023
DV	AIR 1-121 (Revised 04/5/2018)	Page 4	APR 1 6 20	20	File No

# Application to Change the Place of Use For Water Right File # 17,283 & 50,042





Authorized Place of Use

Proposed Place of Use

▲ Surface Water Point of Diversion

Groundwater Point of Diversion

1:24,000



APR 1 6 2020

Stockton Field Office
Division of Water Resources