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

January 2, 2020

Jeff Dix 1023 M ST. Stockton, KS 67669

Re:

Water Right, File No. 6,977

Dear Mr. Dix:

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

MB:rh Enclosures

## CERTIFICATE OF SERVICE

On this 2<sup>nd</sup> day of January, 2020, I hereby certify that the attached **SUMMARY ORDER APPROVING APPLICATION FOR CHANGE in PLACE OF USE** for water right, File No. 6,977, dated on the 2<sup>nd</sup> day of January, 2020, was mailed postage prepaid, first class, U.S. mail, to the following:

Jeff Dix 1023 M ST. Stockton, KS 67669

Belevia Hageman

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

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.

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						F	File No	. <u>6,</u> 97	7									DEC 3	1 2019 15 PM
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u	nder the	e water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed l	below.		
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			11.7																
2. N	lame an	nd addre	ess of A	Applica	ant: <u>Je</u>	eff Dix													
<u>1</u>	023 M S	Street, S	Stockto	n, Kar	nsas 6	7669				ă <u></u>									
	hone N										ss: <u>jef</u>	fdixinc	<u>@hotn</u>	nail.co	m				
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					ed or if existing point is b		
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L	This point is: D	Additional Well	Geo Center List of	ther water righ	nts that will use this point _		•
٦ ۾	Presently author	ized point of di	iversion:				AND THE RESERVE OF THE PERSON
6.					Quarter of the		Quarter
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	place of use.			E			Ė
8.	If a well, is the test	hole log attache	d? 🗌 Yes 🛛 No	300	-1 + 1 + 1 =		200
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9.	The change(s) (wa		eted by?				]
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10.	If the point of diver	sion is a well:					
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	Keeping the currer	nt point of diversi	on (well).		<del>-</del> -++++=		
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11.			ecommendation attached	d? 200 =	-		- 3 200
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12.	Assisted by Chelse	ea Erickson		点 300	11111111111111111111111111111111111111	100 200	300 
13a	.If the proposed poi	nt of diversion wil	l be relocated more than		South	Scale: 1 hashm	

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

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 diagram shown above in relation to the existing 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 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.)

lines

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	om the existing point of diversion, complete the following:
<ul> <li>(a) Does the undersigned represent all owners of the currently auth</li> <li>☑ Yes</li> <li>☑ No</li> <li>(If no, all owners must sign this applied to the currently authorized to the currently authori</li></ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested?</li> <li>☑ Yes</li> <li>☑ No</li> <li>(If yes, all owners must sign this approved as requested?)</li> </ul>	
(c) If this application is not approved expeditiously, will there be suf ☐ Yes ☑ No (If no, all owners must sign this appli	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm 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
Dated at Stockton, Kansas, this	27 day of March , 2019.
James E. Circle  (Owner)  James E Lircle  (Please Print)	Donalee Circle (Please Print)
James E Circle (Please Print)	(Please Print)
( reace : may	( lease i iii)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
Otata at Managar	(Please Print) te of Kansas top. (6-15-19)
I hereby certify that the foregoing application was signed in of March, 20 19	my presence and sworn to before me this $27$ day
My Commission Expires 6-15-19	Staci Ketokan Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, al accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	
FEE SCHED	
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 feet	nent of Agriculture \$100 et
(3) Application to change the place of use	\$200

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14. If the proposed groundwater point of diversion is 300 or fewer	er feet from the existing point of diversion, complete the following:
<ul><li>(a) Does the undersigned represent all owners of the currer</li><li>☒ Yes ☐ No (If no, all owners must sign the current of the curre</li></ul>	
<ul> <li>(b) Will the ownership interest of any owner of the current affected if this application is approved as requested?</li> <li>☑ Yes ☐ No (If yes, all owners must sign</li> </ul>	ly authorized place(s) of use identified in this application be adversely this application.)
(c) If this application is not approved expeditiously, will ther ☐ Yes ☐ No (If no, all owners must sign the	e be substantial damage to property, public health or safety? his application.)
	rersion, a groundwater change in point of diversion greater than 300 feet I owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly	3 ( 0 (1))
D. en a	day of September, 20 9.
Patry & Mobile (Owner)	(Spouse)
Patry L Noble (Please Print)	(Please Print)
, (c. lease r. lilly)	(Floado Flilly)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	Tiffany B Kern NOTARY PUBLIC (Spouse)
Culorado no	TATE OF COLORADO (Please Print) TARY ID 20094027195 MISSION EXPIRES 08/21/21
I hereby certify that the foregoing application was sign of	ned in my presence and sworn to before me this A day
My Commission Expires 6. W. W.	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be comaccurate information; maps, if necessary, must be included; signatures of the appropriate fee must be paid.	nplete, all of the applicable portions of the application form must be completed wit f all the appropriate owners' must be affixed to the application and notarized; and
FEE S	SCHEDULE CONTRACTOR CO
forth in the schedule below: Make checks payable to: Kansas D  (1) Application to change a point of diversion 300 feet of  (2) Application to change a point of diversion more than  (3) Application to change the place of use	sion under this section shall be accompanied by the application fee set  Department of Agriculture r less
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### 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. 6,977 12-31-19 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on Applicable ☐ Not 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 \_ radius of the authorized point(s) of diversion. 

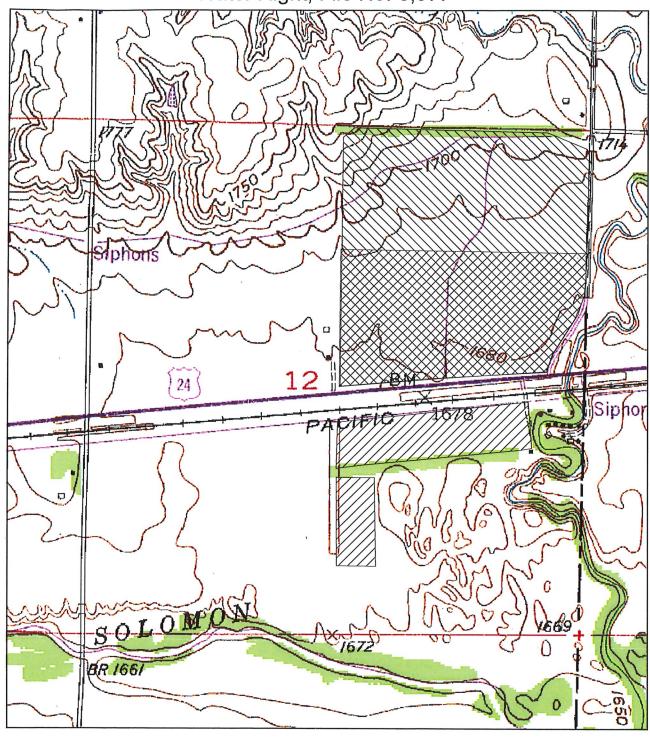
Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ✓ Applicable ☐ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_ authorized point(s) of diversion. 

Applicable Not Applicable 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 Not Applicable K.A.R. 5-6-13. ☐ 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. Not Applicable ☐ Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_\_ 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. ☐ 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 ☐ Not Applicable ✓ No 11. Additional Conditions are attached. ☐ Yes 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. water or appropriation right or any other enforcement actions authorized by law. Administrative Appeal and Effective Date of Order MODELLANDO VIA FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer 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 Print Name): MARY Sucress

Division of Water Resources - Kansas Department of Agriculture (Print Name): 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 -2-20 Date of Issuance: State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Kooks Acknowledged before me on Signature: 1 Notary Public My commission expires: REBECCAF, HAGEMAN MOTARY (Newpolintalent Expires

June 29, 2023

# Application for Change in Place of Use, Water Right, File No. 6,977



Present Place of Use

Proposed Place of Use

Map reviewed and approved by:

y L Noble 9/14/2019 Date





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