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

August 20, 2021

KANSAS DEPT OF WILDLIFE PARKS & TOURISM Attn: ATTN: JAMES SCHNEIDER 512 SE 25TH AVE PRATT, KS 67124-8147

Re: Water Right, File Nos. 31,355 & 36,504

To Whom It May Concern:

Enclosed are two (2) orders executed by Earl Lewis, 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 **December 31, 2021**. 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: <a href="http://agriculture.ks.gov/meters">http://agriculture.ks.gov/meters</a>

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:ndh Enclosures

#### **CERTIFICATE OF SERVICE**

On this 20th day of August 2021, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in POINTS OF DIVERSION** for water right, File Nos. 31,355 & 36,504, dated on the 20th day of August 2021, were mailed postage prepaid, first class, U.S. mail, to the following:

KANSAS DEPT OF WILDLIFE PARKS & TOURISM Attn: ATTN: JAMES SCHNEIDER 512 SE 25TH AVE PRATT, KS 67124-8147

Mancy 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

of diversion and/or place of use.

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



#### STATE OF KANSAS

### WATER METER REQUIRED

APPLICATION COMPLETE

8 | 20 | 21

Reviewer MB

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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)

						F	File No	. <u>31,35</u>	55									AUG	<b>1 3</b> 2021
. А	pplication	on is he	reby m	nade fo	or appr	_			nginee					e or b	oth):				Field Office Nater Resource
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u	nder the	e water	right w	hich is	the su	ubject	of this	applic	ation ir	n acco	rdance	with t	he cor	nditions	s desc	ribed b	elow.		
Т	he sour	ce of su	apply is	3:		⊠ G	round	water			Surfac	e wate	er						
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				NE	1/4			NV	V1/4			SV	11/4			SE	1/4	100	TOTAL ACRES
ec.	Twp.	Range	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE¼	ACKES
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			JL											-					

5.	Presently authorized point of diversion:			}
	One in the Quarter of the			
	of Section, Township	3	South, Range	W,
	in <u>NORTON</u> County, Kansas, <u>841</u> fe	eet North	710 feet West of S	outheast corner of section.
	Authorized Rate <u>17 GPM</u> Authorized Quantity <u>(</u>	0.71 MGY	Depth of well	(feet)
	(DWR use only: Computer ID No. <u>1 (PDIV 5161)</u> GPS _			
- 1	☐This point will not be changed ☐This point will be changed a	ıs follows: 🗌	No change, point better de	scribed with GPS as follows:
	Proposed point of diversion: (Complete only if change is	s requested	l or if existing point is b	etter described by GPS)
	One in the NW Quarter of the	SE	Quarter of the	SE Quarter
	of Section, Township	3	South, Range	W,
	in <u>NORTON</u> County, Kansas, <u>640</u> fe	eet North	738 feet West of So	outheast corner of section.
	Proposed Rate Proposed Quantity		Proposed well depth (f	eet)
	This point is: ☐ Additional Well ☐ Geo Center List other	r water right	s that will use this point 3	6504, 50483
- [				
6.	Presently authorized point of diversion:			
	One in the NW Quarter of the	NW	Quarter of the	NW Quarter
	of Section, Township			
	in NORTON County, Kansas, 4860 fe			
	Authorized Rate <u>5 GPM</u> Authorized Quantity <u>(</u>			
	(DWR use only: Computer ID No. 1 PDIV 42911 GPS			
	☐This point will not be changed ☑This point will be changed as			
	Proposed point of diversion: (Complete only if change is	s requested	or if existing point is b	etter described by GPS)
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
	in County, Kansas, fe			
	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
7.	The changes herein are desired for the following reasons? (please be specific) CONVERT OFFICE WELL TO DOM USE (1.5 AF EXEMPTION) AND COMBINE W/WELL TO CREATE BATTERY OF 2 WELLS	300 E	200 100 North	
8.	If a well, is the test hole log attached?   Yes   No		1+1+1==	
9.	The change(s) (was)(will be) completed by?	F	_	
	UPON APPROVAL	100 =	1 + 1 + 1 = 1	+ $ $ $+$ $ $ $=$ 100
		E	· ' · ' · Ē ·	' ' ' <b> </b>
10.	If the point of diversion is a well:	F		
	(a) What are you going to do with the old well?	West 0		
	DETAIN DDIV 42011 EOD DOM EVENDTION (1.5 AE)	- E	<del>₹</del> ₹	′
	RETAIN PDIV 42911 FOR DOM EXEMPTION (1.5 AF)	100	1 + 1 + 1 = 1	+   +   - 100
	(b) When will this be done? <u>UPON APPROVAL</u>	E		' ' '
		E	. T . T . 🖺 .	. <del>.</del> . <del>.</del> . <b>]</b>
11.	Groundwater Management District recommendation attached?	200	+   +   <del>-</del>	十   十   = 200
	☐ Yes      No	F	=	=
12	Assisted by M BILLINGER	<u>E.</u>	<u></u>	lll
12.	Noticed by M BILLINGER	300	200 100 0 South	100 200 300 Scale: 1 hashmark=10 ft
13a	a. 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 names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines	of the point of the diagram diversion above diversion di	roposed point of diversion of existing point of diversion in shown above in relation. (PLEASE NOTE: TI represents the prese	will be relocated within 300 feet n, indicate its location on the ion to the existing point of he "X" in center of diagram ently authorized point of

14. If the proposed groundwater point of diversion is 300 or fe	wer feet from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the cur  ☐ Yes ☐ No (If no, all owners must sign	rently authorized place(s) of use identified in this application? n this application.)
<ul> <li>(b) Will the ownership interest of any owner of the curre affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must significant of the current of</li></ul>	ently authorized place(s) of use identified in this application be adversely gn this application.)
(c) If this application is not approved expeditiously, will th ☐ Yes ☐ No (If no, all owners must sign	nere be substantial damage to property, public health or safety? n this application.)
	diversion, a groundwater change in point of diversion greater than 300 feet, all owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a du	or affirmation and under penalty of perjury, that I am of lawful ly authorized agent of the owner(s) to make this application on h this application pertains. I further verify that the statements implete.
Dated at , Ka	ansas, this day of, 20
(Owner)  Luke Vanskike (Please Print)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)  State of Kansas  County of	KELLY C. STEWART My Appointment Expires September 27, 2021
I hereby certify that the foregoing application was s	gned in my presence and sworn to before me this 13 day
My Commission Expires $9-27-21$ .	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be of	complete, all of the applicable portions of the application form must be completed wit s of all the appropriate owners' must be affixed to the application and notarized; and
Each application to change the place of use or the point of divident in the schedule below: Make checks payable to: <b>Kansa</b> (1) Application to change a point of diversion 300 fee  (2) Application to change a point of diversion more the	E SCHEDULE ersion under this section shall be accompanied by the application fee set s Department of Agriculture t or less
RERECOA E HAGEMAN POULO PULLO PULLO June 29, 2023	AUG 1 3 2021
DWR 1-121 (Revised 04/5/2018)	Page 3 File No.

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. 31,355 change application was received on \( \frac{8-13-2(}{} \) 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 

Not Applicable 2. 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 foot radius of the authorized point(s) of diversion. 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 \_\_\_\_ feet from the previously 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, 2021, 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, 2021, or within any authorized extension of time. By March 1, 2022 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 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 ☐ Not Applicable ☐ Yes 11. Additional Conditions are attached. 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, 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 Ву: filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer 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. (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds Acknowledged before me on Signature: Notary Public WINTE OF REBECCA F. HAGEMAN My commission expires: MOTARY Not May Appointment Expires June 29, 2023

DWR 1-121 (Revised 04/5/2018)

Page 4

AUG 1 3 2021

File No.

Stockton Field Office Division of Water Resources

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#### AUG 1 3 2021

## APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 31,355

Stockton Field Office Division of Water Resources

Drocontly authorized point of divorcions		
Presently authorized point of diversion:		
One in the Quarter of the	Quarter of the	_ Quarter
of Section, Township	South, Range	W,
in County, Kansas, feet North		section.
Authorized Rate Authorized Quantity		
(DWR use only: Computer ID No. NEW GPS		
☐ This point will not be changed ☐ This point will be changed as follows:		
Proposed point of diversion: (Complete only if change is request		
One in the Quarter of the SE	Quarter of theSE	_ Quarter
of Section 12, Township 3	South, Range24	W,
in NORTON County, Kansas, 617 feet North	727 feet West of Southeast corner of	section.
Proposed Rate17 GPM Proposed Quantity0.71 MGY		·
This point is: Additional Well Geo Center List other water rig	ghts that will use this point <u>36504, 50483</u>	·
Presently authorized point of diversion:		
One in the Quarter of the	Quarter of the	Quarter
of Section, Township		
in County, Kansas, feet North		
Authorized Rate Authorized Quantity		Scotion.
(DWR use only: Computer ID No. 3 PDIV 47131 GPS 593		
☐ This point will not be changed ☐ This point will be changed as follows:		follows
Proposed point of diversion: (Complete only if change is request		
One in theSWQuarter of theSE		
of Section 12 , Township 3		
in NORTON County, Kansas, 593 feet North		
Proposed Rate Proposed Quantity		
This point is: Additional Well Geo Center List other water rig		
	, pe	
Presently authorized point of diversion:		
One in the Quarter of the	Quarter of the	_ Quarter
One in the Quarter of the of Section, Township	South, Range	(E/W),
One in the Quarter of the of Section , Township in County, Kansas, feet North _	South, Range feet West of Southeast corner of	(E/W),
One in the Quarter of the of Section, Township in County, Kansas, feet North _ Authorized Rate Authorized Quantity	South, Range feet West of Southeast corner of Depth of well (feet)	(E/W),
One in the Quarter of the of Section, Township in County, Kansas, feet North _ Authorized Rate Authorized Quantity (DWR use only: Computer ID No GPS	South, Range feet West of Southeast corner of Depth of well (feet) feet North feet West)	(E/W), section.
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One in the	South, Range	follows: by GPS) Quarter (E/W), section.  Quarter (E/W),
One in the	South, Range	follows: by GPS) Quarter (E/W), section.  Quarter (E/W),
One in the	South, Range	follows: by GPS) Quarter (E/W), section.  Quarter (E/W),
One in the	South, Range	follows: by GPS) Quarter (E/W), section.  Quarter (E/W), section.
One in the	South, Range	follows:  y GPS) Quarter (E/W), section.  Quarter (E/W), section.
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One in the	South, Range	follows: by GPS) Quarter (E/W), section.  Quarter (E/W), section.  Guarter (E/W), section.
One in the	South, Range	follows: vy GPS) Quarter (E/W), section.  Quarter (E/W), section.  follows: vy GPS) Quarter (E/W), section.
One in the	South, Range	follows: vy GPS) Quarter (E/W), section.  Quarter (E/W), section.  follows: vy GPS) Quarter (E/W), section.

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