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

May 20, 2021

JEFFREY A & TRACY K STRNAD PO BOX 230 SCANDIA, KS 66966

Re: Water Rights, File Nos. 36,931; 36,933; 38,729; 39,008; 39,009; 49,667; 49,770

Dear Mr. & Mrs. Strnad:

Enclosed are seven (7) 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.

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

Wall Bil

MB:rh Enclosures

CERTIFICATE OF SERVICE

On this 20th day of May, 2021, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE</u> for water rights, File Nos. 36,931; 36,933; 38,729; 39,008; 39,009; 49,667; 49,770, dated on the 20th day of May, 2021, were mailed postage prepaid, first class, U.S. mail, to the following:

JEFFREY A & TRACY K STRNAD PO BOX 230 SCANDIA, KS 66966

Blecce Kaguneur Staff 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 WATER RESOURCE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF MAY 1 3 202 USE AND/OR THE CONTROL OF MAY 1 3 202 USE AND/OR THE CONTROL OF MAY 1 3 202 WATER RESOURCE RECEIVED RECEIVED RECEIVED RECEIVED WATER RESOURCE RECEIVE RECEIVED WATER RESOURCE RECEIVE RECEIVE WATER RESOURCE RECEIVE

STATE OF KANSAS

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APPLICATION COMPLETE
5 /20 / 21
Reviewer MG

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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WATER RESOURCES RECEIVED

5.	Presently authorized point of diversion:	MAY 1 3 2021
	One in the Quarter of the	Quarter of the Quarter
		South, Range KS DEPT OF AGRICULTURE W,
		et North feet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	
	(DWR use only: Computer ID No GPS _	
		follows: No change, point better described with GPS as follows:
		requested or if existing point is better described by GPS)
		Quarter of the Quarter
		South, Range W,
		et North feet West of Southeast corner of section.
	This point is: Additional Well Geo Center List other	Proposed well depth (feet)
L	This point is. Additional Well Geo Center List other	water rights that will use this point
_ [Presently authorized point of diversion:	
6.		Overden of the
		Quarter of the Quarter
	of Section, Township	South, Range W,
		et North feet West of Southeast corner of section.
	Authorized Rate Authorized Quantity	Depth of well (feet)
	(DWR use only: Computer ID No GPS _	
		follows: No change, point better described with GPS as follows:
	<u>Proposed point of diversion: (Complete only if change is</u>	requested or if existing point is better described by GPS)
		Quarter of the Quarter
		South, Range W,
	in County, Kansas, fee	et North feet West of Southeast corner of section.
		Proposed well depth (feet)
L	This point is: ☐ Additional Well ☐ Geo Center List other	water rights that will use this point
7.	The changes herein are desired for the following reasons?	
	(please be specific) To cover illegal acres.	North 300 200 100 0 100 200 300
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8.	If a well, is the test hole log attached? Yes No	200 = 1 + 1 + 1 = 1 + 1 + 1 = 200
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9.	The change(s) (was)(will be) completed by?	
	already complete	100
40	If the maint of diversities in a coult	
10.	If the point of diversion is a well:	<u> </u>
	(a) What are you going to do with the old well?	West 0
	nlo	
	<u>n/a</u>	
	(b) When will this be done? n/a	
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11.	Groundwater Management District recommendation attached?	200 = 1 + 1 + 1 = 1 + 1 + 1 = 200
	☐ Yes No	. . = . . =
40	A LILL BLM OTKEO	
12.	Assisted by DLM STKFO	300 200 100 0 100 200 300
13a	. If the proposed point of diversion will be relocated more than 300	South Scale: 1 hashmark=10 ft
	feet but within 2,640 feet of the existing point of diversion, attach	13b. If the proposed point of diversion will be relocated within 300 feet
	a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile	of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of
	of the proposed point of diversion and the names and mailing	diversion. (PLEASE NOTE: The "X" in center of diagram
	addresses of the owners. For surface water sources, show the	above represents the presently authorized point of
	names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property	diversion.)
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		RECEIVED

14. If the proposed groundwater point of diversion is 300 or fewer feet from	the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applica	
✓ Yes ☐ No (If no, all owners must sign this applica(b) Will the ownership interest of any owner of the currently authorize	KS DEPT OF AGRICULTURE
 (b) Will the ownership interest of any owner of the currently authorized 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 subst	tantial damage to property, public health or safety?
☐ Yes ☐ No (If no, all owners must sign this applica	ition.)
If the application proposes a surface water change in point of diversion, a g	groundwater change in point of diversion greater than 300 feet
or a change in place of use, the application must be signed by all owners of agent (attach notarized statement authorizing representation).	f the currently authorized place of use, or their duly authorized
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I hereby verify, being first duly sworn upon my oath or affirma	tion and under penalty of perjury, that I am of lawful
age and the owner, the spouse of the owner, or a duly authoriz their behalf, in regards to the water right(s) to which this appl	ed agent of the owner(s) to make this application on ication pertains. I further verify that the statements
contained in this application are true, correct and complete.	erpArteregram entertes grammetes a services
Dated at Scandia, Kansas, this	4th day of May 20 21
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I hereby certify that the foregoing application was signed in my of, 20, 20	y presence and sworn to before me this 4 day
Shar Pular LAUREN FIELD	
< M O NOTARY PUBLIC	Lauren Tild
My Commission Expires STATE OF KANSAS My App. Exp. 853-2524	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of	the applicable portions of the application forms much be applied to the
accurate information; maps, if necessary, must be included; signatures of all the app	ropriate owners' must be affixed to the application and notarized; and
the appropriate fee must be paid.	
FEE SCHEDUL	
Each application to change the place of use or the point of diversion under	this section shall be accompanied by the application fee set
forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less	t of Agriculture
(2) Application to change a point of diversion more than 300 feet .	\$200
(3) Application to change the place of use	\$200
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SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS IRCES

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 teams, conditions and limitations of File No. 49,667 5-13-21 A change application was received on requesting that the place of use and bor point of 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 the topographic map accompanying the application to change the place of use. Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable Tot 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, 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. ☐ Applicable Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 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 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 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. 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, 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 filed within 15 days of service of this Order and a request for By: 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 (Print Name): MARK BILLINGEN review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, 5-20-21 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 County of Acknowledged before me on Signature: Notary Public WIO. My commission expires: REBECCA F. HAGEMAN WIAR

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

Page 4 MAY 1 7 2021

ckton Field Office

File NO. 49,007

Natary Appointment Expires
June 29, 2023

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

WATER RESOURCES RECEIVED

MAY 1 3 2021

FILE NO. 49,667
MAKE ADDITIONAL COPIES AS NECESSARY

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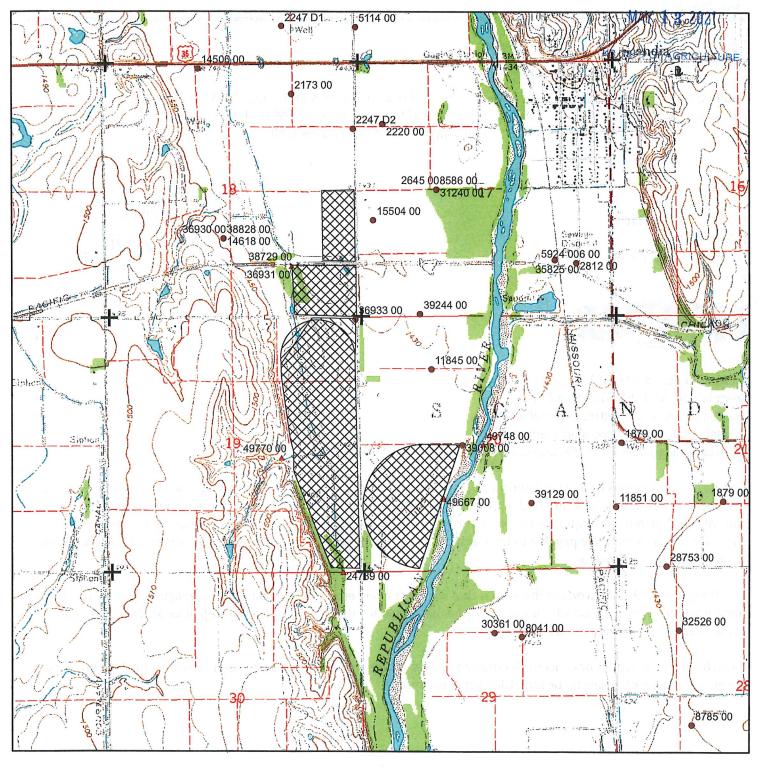
APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO.

MAY 1 3 2021

				KS DEPT OF AGRICULTURE
Presently authorized p				
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of Section	, Township		South, Range	(E/W),
in	County, Kansas,	feet North	feet West of So	outheast corner of section.
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This relief is:	Proposed Quanti	ity	Proposed well depth (fe	eet)
I his point is: Addition	onal Well	ist other water righ	its that will use this point _	·
Presently authorized p	point of diversion:			
	Quarter of the _		Quarter of the	Quarter
of Section	Quarter of the _		Quarter of the	Quarter
in Section	, Township	foot North	South, Range	(E/VV),
Authorized Date	County, Kansas,	reet north	leet west of Sc	outheast corner of section.
Authorized Rate	Authorized Quan	itity	Depth of well	(feet)
(DVVR use only: Comp	outer ID No.	GPS	feet North	feet West)
	nanged This point will be ch			
	ersion: (Complete only if ch			
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of Section	, Township		South, Range	(E/W),
in	County, Kansas,	feet North _	feet West of So	outheast corner of section.
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Application to Change the Place of Use For Water Right File # 49,667







Authorized Place of Use



Proposed Place of Use

- Surface Water Point of Diversion
- Groundwater Point of Diversion

W E

1:24,000

RECEIVED

MAY 1 7 2021

SCANNED

Deb Boyles

From:

Deb Boyles

Sent:

Friday, April 30, 2021 3:45 PM

To:

Deb Boyles

Subject:

FW: Change in Place of Use applications for file nos. 36931 & 36933

Attachments:

36931 chg pu.pdf; 36931 chg pu supp.pdf; 36931 chg pu map.pdf; 36933 chg pu.pdf;

36933 chg pu supp.pdf; 36933 chg pu map.pdf

Debra K. Boyles CPA P.O. Box 230 Scandia, Kansas 66966 785-335-2221 WATER RESOURCES RECEIVED

MAY 1 3 2021

KS DEPT OF AGRICULTURE



From: Means, David [KDA] < David. Means@ks.gov>

Sent: Friday, April 30, 2021 1:54 PM

To: Tony Strnad <tonyrstrnad@gmail.com> **Cc:** Deb Boyles <deb@premiumfeeders.com>

Subject: Change in Place of Use applications for file nos. 36931 & 36933

Good afternoon Tony; I have completed all 7 of the place of use changes for the water rights that share the acreage we have been talking about for a bit. Each application will require the notarized signature of the owners of the land that is currently authorized. In addition, each application costs \$200, so the total fee will \$1400. Please be sure to include a check for this amount made payable to the Kansas Department of Agriculture when you send all your applications back to our office here in Stockton.

One thing I noticed while working these up is that we made a few errors in describing your acreage accurately when these acres were reduced back in July of 2007 (the map depicting these acres was accurate). It looks like we are adding several acres but in reality we are not.

If you have any questions or concerns let me know. I'll send the rest of the applications in separate emails to hopefully lessen the chance of mixing up or forgetting some paperwork.

David

RECEIVED

MAY 1 7 2021

1 Stockton Field Office Livesion of Water Resources SCANNED

WATER RESOURCES RECEIVED

STATEMENT OF AUTHORITY

MAY 1 3 2021

- 1. This Statement of Authority relates to Seth Strnad, LP, a Kansas limited partnership (the "Partnership").
- 2. The Partnership is in full force and effect, and the General Partners are authorized to acquire, convey, encumber, lease and otherwise deal with interests in real or personal property in the name of the Partnership.
 - 3. The mailing address of the Partnership is P.O. Box 230, Scandia, Kansas 66966
 - 4. The General Partner of the Limited Partnership is:

Premium Feeders, Inc., a Kansas corporation

- 5. The General Partner is empowered to execute any instruments necessary to acquire, convey, encumber, lease and otherwise act on behalf of the Partnership insofar as the same affects title to any interest of the Partnership in real or personal property.
- 6. The General Partner of the Partnership has full authority to execute and record this Statement of Authority.

EFFECTIVE as of April 1, 2020

SETH STRNAD, LP

A Kansas limited partnership

BY: Premium Feeders, Inc., a Kansas corporation

Its General Partner

BY:

Debra K. Boyles, President

RECEIVED

MAY 1 7 2021

SCANNED