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

March 24, 2022

TOM J & LADONNA J SLOAN 545 WOOFTER AVE COLBY, KS 67701

Re: Wat

Water Right, File Nos. 11080; 12760; 16990; 19186

Dear Mr. and Mr. Sloan:

Enclosed are four (4) 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

Walley

MB:ndh Enclosures

pc: G.M.D. No. 4 SK

## **CERTIFICATE OF SERVICE**

On this 24th day of March 2022, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in</u> Place of Use for water right, File Nos. 11080; 12760; 16990; 19186, dated on the 24th day of March 2022, were mailed postage prepaid, first class, U.S. mail, to the following:

TOM J & LADONNA J SLOAN 545 WOOFTER AVE COLBY, KS 67701

Mancy Hafeman

A copy of this Change Approval was sent to the following:

Groundwater Management District No. 4 P.O. Box 905 Colby, KS 67701

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

## RECEIVED Ch# 4594 3:5| PM P4 \$800. **DWR FIELD OFFICE** APPLICATION FOR APPROVAL 21 2022 TO CHANGE THE PLACE The Field Office

USE AND/OR THE Division of Water Resources

STATE OF KANSAS

APPLICATION COMPLETE 3 24 22

## 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.

POINT OF DIVERSION

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.

File No. 11.080

<ol> <li>Application is hereby made for approval of the Chief Engineer to change the (check one or both):</li> </ol>																			
						_	ace of					of Dive							
ι	ınder the	water	right w	hich is	the su	ubject	of this	applica	ation ir	n acco	rdance	with t	he cor	ditions	s desc	ribed b	elow.		
7	he sour	ce of su	ipply is	s:		⊠G	round	vater			Surfac	e wate	er						
2. Name and address of Applicant: Tom Sloan										* 1									
5	45 Woo	fter Ave	e., Coll	by, KS	6770	1													
F	hone N	umber:	<u>(785)</u>	462-55	80				Email	addres	ss: slo	antom	j@gma	ail.com	1				
1	Name an	d addre	ess of \	Water	Use C	orresp	onden	t: <u>San</u>	ne as a	applica	int				1				
- F	Phone N	umber:	(	)					Email	addres	 ss:								
3. The presently authorized place of use is:																			
Owner of Land NAME: Tom J & LaDonna J. Sloan																			
		-	ADDRE	ESS:	545 W	oofter	Ave., (	Colby,	KS 67	7701									
(	If there is	more th	an one	landow	ner, at	tach su	ppleme	ntal sh	eets as	neces	sary.)								
NE¼				NW¼				SW1/4				SE1/4			TOTAL				
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE¼	ACRES
35	7	23	30	30	30	35					32	25	8	15	35	30	30	30	330
2	8	33	39.84	39.84	40	40									18	12			189.68
34	7	33			39	22				24	40			23	37	40	37	19	281
(	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: Tom J & LaDonna J Sloan  ADDRESS: 545 Woofter Ave., Colby, KS  (If there is more than one landowner, attach supplemental sheets as necessary.)																		
(	If there is	more th	an one	landov	vner, at	tach su	ppleme	ntal sh	eets as	neces	sary.)				1				
		1	NE1/4			NW¼			SW¼			SE1/4			051/	TOTAL ACRES			
Sec.		Range	NE1/4					NW1/4	SW1/4	SE1/4	NE1/4 32	NW¼ 25	SW1/4 8	SE1/4	NE¼ 31	NW¼ 31	SW1/4 31	SE¼ 31	452
35 2	7 8	23 33	31	31 <b>3</b> 5	31 40	31 40	31	31	31	31	32	25	0	15	14	12	31	31	<del>-146</del> 176
34		33	32	33	39	28				24	40			23	37	40	37	19	352
	1/2	- 10	9 5 5																
For Office Use Only: Code Fee \$ TR # Receipt Date Check #																			

5.	Presently authorized point of diversion:						
	One in the  Quarter of the		SW	Quarter of t	the	SW	Quarter
	of Section, Township		7	South, Ran	ge	33	WEST,
	in <u>Thomas</u> County, Kansas, <u>10</u>	77 fe	et Nort	h <u>5241</u> feet W	Vest of South	east corner	of section.
	Authorized Rate 1140 gpm Authorized Qua						
ı	(DWR use only: Computer ID No	GPS _		feet North _		feet Wes	st)
	$oxed{oxed}$ This point will not be changed $oxed{oxed}$ This point	t will be	chang	ed as follows:			
	Proposed point of diversion: (Complete only if c	hange is	reque	sted)			
	One in the Quarter of the						
	of Section, Township			South, Ran	ge		WEST,
	in County, Kansas,	fe	et Nort	h feet W	lest of South	east corner	of section.
	Proposed Rate Proposed Quant						
L	This point is: Additional Well Geo Center	_ist other	water	rights that will use th	is point		·
_							
6.	Presently authorized point of diversion:						
	One in the Quarter of the						
- 1	of Section, Township						
	in County, Kansas,	fe	et Norti	h feet W	est of South	east corner	of section.
- 1	Authorized Rate Authorized Qual	ntity		Depth of well		(feet	)
	(DWR use only: Computer ID No.					_ feet Wes	st)
	☐ This point will not be changed ☐ This poin						
	Proposed point of diversion: (Complete only if c						
	One in the Quarter of the						
	of Section, Township						
	in County, Kansas,						
	Proposed Rate Proposed Quant						
L	This point is: Additional Well Geo Center I	_ist other	water	rights that will use the	is point		·
7	Why do you need a new point of diversion?		13a. I	f the proposed point of	of diversion w	ill be reloca	ted within 100
	Tilly do you need a new point of diversion.		f	eet of the existing po	int of diversion	n, indicate	its location on
			(	he diagram below in r PLEASE NOTE: T	he "X" in ce	enter of dia	agram below
			ì	epresents presently	authorized p	oint of dive	ersion.)
					North		
8.	If a well, is the test hole log attached?  Yes  N	lo		100 50	0	50 10	0
•	NA#			5	''' <u>+</u> '''	''''''	
9.	When do you propose to complete the new p diversion?	oint of		-	_	-	
	diversion?			50 F +	_	+ -	50
				F	=	コ	
10.	If the point of diversion is a well:			<u>.</u>			
	(a) What are you going to do with the old well?			West 0 <u>-</u>	$1 + 1 \times \overline{X} + 1 + 1$	''''''긬	0 East
	(a) What are you going to do with the old well?			E	=	$\exists$	
				50 L +	^ <u>-</u>	_ =	50
				°F T	=		50
	(b) When will this be done?			F .	=	. =	
					<u> </u>	ШшП	
11.	Groundwater Management District recomme	ndation		100 50	_0	50 10	0
27	attached? Yes No				South <b>Scale: 1</b> " = 10	00'	
10	Assisted by Shannon Konyon, CMD 4		13b. I	f the proposed point of	of diversion w	ill be relocat	ted more than
12.	Assisted by Shannon Kenyon, GMD 4		1	00 feet but within	1320 feet from	om the exis	sting point of
	DEOFINE		F	diversion, attach a to For groundwater sourc	ces, show all v	wells (includ	ling domestic)
	RECEIVED		٧	vithin one-half mile of	the proposed	point of dive	ersion and the
	MAD OF COST		٧	names and mailing a vater sources, show	the names	and addre	esses of the
	MAR 21 2022		la	andowner(s) one-half	f mile downs	tream and	one-half mile
			ι	ipstream from your pr	operty lines.		

14. If the proposed groundwater point of diversion is 300 or fewer							
<ul><li>(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners must sign this application.)</li></ul>							
(b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 ☐ Yes ☐ No (If no, all owners must sign th	be substantial damage to property, public health or safety? is application.)						
If the application proposes a surface water change in point of divergence or a change in place of use, the application must be signed by all agent (attach notarized statement authorizing representation).	ersion, a groundwater change in point of diversion greater than 300 feet, owners of the currently authorized place of use, or their duly authorized						
age and the owner, the spouse of the owner, or a duly a	affirmation and under penalty of perjury, that I am of lawful authorized agent of the owner(s) to make this application on his application pertains. I further verify that the statements plete.						
Dated at, Kans	as, this $\frac{16}{100}$ day of $\frac{100}{100}$ MARCH, $\frac{1}{100}$ , $\frac{1}{100}$						
Ta-la-	The Conna Floan						
(Owner)	(Spouse)						
Ton SIDAN	La Donna SLOAN						
(Please Print)	(Please Print)						
(Owner)	(Spouse)						
(Please Print)	(Please Print)						
(Owner)	(Spouse)						
(Discos Drive)	(Please Print)						
(Please Print)	(Floase Fillity						
State of Kansas  County of homas  SS							
I hereby certify that the foregoing application was signed	d in my presence and sworn to before me this 16 day of						
March , 20 22 SAMANTH	A CRUMRINE						
→ NOTAF	RY PUBLIC NAME OF VANISAS OF VANISAS						
My Commission Expires 12-7-22 My Appt Exp	Notary Public						
Ja flat							
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be comaccurate information; maps, if necessary, must be included; signatures of the appropriate fee must be paid.	plete, all of the applicable portions of the application form must be completed wit all the appropriate owners' must be affixed to the application and notarized; and						
FEF S	SCHEDULE CONTRACTOR OF THE PROPERTY OF THE PRO						
	ion under this section shall be accompanied by the application fee set						
forth in the schedule below: Make checks payable to: Kansas D	epartment of Agriculture						
(1) Application to change a point of diversion 300 feet of	less						
(3) Application to change the place of use	\$200 sect\$200						
NAMOY HAGEMAN	RECEIVED						
Wy Appointment Expires September 27, 2025	NEULIVED						
	MAR 21 2022						

## 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. 5-14-3 and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 11,000. 3/21/22 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. 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 radius of the authorized point(s) of diversion. ☐ 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. Not Applicable ☐ 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. ☐ Applicable Not Applicable The completed well log shall be submitted with the required notice. ☐ Applicable Not Applicable 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 Additional Conditions are attached. ☐ Yes No 11. 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 You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, within 15 days after the date Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing MARK BILLINGER is not requested in accordance with K.A.R. 5-14-3, this Summary (Print Name): Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. 3/24/22 Date of Issuance: For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on Signature: STATE OF **NANCY HAGEMAN** My Appointment Expires PUBLIC. September 27, 2025 My commission expires: (Notary Seal)

11,080; 16,990 & 19,186 Change P/U; Overlap with 12,760

