NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

WATER RESOURCES

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application

(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1.	Application is hereby made for approval of the Chief Engineer to change the
	□ Place of Use
	(Check one or more) Diversion
	☐ Use Made of Water
	File No. <u>1,508</u>
2.	Name of applicant: DAVID & MORIAH OTTLEY
	Address: 14075 W RD 120 S
	City, State and Zip: GRINNELL, KS 67738
	Phone Number: (785)672-8469 E-mail address: dmcattle5@yahoo.com
	What is your relationship to the water right; ⊠ owner □ tenant □ agent □ other? If other, please explain
	Name of water use correspondent: SAME AS ABOVE
	Address:
	City, State and Zip:
	Phone Number: ()
3.	The change(s) proposed herein are desired for the following reasons (please be specific): OVERLAP THE AUTHORIZED IRRIGATION PLACE OF USE FOR WATER RIGHT NOS. 1,508; 15,429; & 30,395
	The change(s) (was) (will be) completed by UPON APPROVAL (Date)
F.C	r Office Use Only: D. 3 GMD 4 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G / S County SD By ALB Date 4/14/23 ode CPU Fee \$ 200 TR # Receipt Date 4/13/23 Check # 11792

4/17/2023 LMoody

File No. <u>1,508PR</u> 1 3 2023

4. The presently authorized place of use is:

	Owne	er of La	nd —	NAM	IE: <u>(A</u>)	DAV (ID & N	10RIA	Н ОТ	TLEY			(1	B) LE\	/I & SI	HEAR	AOTE	PHON	CONSKY
			AD	DRES	S: <u>14</u>	075 V	/ RD 1	20 S	GRINI	NELL,	KS 67	738	7	17 RC	DACH	ST. S	ALINA	, KS, 6	67401
				NE	1/4		NW¼			SW1/4		SE1/4		TOTAL					
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	ACRES
) 20	10S	30W											35	11					46
3) 20	10S	30W					2	6											8
any	other	water r	ights t	hat co	ver th	is plac	ce of u	se. <u>20</u>	22004	16- SV	V1/4								
	Owne	er of La	nd —	NAM	F.														
	OWITC	or Lu			S:														
			7,0								1								
200	Twn	Pango	NE1/		5W1/4	SE1/4	NE1/4	NW1/4	V1/4 SW1/4	SE1/4	NE1/4	SV NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	5W1/4	SE1/4	TOTAL ACRES
Sec.	Twp.	Range	NE1/4	INVV/4	SVV/4	SE /4	NE74	INVV/4	SVV/4	SE74	NE 74	INVV/4	3VV/4	SE/4	INE 74	INVV/4	300/4	SE/4	
any	other	water r	ights t	that co	over th	is plac	ce of u	ise											
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	Twp.		AD	DRES	SS: <u>14</u>) DAV 075 W	ID & N	20 S	GRINI V¼	NELL,	KS 67	738 sv	V ¹ / ₄ SW ¹ / ₄	717 SE1/4	ROAC	SH ST.	SALI	NA, KS	TOTAL ACRES
		Range 30W	AD	DRES	SS: <u>14</u>) DAV 075 W	ID & N	20 S	GRINI V¼	NELL,	KS 67	738 sv	V1/4	717	ROAC	SH ST.	SALI	NA, KS	5, 67401 TOTAL
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A) 20 B) 29	108	30W 30W	AD	NE NW/4	SS: 14 =1/4 SW1/4) DAV 075 W	ID & N	NW1/4	GRINI V¼	NELL,	KS 67	738 sv	V ¹ / ₄ SW ¹ / ₄	717 SE1/4	NE1/4	SE NW/4	SALI	NA, KS	TOTAL ACRES 46
A) 20	10S 10S 10S	30W 30W 30W	AD NE1/4	NES NW/4	SS: 14 sw/ ₄ sw/ ₄	DAV 075 W	ID & M	20 S	GRINI v/4 sw/4	SE%	KS 67	738 sv	V ¹ / ₄ SW ¹ / ₄	717 SE1/4	ROAC	SH ST.	SALI	NA, KS	TOTAL ACRES
A) 20 B) 29 A) 20	10S 10S 10S v other	30W 30W 30W water i	NE1/4	NW1/4	SS: 14 SW% SW% 25	SE¼	NE½	NW1/4 6	GRINI W/4 SW/4	SE1/4	NE%	SV NW/4	SW/ ₄ 35	717 SE¼ 11	NE1/4	SE NW/4	SALI	NA, KS	TOTAL ACRES 46
A) 20 B) 29 A) 20	10S 10S 10S v other	30W 30W 30W	NE1/4	NW1/4	SS: 14 SW% SW% 25	SE¼	NE½	NW1/4 6	GRINI W/4 SW/4	SE1/4	NE%	SV NW/4	SW/ ₄ 35	717 SE¼ 11	NE1/4	SE NW/4	SALI	NA, KS	TOTAL ACRES 46
A) 20 B) 29 A) 20	10S 10S 10S v other	30W 30W 30W water i	NE½ 29 ights to	NES NW/4 27 that co	SS: 14 SW/4 25 Expoyer the state of the s	SE¼	NE½	NW/4 6	GRINI vv4 sw/4	SE1/4	NE%	SV NW1/4	SW/ ₄ 35	717 SE¼ 11	NE1/4	SE NW/4	SALI	NA, KS	TOTAL ACRES 46
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A) 20 B) 29 A) 20 t any	10S 10S 10S 7 other Owne	30W 30W 30W water i	AD NE1/4 29 ights to the AD	NES NW/4 27 that co	25 over the SS:	SE¼	NE½	NW/4 6 ISE	GRINI vv/a sw//a	SE¼	NE%	SV NW1/4	V% SW% 35	717 SE¼ 11	NE1/4	SI NW¼	SALI SW4	SE1/4	TOTAL ACRES 46 8 154
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A) 20 B) 29 A) 20	10S 10S 10S 7 other Owne	30W 30W 30W water r	AD NE1/4 29 ights to the AD	NES NW/4 27 that co	SS: 14 SW1/4 25 Diver the SS:	SE¼	NE½	NW/4 6 ISE	SW1/4	SE¼	NE%	SV NW1/4	V/4 SW/4 35	717 SE¼ 11	NE¾	SI NW/4	SALI SW4	SE1/4	TOTAL ACRES 46 8 154
A) 20 B) 29 A) 20 t any	10S 10S 10S 7 other Owne	30W 30W 30W water r	AD NE1/4 29 ights to the AD	NES NW/4 27 that co	SS: 14 SW1/4 25 Diver the SS:	SE¼	NE½	NW/4 6 ISE	SW1/4	SE¼	NE%	SV NW1/4	V/4 SW/4 35	717 SE¼ 11	NE¾	SI NW/4	SALI SW4	SE1/4	TOTAL ACRES 46 8 154
A) 20 B) 29 A) 20 t any	10S 10S 10S 7 other Owne	30W 30W 30W water r	AD NE1/4 29 ights to the AD	NES NW/4 27 that co	SS: 14 SW1/4 25 Diver the SS:	SE¼	NE½	NW/4 6 ISE	SW1/4	SE¼	NE%	SV NW1/4	V/4 SW/4 35	717 SE¼ 11	NE¾	SI NW/4	SALI SW4	SE1/4	TOTAL ACRES 46 8 154
any	10S 10S 10S Owne	30W 30W 30W water r	AD NE1/4 29 ights to AD NE1/4	NES NW/4 27 that co NAM DRES NE	25 over the SS:	SE¼	NE%	8 NV NW 1/4 NW 1	SW1/4	SE¼	NE%	SV NW1/4	V/4 SW/4 35	717 SE¼ 11	NE¾	SI NW/4	SALI SW4	SE1/4	TOTAL ACRES 46 8 154

5.	The presently authori	zed point(s)) of diversion (is) (are) <u>(</u>	ONE WELL	(Provide description and numbe	er of points)	<u> </u>
7	The proposed point(s) of diversion	on (is) (are) <u>NO CHANG</u>	<u> </u>	(Frovide description and hambe	or pointo,	
	The proposed point(s	of diversion	on (is) (are) into crimine	JL	(Provide description and number	er of points)	·
	List all presently au	thorized po	oint(s) of diversion:				
3. [Presently authorized	d point of d	liversion:				
				SE	Quarter of the	SW Q	uarter
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			_ Authorized Quantity				
					feet North	feet West)	
					as follows: MODIFY DUE		
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					Quarter of the	0	uarter
					South, Range		
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-					 ts that will use this point _		-
ı	The point is:	THOTIAL TYON		outer water right	to that this doe this point _		
). [Presently authorized	d point of d	liversion:				
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	of Section		, Township		South, Range		E/W),
	in	Cou	nty, Kansas,	feet North	feet West of So	outheast corner of sec	tion.
	Authorized Rate		_ Authorized Quantity				
- 1	(DWR use only: Cor	mnutar ID B	No GF	25	foot North	foot (Most)	
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File No. <u>1,508</u>

\ File	NATER RESOURCES No. 14,508 IVED
purposes	APR 1 3 2023

12.	In	e pre	esently authorized use of water is for IRRIGATION purposes.							
	It is	s pro	oposed that the use be changed to NO CHANGE purposes. KS DEPT OF AGRICULTURE							
13.	If c	han	iging the place of use and/or use made of water, describe how the consumptive use will not be increased.							
	IN	IN THE CHANGES PROPOSED, BASE ACRES ARE ONLY BEING EXCEEDED BY CREATING A COMPLETE								
			LAP PER K.A.R. 5-5-11(B)(1).							
	_									
	(Ple	ease	show any calculations here.)							
14.	It is	s req	quested that the maximum annual quantity of water be reduced to NO REDUCTION (acre-feet or million gallons							
15.	It is	s rec	quested that the maximum rate of diversion of water be reduced to NO REDUCTION gallons per minute (c.f.s							
16.	1:2 660 No sho	4,00 047- rth a own.	oplication must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, sca 200, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansa-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distance and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be a lidentify the center of the section, the section lines and the section corners and show the appropriate section, townshing numbers on the map. In addition the following information must also be shown on the map.							
	a.	If a	a change in the location of the point(s) of diversion is proposed, show:							
		1)	The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown Paragraph Nos. 9, 10 and 11 of the application.							
		2)	If the source of supply is groundwater, please show the location of existing water wells of any kind, including domes wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.							
		3)	If the source of supply is surface water, the names and mailing addresses of all landowner(s) $\frac{1}{2}$ mile downstrea and $\frac{1}{2}$ mile upstream from your property lines must be shown.							
	b.		a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please by rtain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application							
17.	loc we	al so Il log	documentation to show the change(s) proposed herein will not impair existing water rights and relates to the sam ource of supply as to which the water right relates. This information may include statements, plats, geology report gs, test hole logs, and other information as necessary information to show the above. Additional comments may below.							
	The	ere a	are no changes proposed in rate, quantity, or source of supply. Impairment should not occur.							
	_									
	_									
18.	ide req	ntify uest	proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, pleas of the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the of the trules and regulations for which you request a waiver. State the reason why a waiver is needed and why the of the rules and reasonably affect the public interest.							
	N/A	4								

File No. 1.508	Fi	le	No.	1	508	
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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the cur authorized to make this application or complete. By filing this application I a as specified in sections 14 and 15 of thi	n their behalf, and declare the theorize the chief engineer the chief	further that the sta	tements contained herein	are true, correct, and
Dated at Stockton	, Kansas,	this 10 da	av of April	20 23
Danil OThey	, Kansas,		•	, 20
David Ottley		Mo	Touch Ottler (Spouse)	
(Plea≰e Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)		-	(Spouse)	
(Please Print) State of Kansas County of) SS PARTY	KELLY C. STEWART My Appointment Expires September 27, 2025	(Please Print)	
of Horsely certify that the foregoing of Horself that the foregoin		my presence and	Sworn to before me this Notary Public	day
	FEE SCH	HEDULE		

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

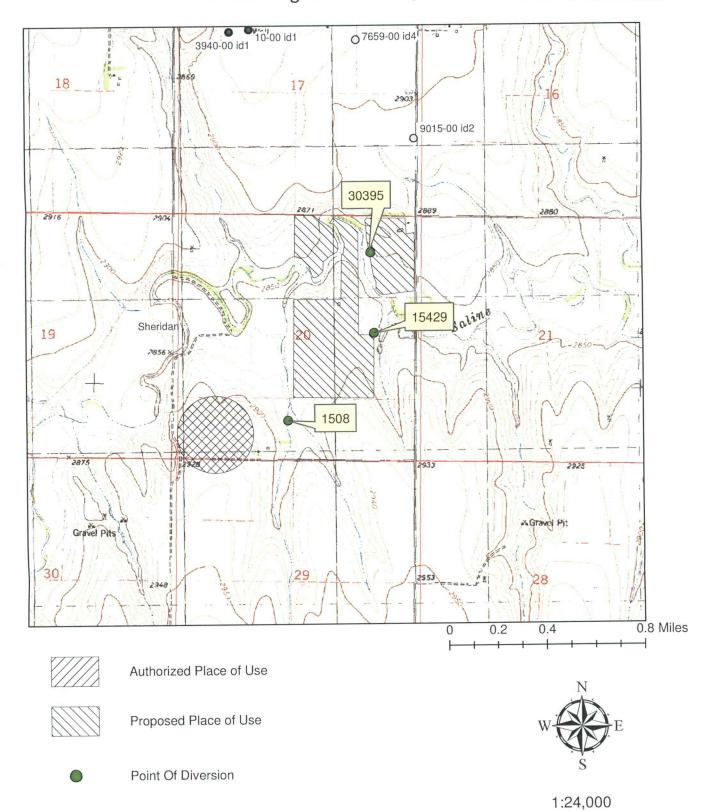
(1)	Application to change a point of diversion 300 feet or less	\$100
(2)	Application to change a point of diversion more than 300 feet	\$200
(3)	Application to change the place of use	\$200
(4)	Application to change the use made of the water	.\$300

Make check payable to Kansas Department of Agriculture.

APR 1 3 2023

Application to Change Place of Use Water Right File No. 1,508

KS DEPT OF AGRICULTURE



14. l	f the proposed groundwater point of diversion is 300 or fewer feet fro	WATER RESOURCES	S vina:
	 (a) Does the undersigned represent all owners of the currently authors of the curr	orized place(s) of use identified in this application?	
((b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application)	rized place(s) of use identified in this application be KS DEPT OF AGRICULT	adversely
(c) If this application is not approved expeditiously, will there be sub		
or a c	application proposes a surface water change in point of diversion, a change in place of use, the application must be signed by all owners t (attach notarized statement authorizing representation).		
age a their	eby verify, being first duly sworn upon my oath or affirm and the owner, the spouse of the owner, or a duly authori behalf, in regards to the water right(s) to which this apparted in this application are true, correct and complete.	ized agent of the owner(s) to make this appli plication pertains. I further verify that the st	ication on
Dated	d at, Kansas, this	28 day of <u>February</u> , 20	23
1	(Owner) (Owner) (Please Print)	Shearston Huncovsky (Please Print)	
	(Owner)	(Spouse)	
_	(Please Print)	(Please Print)	
	(Owner)	(Spouse)	
	of Kansas Notary Public	OSEPH R. CUILLORY - State of Kansas bires: 8.9.2026	
	nereby certify that the foregoing application was signed in r	my presence and sworn to before me this	8 day
Му С	ommission Expires 8-9-2026.	Notary Public	
accura	COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all attended information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.		
	application to change the place of use or the point of diversion under in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	er this section shall be accompanied by the applicatio ent of Agriculture t	\$100 \$200
		The state of the s	

MAR 0 2 2023

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a-708 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-7</i> h the exception of those conditions expressly contained herein tations of File No. 1,508	701 et. seq., and rules and regulations	promulgated thereunder,
1.	A change application was received ondiversion authorized under the above-referenced file number	requesting that the place er be changed as described in the appl	e of use and / or point of ication.
2.	On and after the effective date of this summary order, the auth the topographic map accompanying the application to chan	norized place(s) of use shall be located age the place of use.	substantially as shown on ☐ Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. ☐ Applicable	this summary order shall be located w	
4.	The point(s) of diversion described herein is administrativel Positioning System (GPS), as described in the application.	y corrected to be more accurately de ☑ Applicable ☐ Not Applicable	scribed using the Global
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☒ No	e located more than <u>NA</u> t Applicable	_ feet from the previously
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a we or other device suitable for making water level measuremen K.A.R. 5-6-13. ☐ Applicable ☐ Not Applicable	ell with a diversion rate of 100 gallons p its shall be installed, operated and main	er minute or more, a tube trained in accordance with
7.	The owner of the authorized place(s) of use shall proposed becember 31, 20NA, or before the first use of water, whiche and maintained in accordance with K.A.R. 5-1-4 through 5-3-5e, the owner shall maintain records and report the read annually to the Chief Engineer by March 1 following the end Applicable	ever occurs first. The water flow meter s -1-12. As required by K.S.A. 82a-732, ling of the water flow meter and the total	hall be installed, operated as amended, and K.A.R.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20NA the applic for diversion has been completed, on the form provided by ☐ Applicable ☐ Not Applicable	ant shall notify the Chief Engineer that	construction of the works
9.	The completed well log shall be submitted with the requir	red notice. Applicable N	lot Applicable
10.	All diversion works into which any type of chemical or other for with an in-line, automatic, quick-closing check valve capab check valve(s) shall be installed, operated and maintained in	le of preventing pollution of the source	of the water supply. The
11.	Additional Conditions are attached.		
12.	In accordance with K.S.A. 82a-708a, as amended, and K.A.I water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summa Appropriation Law and the Rules and Regulations promule result in civil penalties pursuant to K.S.A. 82a-737, as amended and or appropriation right or any other enforcement action	er are responsible for compliance with mary Order, and with applicable provis gated thereunder. Failure to comply v ended, and/or the suspension or revoca	its terms, conditions and ions of the <i>Kansas Water</i> with these provisions may
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE C	NLY
If vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	APPLICATION APPRO	
vou	may request an evidentiary hearing before the Chief	SUMMARY ORDER	ISSUED
Agri	ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be I within 15 days of service of this Order and a request for	By: Duly Authorized Designee of t	WII S
filed	I within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30		
day	s pursuant to K.S.Á. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):	Department of Agriculture
File	any request with Kansas Department of Agriculture,	Date of Issuance:	
665	al Ďivision, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	State of Kansas)
pred	clude review under the Kansas Judicial Review Act. For Use by Register of Deeds	County of) SS
		Acknowledged before me on	/
		by	
		Signature:	
		Signature:Notar	y Public
	RECE	My commission expires:	
	MAR 0 2	2023	(Notary Seal)
	MAR U 2	E COCS	

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 20, 2023

DAVID & MORIAH OTTLEY 14075 W RD 120 S GRINNELL KS 67738

RE:

File No(s). 1508 15429

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at <u>agriculture.ks.gov/divisions-programs/dwr</u>. If you have any other questions, please contact our office at 785-564-6640 or your local Stockton Field Office at 785-425-6787. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen Baum

New Applications and Changes Supervisor

Water Appropriation Program

Krister a Baum