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 APPROVALION of Water Ro TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

APPLICATION COMPLETE
3/27/23

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

Reviewer MB

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The changes herein	are desired for the following reasons?	?	
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	os. 16,009; 19,111; 34,808; 34,809;	300 200 100 0 100 200 	300 TTTTT 4
and 36,310			
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(a) What are you goi	ng to do with the old well?		1

13a. 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

⊠ No

13b.If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

0 South

100

Emborholombook

00 200 30 Scale: 1 hashmark=10 ft

100

12. Assisted by KCS/STKFO

☐ Yes

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

FILE NO. <u>34,809</u>

MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

MAR 2 3 2023

Stockton Field Office Division of Water Resources

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6091

14. If the proposed groundwater point of diversion is 300 or fewer feet from	n the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently autho ☐ Yes ☐ No (If no, all owners must sign this applica	rized place(s) of use identified in this application?
 (b) Will the ownership interest of any owner of the currently authorize 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 subs ☐ Yes ☐ No (If no, all owners must sign this application)	tantial damage to property, public health or safety? ation.)
If the application proposes a surface water change in point of diversion, a gor a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirma 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 application are true, correct and complete.	ed agent of the owner(s) to make this application on
1	day of Morely, 2023.
Dated at, Kansas, this	day of $(0 + \sqrt{(1 + + \sqrt{(1 + \sqrt{(1 + \sqrt{(1 + + + \sqrt{(1 + + \sqrt{(1 + + + \sqrt{(1 + + + + + \sqrt{(1 + + + + + + + + + + + + + + + + + + +$
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State of Kansas County of Phillips SS	
I hereby certify that the foregoing application was signed in my	presence and sworn to before me this day
of <u>vww</u> , 20 <u>33</u> .	12 00
KAY L. LEE State of Kansas	1 Jujoste
My Commission Expires My Appl. Exp. 4-18-74	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the apprehe appropriate fee must be paid.	the applicable portions of the application form must be completed with opriate owners' must be affixed to the application and notarized; and
FEE SCHEDUL	
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Departmen	his section shall be accompanied by the application fee set
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet .	his section shall be accompanied by the application fee set t of Agriculture\$100
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Departmen	his section shall be accompanied by the application fee set t of Agriculture \$100
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Departmen (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet .	t of Agriculture \$100 \$200 \$200

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. 34,809 requesting that the place of use and / or point of 3-23-23 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 the topographic map accompanying the application to change the place of use. ☐ Not 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 <u>N/A</u> 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 feet from the previously The point(s) of diversion authorized herein shall not actually be located more than N/A 5 ☐ Applicable ☒ Not Applicable authorized point(s) of diversion. 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, 2023,** 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 and the other flows are total quantity of water diverted and the chief force by March 1 following the and of each colondary year. 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, 20N/A, or within any authorized extension of time. By March 1, 20N/A 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 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 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 Éngineer 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): Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. 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 My commission expires: (Notary Seal) MAR 2 3 20 TATE O **NANCY HAGEMAN** NOTARY Stockton Tel My Appointment Expires File No. 34,809

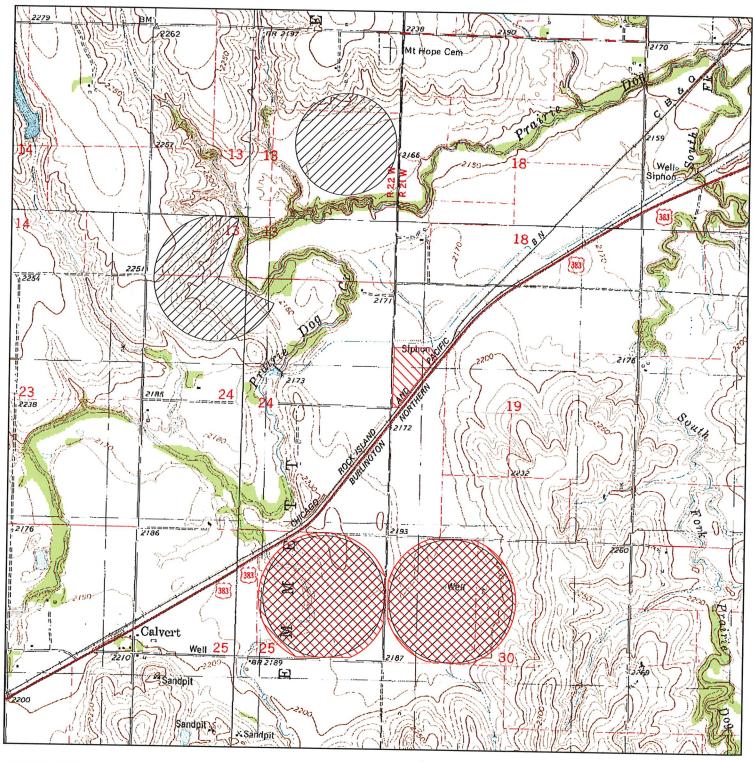
PUBLIC

Division of Water F

September 27, 2025

DWR 1-121 (Revised 09/11/2019)

Application to Change the Place of Use For Water Rights, File Nos. 19111, 34808, 34809, & 36310





Authorized Place of Use



Proposed Place of Use

1:24,000





Stocktor Field Office Division of Water Resources Stockton Field Office 820 S. Walnut Stockton, KS 67669-0192



Phone: 785-425-6787 Fax: 785-425-6842 www.agriculture.ks.gov

Laura Kelly, Governor

Mike Beam, Secretary

March 27, 2023

Terry Nelson PO Box 560 Norton, KS 67654-0560

Re: Water right, File Nos. 16,009; 19,111; 34,808; 34,809; 36,310

Dear Mr. Nelson:

Enclosed are five (5) 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:ndh Enclosures

CERTIFICATE OF SERVICE

On this 27th day of March 2023, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in Place of Use for water right, File Nos.</u> **16,009**; **19,111**; **34,808**; **34,809**; **36,310**, dated on the 27th day of March 2023, were mailed postage prepaid, first class, U.S. mail, to the following:

Terry Nelson PO Box 560 Norton, KS 67654-0560

Mancy Hosenman