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 APPROVAL 3 0 2022 TO CHANGE THE PLACE OF USE AND/OR THE Stockton Field Office Stockto POINT OF DIVERSION

STATE OF KANSAS

ICATION COMPLETE

Reviewer_MB

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

		i, or if p and/or p			ill be ch	nanged	, includ	de a top	oograp	hic ma _l	o or de	tailed p	lat sho	wing th	ne auth	orized	and pr	oposed	d point(s)
						F	ile No.	38,486	3										
1. A	1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):																		
Place of Use ⊠ Point of Divers							ion												
under the water right which is the subject of this application in accordance with the conditions described below.																			
Т							roundv	oundwater Surface water											
<u>N</u>	MUNICIPAL GOLF COURSE 2500 E CRAWFORD ST SALINA, KS 67401-3769																		
	Phone Number: () Email address: Name and address of Water Use Correspondent: SAME AS ABOVE																		
_																			
	Phone Number: () Email address:																		
	The second second is a second second in the second																		
	Owner of Land NAME: <u>CITY OF SALINA</u> ADDRESS: <u>MUNICIPAL GOLF COURSE 2500 E CRAWFORD ST SALINA, KS 67401-3769</u>																		
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									A H /			0)/	\M /				=1/4		TOTAL
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		Range	NE74			SE/4		1400/4	2	36	22	10	37774	12	INL/4	16	6	OL/4	167
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(Owner o	oplication	N ADDF	AME: RESS:	NO CI	HANGE	Ξ												
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Tw p. Range

Sec.

NE1/4

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	Presently author						
	One in the	CS	Quarter of the	SE	Quarter of the	SW	Quarter
	of Section	18	, Township	14	South, Range	2	VV,
	in <u>SALINE</u>	Co	unty, Kansas, 100	feet North _	3600 feet West of	Southeast corn	er of section.
	Authorized Rate _	300 GPM	Authorized Quantity	55 AF	Depth of well	(fe	eet)
	(DWR use only:	Computer ID	No. <u>5</u> G	PS <u>116</u>	feet North <u>35</u>	<u>19 </u>	est)
	☐This point will no	ot be changed	☑This point will be chang	ged as follows:	☐ No change, point better	described with G	PS as follows:
	Proposed point	<u>of diversion:</u>	(Complete only if chan	<u>ige is requeste</u>	ed or if existing point i	s better describ	oed by GPS)
	One in the	SW	Quarter of the	SE	Quarter of the	SW	Quarter
	of Section	18	, Township	14	South, Range	2	W,
	in SALINE	Co	unty, Kansas, <u>116</u>	feet North _	<u>3519</u> feet West of	Southeast corn	er of section.
	Proposed Rate _		Proposed Quantity		Proposed well deptl	n (feet)	·
	This point is:	Additional We	I ☐ Geo Center List	other water rigl	nts that will use this poir	nt <u>38,487</u>	·
_							
6. F	Presently autho						
	One in the		Quarter of the		Quarter of the		Quarter
	of Section		. Township		South, Range		(E/W),
	in	Co	unty, Kansas,	feet North _	feet West o	f Southeast corr	er of section.
	Authorized Rate		Authorized Quantity		Depth of well	(fe	eet)
	(DWR use only:	Computer ID	No. <u>NEW</u> G	PS	feet North3	<u>870 </u>	/est)
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			(Complete only if char				
			Quarter of the				
	of Section	18	, Township	14	South, Range	2	W,
	in SALINE	Co	ounty, Kansas, <u>-20</u>	feet North	3370 feet West o	f Southeast corr	ner of section.
	Proposed Rate	300	Proposed Quantity	55 AF	Proposed well dept	h (feet)	
			□ Geo Center List				
L	тив рошето.	7 taarii oriai 770		ourer mener ng			
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9.	The change(s) (w	as)(will be) cor	npleted by?		=		- 킄
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10.	If the point of dive	ersion is a well:					- 🗒
	(a) What are you	u going to do w	th the old well?	West 0	լո վոսիավավավավա վ		·····································
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	(b) When will this	s be done? N/A		100	_	_ '	_
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11	Groundwater Mar	nagement Distr	ct recommendation attack	ned? 200	-	- 1 + 1 +	- = 200
		Yes No					_ 🛋
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12.	Assisted by M BII	LLINGER		– 30		100 20	
			will be releasted mare the		Soi		
138	feet but within 2.6	340 feet of the e	will be relocated more that xisting point of diversion,	attach 13b.lf th	e proposed point of divers	sion will be reloca	ted <u>within 300 fee</u>
	a topographic m	nap or aerial i	photograph. For ground	dwater of t	he existing point of dive	rsion, indicate it	s location on th
	sources, show all	l wells (includin	g domestic) within one-ha on and the names and n	ilf mile diag	gram shown above in ersion. (PLEASE NOTE	· The "X" in co	enter of diagran
	addresses of the	owners. For s	urface water sources, sho	ow the abo	ve represents the p	resently autho	prized point o
	names and add	dresses of the	e landowner(s) one-hal	f mile dive	ersion.) RECEI	/ED	

DEC 3 0 2022

lines

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

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

FILE NO. 38,486

DEC 3 0 5055

	FILE NO. <u>38</u>	8,486	KECEINED
Presently authoriz	ed point of diversion:		the said of the said on
	Quarter of the	Quarter of	the Quarter
of Section	, Township	South, Ran	nge W.
in	County, Kansas, fe	eet North feet V	Vest of Southeast corner of section
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DVVK use only. C	be changed	o fellows. No shange point	t better described with GBS as follows:
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in SALINE	County, Kansas, 5128 fe	eet North 3190 feet v	vest of Southeast corner of section.
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		er water rights that will use th	ils point
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14. If the proposed groundwater point of diversion is 300 or fewer	r feet from the existing point of diversion, complete the following:
 (a) Does the undersigned represent all owners of the curren ☑ Yes ☑ No (If no, all owners must sign the 	
 (b) Will the ownership interest of any owner of the currently affected if this application is approved as requested? ☐ Yes ☑ No (If yes, all owners must sign the currently of the currently affected in the currently affected in the currently of the currently affected in the currently of the currently affected in the currently of the currently affected in the currently affected in	y authorized place(s) of use identified in this application be adversely his application.)
(c) If this application is not approved expeditiously, will there ⊠ Yes □ No (If no, all owners must sign the	
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 their behalf, in regards to the water right(s) to which t contained in this application are true, correct and comp	
Dated at Salina , Kans	as, this 16th day of December, 20 22.
(A)	
Ethan Swartzman	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	
I hereby certify that the foregoing application was sign of <u>December</u> , 20 2 2. Notar	ed-in-my-presence and sworn to before me this day DAK. LOCKHART by Public - State of Karbas pires 16-18-10-14
My Commission Expires 10 - 18 · 2025	Motary Public /
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be com accurate information; maps, if necessary, must be included; signatures of the appropriate fee must be paid.	nplete, all of the applicable portions of the application form must be completed wi f 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 divers forth in the schedule below: Make checks payable to: Kansas D (1) Application to change a point of diversion 300 feet o (2) Application to change a point of diversion more than	SCHEDULE sion under this section shall be accompanied by the application fee set Department of Agriculture r less
	DEC 3 o 2022

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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. 38,486 12-30-22 requesting that the place of use and / or point of 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. ☐ Applicable 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 50 radius of the authorized point(s) of diversion.

Applicable

Not 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 The point(s) of diversion authorized herein shall not actually be located more than ___ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable 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, 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 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, 2023, or within any authorized extension of time. By March 1, 2024 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 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. ☐ Yes ⊠ No 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 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 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. File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act Duly Authorized Designer of the Chief Engineer (Print Name): MARK BILLINGER Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 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 RECEIVEMy commission expires: Notary Seal) DEC 3 0 2022 SATE OF **NANCY HAGEMAN** NOTARY My Appointment Expires le No. Page 5

Stockton Field Office

Division of Water Resource

September 27, 2025



Stockton Field Office 820 S. Walnut Stockton, KS 67669-0192

Mike Beam, Secretary

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

Laura Kelly, Governor

January 3, 2023

CITY OF SALINA Attn: MUNICIPAL GOLF COURSE 2500 E CRAWFORD ST SALINA, KS 67401-3769

Re: water rights, File Nos. 38486, 38487, 38488 and 38489

Dear Sir or Madam:

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. 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 <u>December 31, 2023</u>. 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: http://agriculture.ks.gov/meters

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 3rd day of January 2023, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in Place of Diversion</u> for water right, File Nos. 38486, 38487, 38488 and 38489, dated on the 3rd day of January 2023, were mailed postage prepaid, first class, U.S. mail, to the following:

CITY OF SALINA Attn: MUNICIPAL GOLF COURSE 2500 E CRAWFORD ST SALINA, KS 67401-3769

Maney Afferm