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 3:40 APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF Ockton Field Office USE AND/OR THE POINT OF DIVERSION

STATE OF KANSAS

APPLICATION COMPLETE
4 125 /2 Y
Reviewer

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 div	ersion	and/or p	lace o	f use.		1							4						
						F	File No	o. <u>23,2</u> 0	65										
1.	Applicat	ion is he	ereby r	nade f	or app	roval o	of the C	Chief E	nginee	er to ch	nange	the (ch	eck or	ne or b	oth):				
 Application is hereby made for approval of the Chief Engineer to change the (check one or both): Place of Use Point of Diversion																			
under the water right which is the subject of this application in accordance with the conditions described below.																			
	The sou	rce of s	upply i	s:		⊠ G	round	water			Surfa	ce wat	er						
	2. Name and address of Applicant: JOHN MOSBARGER																		
601 E US HWY 24 GOODLAND, KS 67735-9313																			
Phone Number: (785)821-0458 Email address: MOSBARGER.JOHN@GMAIL.COM Name and address of Water Use Correspondent: JOHN MOSBARGER 601 E US HWY 24 GOODLAND, KS 67735-9313 Phone Number: (785)821-2177 Email address: MOSBARGER.JOHN@GMAIL.COM																			
Phone Number: <u>(785)821-2177</u> Email address: <u>MOSBARGER.JOHN@GMAIL.COM</u> 3. The presently authorized place of use is:						JIVI													
Owner of Land NAME: <u>JAMES MOSBARGER</u> ADDRESS: 601 E US HWY 24 GOODLAND, KS 67735-9313																			
(If there is	s more th	nan one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
NE1/4			Ξ1/4		1	NW1/4			SW1/4			SE1/4				TOTAL			
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
A.) 3	4 8S	39W	38	40	40	40								1		-			158
					4						-								
ř													J						
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: A.) JAMES MOSBARGER B.) TOPSIDE INC																			
ADDRESS: 601 E US HWY 24 GOODLAND, KS 67735-9313 2435 RD 64 GOODLAND, KS 67735									55										
(If there is	s more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
			NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
A.) 3	4 8S	39W	38	40	40	40													158
B.) 3	5 8S	39W		16	10			1		7 7	1.5	1.							26
A.) 3	5 8S	39W					30	37	21	27	40	30	30	30					245

For Office Use Only: Code

Receipt Date _

TR#

Fee \$

Check #

5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township		
	in County, Kansas, feet No	orth feet West of Southea	st corner of section.
	Authorized Rate Authorized Quantity	Depth of well	(feet)
	(DWR use only: Computer ID No GPS		
	☐This point will not be changed ☐This point will be changed as follo	ws: No change, point better described	with GPS as follows:
	Proposed point of diversion: (Complete only if change is requ	uested or if existing point is better	described by GPS)
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township	South, Range	(E/W),
	in County, Kansas, feet No	orth feet West of Southea	st corner of section.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	·
	This point is: Additional Well Geo Center List other water	er rights that will use this point	·
_			
6.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township	South, Range	(E/W),
	in County, Kansas, feet No	orth feet West of Southea	st corner of section.
	Authorized Rate Authorized Quantity	Depth of well	(feet)
	(DWR use only: Computer ID No GPS	feet North	feet West)
	☐This point will not be changed ☐This point will be changed as follo	ws: No change, point better described	with GPS as follows:
- 1	Proposed point of diversion: (Complete only if change is requ	uested or if existing point is better	described by GPS)
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township	South, Range	(E/W),
	in County, Kansas, feet No		
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	·
	This point is: Additional Well Geo Center List other water	er rights that will use this point	
7.	The changes herein are accurate for the following reasons.		
	(please be specific) Completely overlapping place of use for water right nos. 22,480; 24,189; 23,265 in order to	300 200 100 North	200 300
	pipe wells together for irrigation.	Embandantantant	<u>Munimina</u>
			\
8.	If a well, is the test hole log attached? Yes No	200 + + + + + + +	200
9.	The change(s) (was)(will be) completed by?		_ \ _
٥.			
		100	+ 1 100
10.	If the point of diversion is a well:	# = -	- <u>1</u>
		st 0 🚻	11 111 111 1+++ 0 East
	(a) What are you going to do wan the old won.		_ 1
	NA		1
	(b) When will this be done? NA	100 + + + + +	1 + 1 1 100
			- /=
11.	Groundwater Management District recommendation attached?	200 = 1 + 1 = 1 +	200
	⊠ Yes □ No		/ 1
4.5	A STATE OF LOTHER	Endandard III	
12.	Assisted by RFH:STKFO	300 200 100 0 100	200 300
120	of the proposed point of diversion will be releasted more than 200	South Sca	le: 1 hashmark=10 ft

13a. If the proposed point of diversion will be relocated <u>more than 300</u>
<u>feet but within 2,640 feet</u> 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
on the diagram shown above in relation to the existing point of sources, show all wells (including domestic) within one-half mile 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

14. If the proposed groundwater point of diversion is 300 or fewer feet f	rom the existing point of diversion, complete the following:
 (a) Does the undersigned represent all owners of the currently aut ☑ Yes ☑ No (If no, all owners must sign this app 	
 (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 su ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this appointment in this application are true, correct and complete. Dated at Mosbarger Tames Mosbarger	rized agent of the owner(s) to make this application or oplication pertains. I further verify that the statements day of
(Owner)	(Please Print) (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 signed in	my presence and sworn to before me this day
My Commission Expires STATE OF KANSAS MY Appt. Exp. 236	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	Il of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
	ler this section shall be accompanied by the application fee set ment of Agriculture \$100
ALL	L L LULT

Stockton Field Office Division of Water Resource

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. 23,265 4-22-24 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 _______foot 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 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 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.

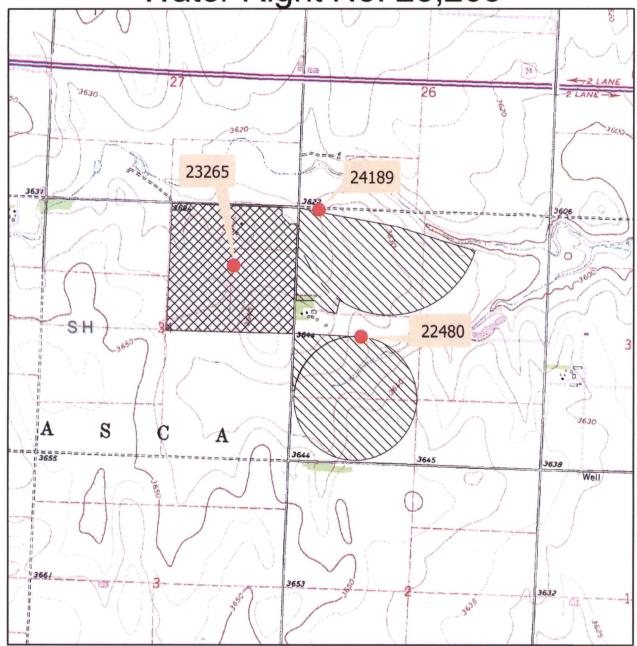
Applicable Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable 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 I Not Applicable 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 Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for Duly Authorized Designer of the Chief Engineer administrative review by the Secretary must be filed within 30 MARK BUINGER days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): 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, Legal Division, 1320 Research Park Drive, Manhattan, KS 4-25-24 Date of Issuance: 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 Signature: RECE My commission expires: APR 22 NANCY HAGEMAN DWR 1-121 (Revised 09/11/2019) Page 4 My Appointment Expires File No. 23,265

Stockton Field 3

Divison of Water Re

September 27, 2025

Change in Place of Use Water Right No. 23,265



Currently Authorized Place of Use

0510 20 30 40 Miles



Proposed Place of Use

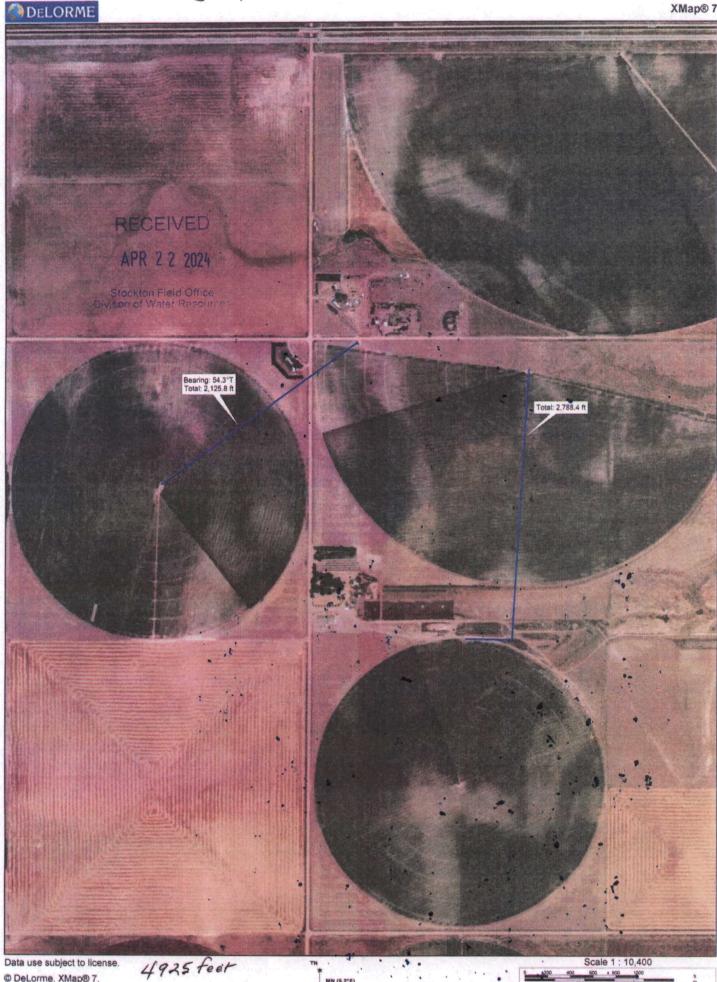
APR 2 2 2024

RECEIVED

Point of Diversion

Stockton Field Office Divison of Water Resources





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www.delorme.com

1" = 866.7 ft Data Zoom 14-3 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

April 25, 2024

JOHN MOSBARGER 601 E HWY 24 GOODLAND, KS 67735-8910

Re: Water right, File Nos. 22,480; 23,265 and 24,189

Dear Sir or Madam:

Enclosed are three (3) 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

While Bil

MB: ndh Enclosures

pc: G.M.D. No. 4

CERTIFICATE OF SERVICE

On this 25th day of April 2024, 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. 22,480; 23,265 and 24,189, dated on the 25th day of April 2024, were mailed postage prepaid, first class, U.S. mail, to the following:

JOHN MOSBARGER 601 E HWY 24 GOODLAND, KS 67735-8910

Nancy Hageman

Administrative Assistant

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

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