Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

of diversion and/or place of use.

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 RECEIVED APPLICATION FOR APPROVALAGE 3:30 TO CHANGE THE PLACE OF 0 3 2024 USE AND/OR THE Stockton Field Office

USE AND/OR THE Stockton Field Office POINT OF DIVERSION

Stockton Field Office Pivison of Water Resources

0 \$ 8281 8 8000

**STATE OF KANSAS** 

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)

1 / 10 / 24
Reviewer MB

File No. 36,598  1. 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 source of supply is: □ Groundwater □ Surface water  2. Name and address of Applicant: Howard R McMillan Trust No. 1  Howard R & Shea M McMillan TTEE, 1124 Quail Rd, Concordia, KS 66901  Phone Number: (785)243-5602 Email address: hrmsmm@yahoo.com  Name and address of Water Use Correspondent: Same as above											
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 source of supply is: ☐ Groundwater ☐ Surface water  2. Name and address of Applicant: Howard R McMillan Trust No. 1  Howard R & Shea M McMillan TTEE, 1124 Quail Rd, Concordia, KS 66901  Phone Number: (785)243-5602											
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Howard R & Shea M McMillan TTEE, 1124 Quail Rd, Concordia, KS 66901  Phone Number: (785)243-5602 Email address: hrmsmm@yahoo.com											
Phone Number: (785)243-5602 Email address: hrmsmm@yahoo.com	, i										
Name and address of Water Use Correspondent: Same as above											
Phone Number: () Email address:  3. The presently authorized place of use is:	* 1 0										
presently authorized place of use is:											
Owner of Land NAME: Howard R McMillan Trust No 1  ADDRESS: Howard R & Shea M McMillan TTEE, 1124 Quail Rd, Concordia, KS 66901											
(If there is more than one landowner, attach supplemental sheets as necessary.)											
	TOTAL ACRES										
33 4 4w 28 36 36 36 36 36 36	136										
33 4 400											
<ol> <li>If this application is for a change in place of use, it is proposed that the place of use be changed to:</li> <li>Owner of Land NAME: Howard R McMillan Trust No 1</li> </ol>	- ************************************										
ADDRESS: Howard R & Shea M McMillan TTEE, 1124 Quail Rd, Concordia, KS 66901											
(If there is more than one landowner, attach supplemental sheets as necessary.)											
NE1/4 NW1/4 SW1/4 SE1/4	TOTAL										
	SE1/4 ACRES										
	142.5										
32 4 4w 33.5 38.5 33.5 33.5 3 L-2	150										

Fee \$ 2.00.00 TR#

Receipt Date / 3-24 Check # 83 81

For Office Use Only: Code (1)

5.	Presently authorized point of diversion:				
	One in the NC Quarter of the	NW	Quarter of the		Quarter
	of Section33	4	South, Range	4	W,
	in Republic County, Kansas, 3960				
	Authorized Rate <u>945 gpm</u> Authorized Quanti				
	(DWR use only: Computer ID No. 8				
	⊠This point will not be changed ☐This point will be cha				
	Proposed point of diversion: (Complete only if cha	ange is request	ed or if existing point is b	etter described	by GPS)
	One in the Quarter of the				
	of Section, Township		South, Range		(E/W),
	in County, Kansas,				
	Proposed Rate Proposed Quantity				
	This point is: ☐ Additional Well ☐ Geo Center Lis	st other water rig	hts that will use this point $\_$		,
3.	Presently authorized point of diversion:				
1	One in the Quarter of the				
	of Section, Township				
	in County, Kansas,				of section.
	Authorized Rate Authorized Quanti	ty	Depth of well	(feet)	
	(DWR use only: Computer ID No				
	☐This point will not be changed ☐This point will be cha	nged as follows: [	No change, point better des	cribed with GPS a	s follows:
	Proposed point of diversion: (Complete only if cha	<u>ange is requeste</u>	ed or if existing point is b	<u>etter described</u>	by GPS)
	One in the Quarter of the				
-	of Section, Township		South, Range		(E/W),
1	in County, Kansas,	feet North _	feet West of So	outheast corner c	of section.
1	Proposed Rate Proposed Quantity				
L	This point is: ☐ Additional Well ☐ Geo Center Lis	t other water rigl	nts that will use this point _		·
,	The shapers have an desired for the following was	0			
	The changes herein are desired for the following reas (please be specific) <u>Create overlapping PU w/ Files 2524</u>		Nicorale		
	34628 & 40725 to allow irrigation of new acres.	300	) 200 100 North	100 200	300
		_ <u> </u>			
2	If a well, is the test hole log attached?  Yes No		-   +   +   =	- /-	=
٠.	ii a well, is the test hole log attached?   Tes   Mo	200	- /+   +   =	+ $+$ $+$ $+$	200
).	The change(s) (was)(will be) completed by?	E	-/ =	\	√∃
	on approval	100	/	+ $+$ $+$ $+$	100
				1 1 1 1	# 200
0.	If the point of diversion is a well:	#	<del>-</del>		1
	(a) What are you going to do with the old well?	West 0	#dooloop	ուվումավամ	H∃ 0 East
	n/a	Ţ.			4
			<b>∤</b> ı + ı + ı ≛ ı	+ $+$ $+$ $+$	100
	(b) When will this be done? n/a	- TE	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		
		E		/	<u> </u>
1.	Groundwater Management District recommendation attac	:hed? 200 =		+   +/	200
	☐ Yes       No	E	\ - =	_ /_	크
2.	Assisted by jkb - STK FO				Бщ
	7) 112 2	— 300	) 200 100 0 South	100 200 Scale: 1 hashmark=1	300 10 ft

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

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.)

JAN 0 3 2024

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

FILE NO. 34,628

MAKE ADDITIONAL COPIES AS NECESSARY

### **RECEIVED**

JAN 03 2024

		ed: The f Land -		AME:			ce of u									Sto Divisor	ckton F of Wa	Field Off Iter Res	ice	
				NI	Ξ1⁄4		NW1/4				SW1/4			SE1/4			TOTAL			
Sec.	Twp.	Range	NE¼	NW¼		SE¼	NE1/4			SE¼	NE¼	NW¼		SE¼	NE1/4	NW¼		SE1/4	ACRES	
Oı	wner o	f Land -	NA																	
				NE	Ξ½			NV	V1/4			SV	V1/4			SI	E1/4		TOTAL	
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE¼	ACRES	
			7																	
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O	wner o	f Land -	NA ADDRI																	
				NF	Ξ1/4			N/v	V1/4			SV	V1/4			SI	Ε1/4		TOTAL	
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				. NE	Ξ1/4			NW¼			SW1/4			SE1/4			TOTAL			
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29	4	4w									L-7 3.5			L-10 24	32.5	32.5	39.5	32.5	164.5	
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Oı	wner o	f Land -	NA ADDRI	AME: ESS:											II.				:	
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Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	ACRES	
	wner o	f Land -	<u> </u> N/ ADDRI	ME: ESS:																
				NE	Ξ1/4			NV	V1/4		SW¼ S			SI	Ε1/4	TOTAL				
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	ACRES	
																			P	

14.	lf th	ne proposed grou	ndwater point of	diversion is 30	00 or fewer feet fro	om the existin	g point of	diversion, comp	ete the following:
	(a)		signed represent No (If no	all owners of , all owners m	the currently auth ust sign this appli	orized place(s	s) of use id	lentified in this a	pplication?
	(b)	affected if this a	pplication is app	roved as reque	e currently autho ested? nust sign this app		of use ide	entified in this a	pplication be adversely
	(c)	If this application ☐ Yes ☐	n is not approved No (If no	l expeditiously , all owners m	, will there be sub ust sign this appli	stantial dama cation.)	age to prop	erty, public hea	th or safety?
or a	cha	oplication propose ange in place of un attach notarized s	se, the applicatio	n must be sig	ned by all owners	groundwater of the curren	change ir tly authoriz	n point of diversi zed place of use	on greater than 300 feet , or their duly authorized
age the	an ir b	d the owner, th	ne spouse of t ds to the wate lication are tru	he owner, o r right(s) to re correct a	r a duly author which this app and complete	ized agent o olication pe	of the ow rtains. I	ner(s) to mak further verify	y, that I am of lawful e this application on that the statements
Date	ed a	t_Conc	ordia	9 17 17 18	, Kansas, this	28 th d	lay of	December	, 20_ 23
	1/4	M M	crella			5/	a M	1-M.M.	
	11	A East	(Owner)	J	. 1			(Spouse)	31 i
- (1) <sup>2</sup>	Ho	ward Mc	Millan (Please Print)	owne.	trutes	She	ea M	(Please Print)	trutee
			(Owner)			# 1 1 D V 60 T		(Spouse)	
			(Please Print)	as the			<u> </u>	(Please Print)	
	1		(Owner)			ME AS A Trans Off Francis Standard Standard		(Spouse)	
-			(Please Print)			Nicole W	omochil	(Please Print)	
Stat Cou		Kansas of <u>IDU (</u>	d	) SS	all trees	NOTARY	PUBLIC KANSAS		
of $_{\perp}^{l}$	her	eby certify that	the foregoing	application v	vas signed in r	my presence	and swo	orn to before	me this $28$ day
Му	Com	mission Expires _	1/00/10-	7	i 1	Ma	sh	Notary Public	hue
accu	rate	OMPLETE APPLICA information; maps, priate fee must be	if necessary, must	PROCESSED. be included; sig	To be complete, all natures of all the ap	of the applicable propriate owne	e portions o	f the application fo affixed to the app	orm must be completed with lication and notarized; and
	•				FEE SCHEDU	I F			
Eacl forth	in t	he schedule belown (1) Application to	w: Make checks change a point	payable to: 14 of diversion 30	of diversion unde Kansas Departme	r this section ent of Agricul	Iture 		he application fee set
	(	<ul><li>(2) Application to</li><li>(3) Application to</li></ul>	o change a point o change the plac	ot diversion m ce of use	ore than 300 feet				\$200 \$200
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			ALIPORT S/OTENIA	and the second	N/P	SO NAL	JAN	3 2024	
DWF	1-1	21 (Revised 09/11/2	My Appointment Exp	PORAGO	Page 3	C O NIME	Stockton	Field Office	File No36,598_

September 27, 2025

Stockton Field Office and Object notice Divison of Water Resources assumes Mater Resources

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

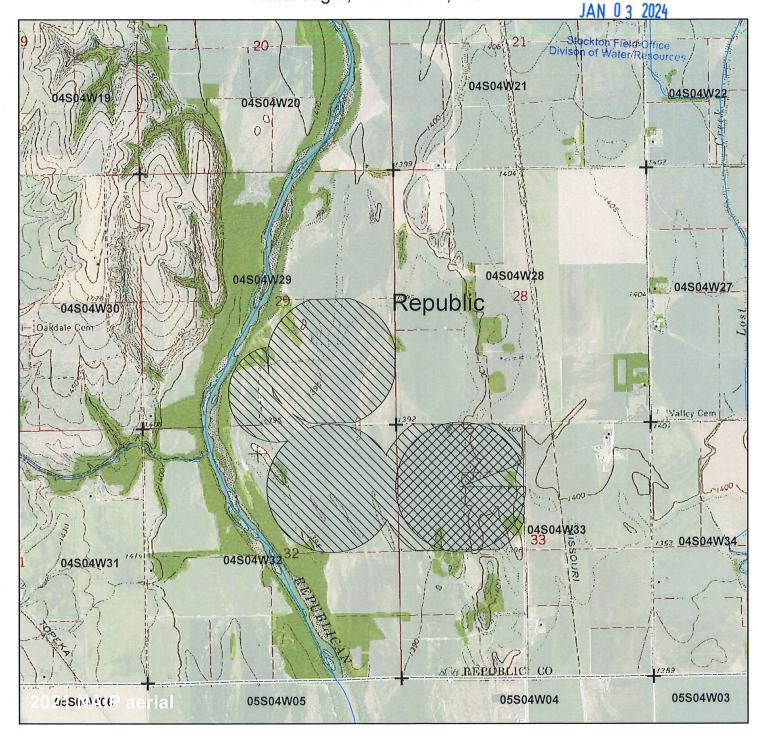
pro Witl Iimi	is Summary Order is issued under authority of K.S.A. 82a-708b ovisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-70</i> th the exception of those conditions expressly contained herein, t itations of File No. <u>36,598</u>	1 et. seq., and rules and regulations promulgated thereunder, this Summary Order does not change the terms, conditions and
1.	A change application was received on 1-3-24 diversion authorized under the above-referenced file number	requesting that the place of use and / or point or be changed as described in the application.
	On and after the effective date of this summary order, the author the topographic map accompanying the application to change	orized place(s) of use shall be located substantially as shown on
3.	The change in point of diversion shall not impair existing rights previously authorized. The point of diversion authorized by tradius of the authorized point(s) of diversion. ☐ Applicable	this summary order shall be located within a foot
4.	The point(s) of diversion described herein is administratively Positioning System (GPS), as described in the application.	corrected to be more accurately described using the Globa ☐ Applicable ☑ Not Applicable
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☒ Not	located more than feet from the previously
6.	As required by K A R 5-3-5d if the works for diversion is a wel	
	K.A.R. 5-3-5e, the owner shall maintain records and report to diverted annually to the Chief Engineer by March 1 following ☐ Applicable ☐ Not Applicable	Thichever occurs first. The water flow meter shall be installed ough 5-1-12. As required by K.S.A. 82a-732, as amended, and he reading of the water flow meter and the total quantity of water the end of each calendar year.
	☐ Applicable	oplicant shall notify the Chief Engineer that construction of the ed by the Chief Engineer, as required by K.A.R. 5-8-4e.
	The completed well log shall be submitted with the require	
10.	<ul> <li>All diversion works into which any type of chemical or other for with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in</li> </ul>	eign substance will be injected into the water shall be equipped e of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ⊠ Applicable ☐ Not Applicable
	. Additional Conditions are attached.	
12.	limitations, as amended and/or supplemented by this Summ	r are responsible for compliance with its terms, conditions and nary Order, and with applicable provisions of the <i>Kansas Wate</i> ated thereunder. Failure to comply with these provisions may nded, and/or the suspension or revocation and dismissal of the
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
If you	you are aggrieved by this order, pursuant to K.S.A. 82a-1901, u may request an evidentiary hearing before the Chief	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Agrifiled adring rev File 668	ded within 15 days of service of this Order and a request for alministrative review by the Secretary must be filed within 30 bys pursuant to K.S.A. 77-531. Any request for administrative wiew must state a basis for review pursuant to K.S.A. 77-527. The any request with Kansas Department of Agriculture, and Division, 1320 Research Park Drive, Manhattan, KS 1502. Failure to timely request a hearing or review may eclude review under the Kansas Judicial Review Act.	By:
	For Use by Register of Deeds	County of 100kg )
		Acknowledged before me on
	DEVISOR	My commission expires: ————————————————————————————————————
DW	VR 1-121 (Revised 09/11/2019) JAN 0 3 2024	NANCY HAGEMAN Fi No. 36,598  My Appointment Expires

Stockton Field Office
Divison of Water Resources

September 27, 2025

Application for Change in Place of Use, Water Right, File No. 36,598

RECEIVED



1:24,000 **Section Corners** Map reviewed by: Authorized Place of Use Proposed Place of Use Signature Date

Date: 12/19/2023



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

January 10, 2024

SHEA M MCMILLAN TRUST NO 1 Attn: HOWARD R & SHEA M MCMILLAN TTEE 1124 QUAIL RD CONCORDIA, KS 66901

Re: Water Right, File Nos. 2,524; 34,628; 36,598; & 40,725

Dear Sir or Madam:

Enclosed are (4) four 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 10th day of January 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. 2,524; 34,628; 36,598 & 40,725, dated on the 10th day of January 2024, were mailed postage prepaid, first class, U.S. mail, to the following:

SHEA M MCMILLAN TRUST NO 1 Attn: HOWARD R & SHEA M MCMILLAN TTEE 1124 QUAIL RD CONCORDIA, KS 66901

Nancy Hageman

Administrative Assistant