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.



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 TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



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.

r ee ochedule is on the tillid 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																				
poin	point(s) of diversion and/or place of use.																			
							F	File No	. 2877	0					_			001	08	2018
1.	Topcka Field O Application is hereby made for approval of the Chief Engineer to change the (check one or both): DIVISION OF WATER F									Office R RESOURCES										
	☐ Point of Diversion																			
	under the water right which is the subject of this application in accordance with the conditions described below.																			
	The	sour	ce of su	ı ylqqı	3 .		⊠ G	round	water		. 🗆	Surfa	ce wat	er						
2.																				NG TRUST
			<u>JACOB</u> umber:							7								o ĸs 60 √ater	6547-805 Resc	urces
																		Re	eceive	ed
	Name and address of Water Use Correspondent: Phone Number: ()							2018												
3																			2:3	arioulture
U.	Own	ner of	Land -	NA	ME:	BYRON	L JACO	BSON	TRUST			1	ELGI	ENE D 8	NOLA	N SYLV	KS ESTER	Dept REV LI	OT A VING TR	griculture
	ADD	RES	S: <u>%byf</u>	RON L J	ACOBS	ON TRU	JSTEE	2123 ME	ADOW	LARK R	D APT	145 MAI	NHATTA	NKS 6	6502	3891	6 K99 H	WY W	AMEGO	KS 66547-8052
	NE½ NW½ SW½ SE½ TOTAL																			
Se	c	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4		SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
15	5	10	10E									L-4 51.5		L-6 38						89.5
													-					ļ	-	
								<u> </u>			<u> </u>					<u> </u>		<u> L. </u>		L.
4.	4. 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: ELGENE D & NOLA N SYLVESTER REV LIVING TRUST / ELDON G & JULIE SYLVESTER / IRENE H THOES TRUST																			
	/If +b.	oro io	more th										GLE RD	WAMEG	O KS 66	547 / 39	034 HWY	/ K99 W	AMEGO K	S 66547
		<u> </u>	more un	an one			lacii sc	ppierrie			neces	sary.)	CV					-1/		TOTAL
Se		Twn	Range	NE1/		5W1/4	SE1/4	NF1/	NW¼	V1/4 SW1/4	SE1/4	NE1/4		V¼ SW¼	SE1/4	NF1/4		5W1/4	SE1/4	TOTAL ACRES
				NEX	144474	00074	UL/1	112/4	10074	3,17,1	OL/4	L-4		0.172	L-7	INE/4	10074	311,74	J GE/4	02.5
15		10	10E				7.0	·	** *** *			51.5			41					92.5
		<u> </u>			·								ļ							•
	For	Offic	e Use	Only:	Code	CPL		e \$	00	TR	#		Re	ceipt	Date	2/12	18	Chec	k #81	11
														•	.	1				

10/15/18 DAW

File No. ____28770

5.	Presently authorized point of diversion:												
	One in the Quarter of the		Qı	uarter of the _			_ Quarter						
	of Section, Township		So	outh, Range _			(E/W),						
	in County, Kansas, f	eet No	rth	of Southeast	neast corner of section.								
	Authorized Rate Authorized Quantity												
	(DWR use only: Computer ID No GPS		fee	t North	fe	et West)							
ŀ	☐ This point will not be changed ☐ This point will be changed as follows:												
	Proposed point of diversion: (Complete only if change												
1	One in the Quarter of the			uarter of the			Quarter						
	of Section, Township		S	outh Range			(E/W).						
	in County, Kansas, f	eet No	orth	feet West	of Southeast	corner of	section.						
	Proposed Rate Proposed Quantity	001110	Pro	nosed well de	oth (feet)								
	This point is: Additional Well Geo Center List other												
L	This point is. Additional Well Geo Genter List out	JI Wate	i fights that v	viii doc ano pe	<u></u>		•						
_ [Presently authorized point of diversion:			····									
6.			0	uarter of the			Quarter						
	One in the Quarter of the , Township												
3.1	in <u> </u>												
	Authorized Rate Authorized Quantity												
	(DWR use only: Computer ID No GPS		bep	t North	fe	feet West)							
	☐ This point will not be changed ☐ This point will b				10	ct west,							
				w3.									
	Proposed point of diversion: (Complete only if change			uadar of the			Quarter						
	One in the Quarter of the		Q	uarter or the _			_ Quarter						
ľ	of Section, Township	Foot No	O	Julii, Nailye _ feet Mest	of Southeast	corner of	(L/VV), section						
	County, Kansas, 1	ieel inc	лиі	reer vvest	of Southeast	COME	Section.						
	Proposed Rate, Proposed Quantity This point is: Additional Well Geo Center List other		r rights that w	poseu well de vill uso this po	pin (ieei)		•						
. [This point is. Additional veil Geo Center List of the	er wate	a rights that v	viii use triis pe	JII 10		<u>-</u>						
7	Why do you need a new point of diversion?	13a.	If the propos	sed point of di	version will be	relocated	within 100						
	Thronger to age (8%		feet of the e	existina point d	of diversion, in on to the exist	dicate its	location or						
	N/A		(PLEASE N	Delow in relati	on to the exist	ng point o	am below						
					horized point								
		,			North								
8.	If a well, is the test hole log attached? Yes No		11	00 50	0	50							
	-				mijn		$\overline{\Box}$						
9.	When do you propose to complete the new point of	:			' ' ' <u>'</u> ' '								
	diversion?			F									
	N/A		70	h _	_								
40	If the constant of discounting in a constle		50	F		7							
10.	If the point of diversion is a well:			-			•						
	(a) What are you going to do with the old well?				_								
	N/A		_West 0		1111 X 11		-						
	10/1												
	(h) When will this be done?			 	_								
	(b) When will this be done?		50	<u> </u>	_	+	_						
44	Constitution Management District recommendation		00			1							
11.	Groundwater Management District recommendation attached? Yes No			F	_		•						
	attached! Tes No				<u> </u>	1	•						
12.	Assisted by SHAUN JOHNSON 5-16-16	13b.	If the propos	sed point of di	version will be 0 feet from t	relocated	more than						
			diversion, a	ttach a topod	raphic map o	or aerial p	hotograph						
			For aroundy	vater sources.	show all wells	(including	domestic)						
			names and	mailing addre	proposed poin esses of the c	wners. F	or surface						
			water source	ces, show th	e names and	d address	ses of the						
				s) one-half mi om your propei	le downstrean rtv lines.	n and on	e-nait mile						
			-p	. ,	,								

14. If the proposed groundwater point of diversion is 300 or fewer feet from	om existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auth☐ Yes☐ No(If no, all owners must sign this application)	cation.)
 (b) Will the ownership interest of any owner of the currently autho affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this app 	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this appli	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, sof the currently authorized place of use, or their duly authorized
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 regard to the water right(s) to which this appropriate in this application are true, correct and complete. Dated at	ized agent of the owner(s) to make this application on
() Markers Tracker	Minimum,
(Owner)	(Spouse)
DM Jacobson Trustee	2 20 6
(Please Print) Claime Sylvester Ly Mah Sylvester POA (Owner)	(Please Print) Ala Syruptio 5 (Spouse) 1
	MOLA SVI HESTED S
ELGENE SYLVESTER (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Cilculation SS	42
hereby certify that the foregoing application was signed in m	by presence and sworn to before me this day of
KAREN HUNTER	Notary Public
My Commission Expires October 24, 2018	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED: To be complete, all accurate information; maps, if necessary, must be included; signatures of all the atthe appropriate fee must be paid.	l of the applicable portions of the application form must be completed wit appropriate owners' must be affixed to the application and notarized; and
FEE SCHED	
Each application to change the place of use or the point of diversion und forth in the schedule below. Make checks payable to: Kansas Departm	nent of Agriculture
 (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	st
	Water Resources

OCT 12 2018

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

orov K.A	s Summary Order is issued under authority of K.S.A. 82 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a</i> .R. 5-1-1 <i>et.seq.</i> With the exception of those conditions expns, conditions and limitations of File No.	a-701 et. seg., and rules and reg	ulations promulgated thereunder,
1.	A change application was received on diversion authorized under the above-referenced file number	requesting that	the place of use and / or point of
2.	On and after the effective date of this summary order, the on the topographic map accompanying the application to ch	authorized place(s) of use shall I	be located substantially as shown
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	phts and shall be limited to the sa this summary order shall be loca	me source or sources of water as
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable	be located more than	feet from the previously
5.	As required by K.A.R. 5-3-5d, if the works for diversion is tube or other device suitable for making water level measure with K.A.R. 5-6-13. Applicable Not Applicable	a well with a diversion rate of 1 rements shall be installed, operat	00 gallons per minute or more, a ed and maintained in accordance
3 .	The owner of the authorized place(s) of use shall proper shall proper shall proper and maintained in accordance with K.A.R. 5-1-4 to K.A.R. 5-3-5e, the owner shall maintain records and report diverted annually to the Chief Engineer by March 1 following Applicable Not Applicable	roperly install an acceptable was whichever occurs first. The was through 5-1-12. As required by the reading of the water flow me	iter flow meter shall be installed, K.S.A. 82a-732, as amended, and
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form provid Applicable Not Applicable	applicant shall notify the Chief I	Engineer that construction of the
8.	The completed well log shall be submitted with the requ	uired notice. Applicable	☐ Not Applicable
9.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve capat check valve(s) shall be installed, operated and maintained i	ole of preventing pollution of the	source of the water supply. The
10.	Additional Conditions are attached.	• .	•
11.	In accordance with K.S.A. 82a-708a, as amended, and K.A. water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promu result in civil penalties pursuant to K.S.A. 82a-737, as am water or appropriation right or any other enforcement action	er are responsible for compliand nmary Order, and with applicable lgated thereunder. Failure to co ended, and/or the suspension of	ce with its terms, conditions and provisions of the <i>Kansas Water</i> cmply with these provisions may
4	Administrative Appeal and Effective Date of Order		FICE USE ONLY
- در د	have the right to a hearing in accordance with KAD 5.14.2		N APPROVED AND
pefo Dep filed Kar Driv sho is no Ord	I have the right to a hearing in accordance with K.A.R. 5-14-3 ore this Summary Order becomes final action of the Kansas partment of Agriculture. Any request for a hearing must be divided with the Chief Engineer, Division of Water Resources, mass Department of Agriculture, 1320 Research Park ove, Topeka, Kansas 66502, within 15 days after the date with on the Certificate of Service attached hereto. If a hearing ot requested in accordance with K.A.R. 5-14-3, this Summary er will become effective on the 15th day after the date shown the Certificate of Service.	By:	- Kansas Department of Agriculture
	For Use by Register of Deeds	Date of Issuance:	
		State of Kansas))
		County of)
		Acknowledged before me on _	
		by	<u> </u>
		Signature:	Notary Public
			110taly I abilo
	Water Neseurces Received	My commission expires:	
		ing commission expires.	(Notary Seal)
DWI	R 1-121 (Revised 06/16/2014)	ge 4	File No. 28770

monuphy is typical

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE Manhattan, KS 66502 PHONE: (785) 564-6700 Fax: (785) 564-6777



900 SW Jackson, Room 456 TOPEKA, KS 66612 PHONE: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

BYRON L JACOBSON, TRUST 2123 MEADOWLARK RD APT 145 October 15, 2018

MANHATTAN, KS 66502

RE: File No 28770

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

> PU place of use point of diversion use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor... A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely.

Brent Tourney, L.G.

Change Applications Unit Supervisor

Water Appropriation Program

and A Juney

BAT: DLW

pc: TOPEKA Field Office GMD