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

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

GMD: 0

DWR 1-121 (Revised 07/10/2017)

USE!

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Page 1

FO:

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.

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					í	ile No	. 4686	7								MAF	22	2018
	Application under the w					lace o	f Use		\boxtimes	Point	of Dive	ersion				Dept	A: Of A	53 griculture
	The source	of supp	ly is:			Ground	water			Surfac	ce wate	er						
2.	Name and a	RD, LIN	N KS	66953	STEVE	OHL					· · · · · · · · · · · · · · · · · · ·			UDV 0				
	Phone Num Name and a				Corresp	onden					EVE@ 1814 9						***************************************	
	Phone Num The present Owner of La (If there is mo	tly authoriand ADI	orized NAMI DRES:	place of E: <u>OHLI</u> S: <u>1814</u>	DE DAII 9TH RI	D, LINI	C N, KS	66953	3		EVE@	<u>OHL</u>	DESDA	MRY.C	OM			
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4.	If this applic Owner of La	and	NAM	-									e chan	ged to	:			
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			NE1/4		NW¼				sv	V1⁄4	1	SE¼		TOTAL ACRES				
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	For Office						ar)							2 h =	1160		11	0112

County: Ws

3/18/1018 LM

File No. 46867_

5.	Presently authorized point of diversion:						
ı	One in the NC Quarter of the NW of Section 24 , Township 4	Quarter of the	Quarter of the				
	of Section 24, Township 4	South, Range	3	F.			
	in WASHINGTON County, Kansas, 3960 feet N	lorth 3960 feet Wes	st of Southeast corne	r of section			
	Authorized Rate 135 Authorized Quantity 57	AF Depth of well	(fee	t)			
	(DWR use only: Computer ID No. 1 GPS	3890 feet North	3840 feet We	st)			
	☐This point will not be changed ☐This point will be changed as foll	ows: No change, point be	etter described with GPS	S as follows:			
	Proposed point of diversion: (Complete only if change is rec						
	One in the NC Quarter of the NV	V Quarter of the		Quarter			
	of Section, Township	South, Range	3	E.			
	in WASHINGTON County, Kansas, 3875 feet N	orth 3825 feet Wes	st of Southeast corner	r of section			
	Proposed Rate 130 Proposed Quantity 5	7 Proposed well d	epth (feet)				
L	This point is: Additional Well Geo Center List other war	ter rights that will use this p	point <u>25272 - IRR US</u>	SE			
-							
6.	Presently authorized point of diversion:						
	One in the Quarter of the	Quarter of the		Quarter			
1	of Section, Township	South, Range		(E/W).			
	in County, Kansas, feet N	orth feet Wes	st of Southeast corner	r of section.			
l	Authorized Rate Authorized Quantity	Depth of well	(fee	(feet)			
1	(DWR use only: Computer ID No GPS	feet North	feet We	st)			
-	☐ This point will not be changed ☐ This point will be changed as foll						
١	Proposed point of diversion: (Complete only if change is rec						
ı	One in the Quarter of the	Quarter of the		Quarter			
	of Section, Township	South, Range		(E/W),			
1	in County, Kansas, feet N	orth feet Wes	st of Southeast corner	of section.			
	Proposed Rate Proposed Quantity Proposed Quantity	Proposed well d	epth (feet)				
L	This point is: Additional Well Geo Center List other wat	er rights that will use this p	point	·			
7	The changes herein are desired for the following reasons? 13a	If the proposed point of a	diversion will be reloca	ated within 100			
	The shariges herein are desired for the following reasons:	feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion.					
	(please be specific) CASING FAILURE	the diagram below in rela (PLEASE NOTE: The	ition to the existing poi	nt of diversion.			
		represents presently au	ithorized point of div	ersion.)			
			North				
			0 50 10				
0	If a well is the test bala law attached a Tay of Maria		11411111111				
δ.	If a well, is the test hole log attached? Yes No	F	= =				
9.	The change(s) (was)(will be) completed by?	50 	$\overline{}$ $+$ $\overline{}$	50			
	UPON APPROVAL	E	_ =				
	OF ON AFFROVAL		_ =				
10.	If the point of diversion is a well:	West 0 <u> </u>	⊔ <u>x</u> ¥111 111— <u>}</u>	0 East			
	(a) What are you going to do with the old well?	-	_ =				
		50 E +	= , =	50			
	PLUG	∞F +	_ + _	50			
		F .	=				
	(b) When will this be done? ASAP						
		100 50	_0)0			
11.	Groundwater Management District recommendation	Sc	South ele: 1" = 100"				
	attached? Yes No	If the proposed point of diversion will be relocated more than					
12	Assisted by <u>LI -DWR</u>	100 feet but within 13:	20 feet from the exi	sting point of			
		diversion, attach a topo For groundwater sources	ographic map or aeria s show all wells (includ	al photograph.			
	Water Resources	within one-half mile of the	e proposed point of div	ersion and the			
	Received	names and mailing addi water sources, show t	resses of the owners. he names and addr	. For surface resses of the			
	2447 00 0040	landowner(s) one-half m	nile downstream and	one-half mile			
	MAR 22 2018	upstream from your prope	erry lines.				

14. If t	the proposed gro	undwater po	oint of diversior	n is 300 or	fewer feet from	om existin	g point of a	diversion, complet	e the following:
(a)		rsigned rep	resent all owne (If no, all owne	ers of the ders must s	currently auth	orized pla cation.)	ce(s) of us	e identified in this	application?
(b)	affected if this	ship interes application i ☑ No	t of any owner s approved as (If yes, all owr	requested	d?		e(s) of use	e identified in this	application be adversely
(c)	lf this applicati ⊠ Yes [on is not ap _l ີ No	proved expedit (If no, all owne	iously, wil ers must s	I there be sub sign this appli	ostantial da cation.)	amage to p	property, public he	alth or safety?
or a ch	pplication propos ange in place of attach notarized	use, the app	olication must b	e signed	by all owners	a groundw s of the cu	ater chang rrently autl	ge in point of diver horized place of u	sion greater than 300 feet, se, or their duly authorized
age ar	nd the owner,	the spous rds to the	e of the own water right(ire true, corr	er, or a o s) to wh ect and	duly author ich this ap _l complete.	ized age plication	nt of the pertains	owner(s) to ma . I further veri	ury, that I am of lawful ake this application on fy that the statements
	at LINN				Kansas, this	_16_	day of _	MArch	, 20 <u>/8</u>
\$	Leven K	All						,	
ر. <i>ب</i>	Leven K	(Owner)			-			(Spouse)	
/	COCH	(Please Pr	nt)					(Please Print)	
		(Owner)					P.W. 11	(Spouse)	
		(Please Pr	nt)					(Please Print)	
		(Owner)						(Spouse)	
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State o	f Kansas of <u>Washi n</u>	gton) } ss						
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My Cor	nmission Expires	629	19	IY APPT. E	XPIRES (029)	19-1		Notally Fublic	
accurate	COMPLETE APPLICE information; maps ropriate fee must be	s, if necessary	L BE PROCESS , must be includ	<u>SED</u> . To be ed; signatu	e complete, all res of all the ap	of the appli	cable portio	ons of the application t be affixed to the a	n form must be completed with pplication and notarized; and
		•		<u>£</u>	EE SCHEDU	<u>JLE</u>			
Each a forth in	the schedule bell (1) Application	ow: Make of to change a	hecks payable point of divers	to: Kans sion 300 fe	sas Departmo eet or less	ent of Ag	riculture		
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DWR 1-	121 (Revised 07/10	0/2017)			Page 3			-	File No. 46867

KS Dept Of Agriculture

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. 25272 A change application was received on requesting that the point of 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 Ápplicable The point(s) of diversion authorized herein shall not actually be located more than ______ feet from the previously authorized point(s) of diversion.

Applicable ☐ Not Applicable 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. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, 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 a control 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 7. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any 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. ☐ Not Applicable Applicable 8. The completed well log shall be submitted with the required notice. ☐ Applicable ☐ Not Applicable 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 10. Additional Conditions are attached. ☐ Yes ΠNo 11. 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. Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY **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 administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative By: ____ Duly Authorized Designee of the Chief Engineer review must state a basis for review pursuant to K.S.A. 77-527. (Print Name): File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Division of Water Resources - Kansas Department of Agriculture **66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas For Use by Register of Deeds) SS County of Acknowledged before me on _____ Signature: Water Resources Notary Public Received MAR 22 2018 My commission expires: KS Dept Of Agriculture (Notary Seal) DWR 1-121 (Revised 07/10/2017) File No. 25271___

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

Wit	s Summary Order is issued under authority of K.S.A. 82a-70 visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 82a-h the exception of those conditions expressly contained her limitations of File No. 25272	·//)1 et sea, and rules and regulat	tions promulaated thorounder			
1.	A change application was received on under the above-referenced file number be changed as de	requesting that the escribed in the application.	point of diversion authorized			
2.	On and after the effective date of this summary order, the a on the topographic map accompanying the application to a	authorized place(s) of use shall be lichange the place of use. Applica	ocated substantially as shown able 🔻 Not Applicable			
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	nts and shall be limited to the same	source or sources of water as			
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. Applicable No	be located more thant Applicable	feet from the previously			
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level accordance with K.A.R. 5-6-13.	a well with a diversion rate of 100 of measurements, shall be installed	gallons per minute or more, a operated and maintained in			
6.	The owner of the authorized place(s) of use shall proper December 31, 2018, or before the first use of water, we operated and maintained in accordance with K.A.R. 5-1- and K.A.R. 5-3-5e, the owner shall maintain records and rewater diverted annually to the Chief Engineer by March 1 Applicable Not Applicable	operly install an acceptable wat whichever occurs first. The water 4 through 5-1-12. As required by report the reading of the water flow	flow meter shall be installed, K.S.A. 82a-732, as amended, meter and the total quantity of			
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 prov Applicable □ Not Applicable	applicant shall notify the Chief End	nineer that construction of the			
8.	The completed well log shall be submitted with the requi	ired notice.	☐ Not Applicable			
9.	All diversion works into which any type of chemical or other f with an in-line, automatic, quick-closing check valve capa check valve(s) shall be installed, operated and maintai Applicable	ble of preventing pollution of the so	urce of the water supply. The			
10.	Additional Conditions are attached. Yes No					
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 promuresult in civil penalties pursuant to K.S.A. 82a-737, as amwater or appropriation right or any other enforcement actions.	per are responsible for compliance namery Order, and with applicable proligated thereunder. Failure to complended, and/or the suspension or re-	with its terms, conditions and rovisions of the <i>Kansas Water</i> ply with these provisions may			
4	Administrative Appeal and Effective Date of Order	FOR OFFICE	USE ONLY			
	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901.	APPLICATION A				
you	may request an evidentiary hearing before the Chief	SUMMARY OF	RDER ISSUED			
Eng Aari	ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be		•			
filed	within 15 days of service of this Order and a request for hinistrative review by the Secretary must be filed within 30	Ву:				
day	s pursuant to K.S.A. 77-531. Any request for administrative	Duly Authorized Designe	ee of the Chief Engineer			
revie File	ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture ,	(Print Name):	and a Danada and a f A aria. It was			
Leg	al Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	Date of Issuance:	,			
pred	clude review under the Kansas Judicial Review Act.		1			
	For Use by Register of Deeds	State of Kansas)) SS			
		County of	_)			
		Acknowledged before me on				
		by				
	Mater Boson	Signature:				
	Water Resour Received	Signature:Notary Public				
	MAR 22					
	MAN &	My commission expires:				
רו/עיב	R 1-121 (Revised 07/10 CorDept Of Agricult:	-	(Notary Seal)			

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 Торека, KS 66612 Рнопе: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

STEVE OHLDE 1814 9TH RD LINN, KS 66953 March 26, 2018

RE: File No 46867

Dear Sir or Madam:

	An application for	or approval of the	ne Chief E	ngineer to d	change the	following	condition or	conditions	of the file	number
referred	to above has be	een received:								

place of use	PD
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

Bank A. June

BAT: DLW

pc: TOPEKA Field Office GMD