

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

Document Signature LPL

1. File Number: 10,071	2. Status Change Date: 5/18/2019	3. Change Num: 1	4. Field Office: 01	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change:
8a. Applicant(s) New to system <input type="checkbox"/> WHITE BROTHERS LAND & LIVESTOCK 10705 CAMP CREEK RD BELVUE KS 66407		8c. Landowner(s) New to system <input type="checkbox"/> SAME AS 8A		
8b. Landowner(s) New to system <input checked="" type="checkbox"/>		8d. WUC New to system <input checked="" type="checkbox"/>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/20 <input type="checkbox"/> N & P Date to Comply: _____				
<input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 4/29/19 By: BAT Date Entered: 5/19/2019 By: UM				

File No. **10,071** 11. County: **PT** Basin: Stream: Formation Code: Special Use:

12. Points of Diversion										Rate and Quantity				
T MOD DEL ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Authorized		Additional		Overlap PD Files
										Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
T MOD DEL ENT	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
						¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼								
MOD	9875	20	9S	11E	1															13	14	27	8a	Y NO	50194				
MOD	30200	29	9S	11E	3						38	37										75	8a	Y NO	50194				
ENT	69257	28	9S	11E	1	↑	↑	↑	↑		↓	↓										147	8a	NO	50194				

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 29, 2019

FROM: Brent A. Turney

RE: Water Right
File No. 10,071

Michael K. and Ann White, Anthony J. and Cathy White, and Paul J. and Karen M. White on behalf of White Brothers Land and Livestock, owner of the above referenced water right has filed an application for approval to change the place of use. The application proposes to create a complete overlap in the place of use with new Application, File No. 50,194.

The referenced file number does not appear to be abandoned as per K.S.A. 82a-718.

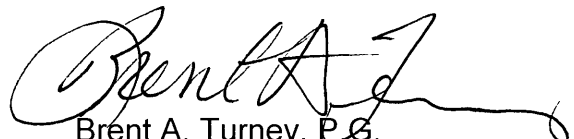
The change in place of use proposes to create a complete overlap in the place of use with new Application, File No. 50,194, for a total of 249 irrigated acres. The quantity of water when combined with new Application, File No. 50,194, appears to be reasonable to irrigate the proposed place of use with 0.98 acre-feet of water per acre, assuming that all of the proposed acres can be irrigated.

Because the application only proposes a complete overlap in the place of use, no notifications were sent.

In an email dated today's date, Katie Tietsort, Water Commissioner, Topeka Field Office recommended approval of the referenced change.

A check valve will be required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the Topeka Field Office recommends approval, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur and that the new application will account for any increase in the consumptive use, the referenced applications should be approved.


Brent A. Turney, P.E.
Change Application Unit Supervisor

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

May 13, 2019

WHITE BROTHERS LAND & LIVESTOCK
10705 CAMP CREEK RD
BELVUE KS 66407

FILE COPY

Re: Water Right, File No. 10,071

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

BAT
Enclosures
pc: Topeka Field Office

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE WATER RIGHT FILE NO. 10,071

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Michael K. and Ann White, Anthony J. and Cathy White, and Paul J. and Karen M. White on behalf of White Brothers Land and Livestock, 10705 Camp Creek Road, Belvue, Kansas 66407, received in this office on January 9, 2019, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights and that the application should be and is hereby approved.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the authorized place of use shall be:

Sec Twp. Range	NE¼				NW¼				SW¼				SE¼				TOTAL
	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20 9S 11E															13	14	27
28 9S 11E						38		37									75
29 9S 11E	40	40	33.5	33.5													147

a total of 249 acres in Sections 20, 28 and 29, Township 9 South, Range 11 East, Pottawatomie County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 10,071, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated July 16, 1969, and as modified and amended by the aforementioned orders.

Ordered this 5th day of May, 2019, in Manhattan, Riley County, Kansas.

Lane P. Letourneau

Lane P. Letourneau, P.G.
Water Appropriation Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 5th day of May, 2019, by Lane P. Letourneau, P.G., Water Appropriation Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Danielle Wilson
Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

CERTIFICATE OF SERVICE

On this 13th day of May, 2019, I hereby certify that the attached Approval of Application to Change the Authorized Place of Use, File No. 10,071, dated May 8th, 2019, was mailed postage prepaid, first class, US mail to the following:

WHITE BROTHERS LAND & LIVESTOCK
10705 CAMP CREEK RD
BELVUE KS 66407

With photocopies to:

Topeka Field Office


Staff

#2

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
109 SW 9th Street, 2nd Floor
Topeka, KS 66612-1283
www.ksda.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



State of Kansas

Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- (Check one or more) Point of Diversion
- Use Made of Water

Water Resources
Received

JAN 09 2019
11:24

KS Dept Of Agriculture

File No. 10071

2. Name of applicant: WHITE BROTHERS LAND & LIVESTOCK

Address: 10705 CAMP CREEK RD

City, State and Zip: BELVUE KS 66407

Phone Number: () _____ E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SAME AS APPLICANT

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO EXPAND THE IRRIGATED ACRES FOR THE EXISTING PIVOT AND ADD NEW IRRIGATED LAND IN THE
(W1/2.NW1/4) OF SECTION 28

The change(s) (was) (will be) completed by JULY 2019
(Date)

For Office Use Only:					
F.O. <u>1</u>	GMD <u>0</u>	Meets K.A.R. 5-5-1 (YES/NO)	Use <u>IRR</u>	Source <u>CS</u>	County <u>PT</u>
Code <u>CPU</u>	Fee \$ <u>200</u>	TR # _____	Receipt Date <u>1/9/19</u>	By <u>KJN</u>	Date <u>1/9/19</u>
				Check # <u>5202</u>	

6. The presently authorized point(s) of diversion IS ONE WELL
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NW Quarter of the NE Quarter of Section 29, Township 9 South, Range 11E (E/W), in POTTAWATOMIE County, Kansas, 4626 feet North 1754 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **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 North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the Water Resources Quarter of Section _____, Township _____ South, Range Received (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
NOT APPLICABLE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SCANNED

KS Dept Of Agriculture
 JAN 09 2019

4. The presently authorized place of use is:

Owner of Land — NAME: **WHITE BROTHERS LAND & LIVESTOCK**

ADDRESS: **10705 CAMP CREEK RD BELVUE KS 66407**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20	9	11E															9	9	18
29	9	11E	39	39	20	20													118

List any other water rights that cover this place of use. **NONE**

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: **WHITE BROTHERS LAND & LIVESTOCK**

ADDRESS: **10705 CAMP CREEK RD BELVUE KS 66407**

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20	9	11E															13	14	27
28	9	11E						38	37										75
29	9	11E	40	40	33.5	33.5													147

List any other water rights that cover this place of use. **APPLICATION FOR A NEW WELL**

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at 12-19-18 Wamego, Kansas, this 19 day of Dec., 20 18.

Michael K. White
(Owner)

Michael K White
(Please Print)

Anthony J White
(Owner)

Anthony J White
(Please Print)

Paul J White
(Owner)

Paul J. White.
(Please Print)

Ann White
(Spouse)

Ann White
(Please Print)

Cathy White
(Spouse)

Cathy White
(Please Print)

Karen M. White
(Spouse)

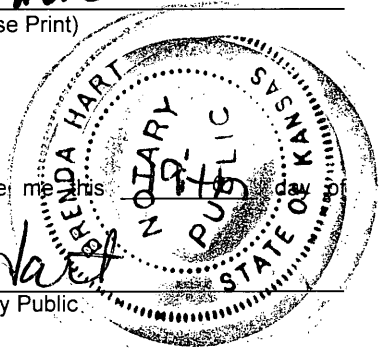
KAREN M. WHITE
(Please Print)

State of Kansas }
County of Pottawatomie } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this December, 20 18.

My Commission Expires 7-14-2020

Brenda Hart
Notary Public



FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

Water Resources
Received

JAN 09 2019

KS Dept Of Agriculture

SCANNED

12. The presently authorized use of water is for IRRIGATION purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

AN APPLICATION FOR A NEW WELL IS BEING FILED TO PROVIDE ADDITIONAL WATER FOR THE EXPANDED PLACE OF USE.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

IMPAIRMENT SHOULD NOT BE AN ISSUE AS THIS IS A CHANGE IN PLACE OF USE ONLY

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

NOT APPLICABLE

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

State of Kansas

SS

Pottawatomie County

BE IT REMEMBERED, That on this 27 day of December , A.D. 2018 before me, the undersigned, a notary public in and for the County and State aforesaid, came Anthony J White to me personally known to be the same person who executed the within instrument of writing, File No 10071 and such person duly acknowledged the execution of the same.

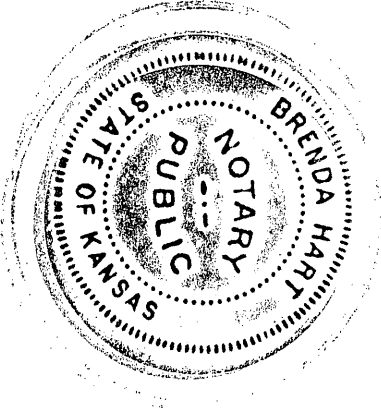
IN WITNESS HEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

(My term expires 07-14, 2020)

Brenda Hart

Notary Public

Rev. 4-24-14 LH/AB



Water Resources
Received

JAN 09 2019

KS Dept Of Agriculture

SCANNED

State of Kansas

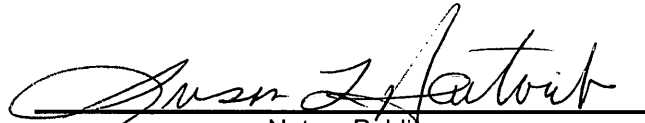
SS

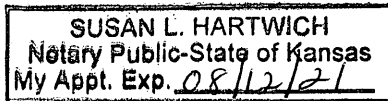
Pottawatomie County

BE IT REMEMBERED, That on this 26th day of December, A.D. 2018 before me, the undersigned, a notary public in and for the County and State aforesaid, came Paul J White and Karen M White to me personally known to be the same person who executed the within instrument of writing, File No. 10071 and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

(My term expires 08/12/21, 2021)


Notary Public
Susan L. Hartwich



Rev. 4-24-14 LH/AB

SCANNED

State of Kansas

SS

Pottawatomie County

BE IT REMEMBERED, That on this _____ day of _____, A.D. 20____ before me, the undersigned, a notary public in and for the County and State aforesaid, came Cathy D Whiteto me personally known to be the same person who executed the within instrument of writing, File No 10071 and such person duly acknowledged the execution of the same.

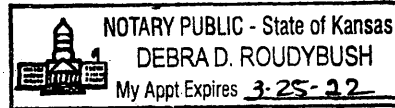
IN WITNESS HEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above written.

(My term expires 3-25, 2022)



Notary Public

Rev. 4-24-14 LH/AB



Water Resources
Received

JAN 09 2019

KS Dept Of Agriculture
SCANNED

Turney, Brent [KDA]

From: Tietsort, Katie [KDA]
Sent: Monday, April 29, 2019 11:38 AM
To: Turney, Brent [KDA]
Subject: RE: Memo File No. 10071

Brent,

TFO has no objections to approval of the referenced application for change. We agree with your recommendation that the request meets the provisions of the KWAA.

Thanks, Katie

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Turney, Brent [KDA]
Sent: Monday, April 29, 2019 10:57 AM
To: Tietsort, Katie [KDA] <Katie.Tietsort@ks.gov>
Subject: Memo File No. 10071

Katie,
Can you review and give me a recommendation?
Thanks,
Brent

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Interim Secretary

Laura Kelly, Governor

WHITE BROTHERS LAND & LIVESTOCK
10705 CAMP CREEK RD
BELVUE, KS 66407

January 15, 2019

RE: File No 10071

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:

- place of use PU
- 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,

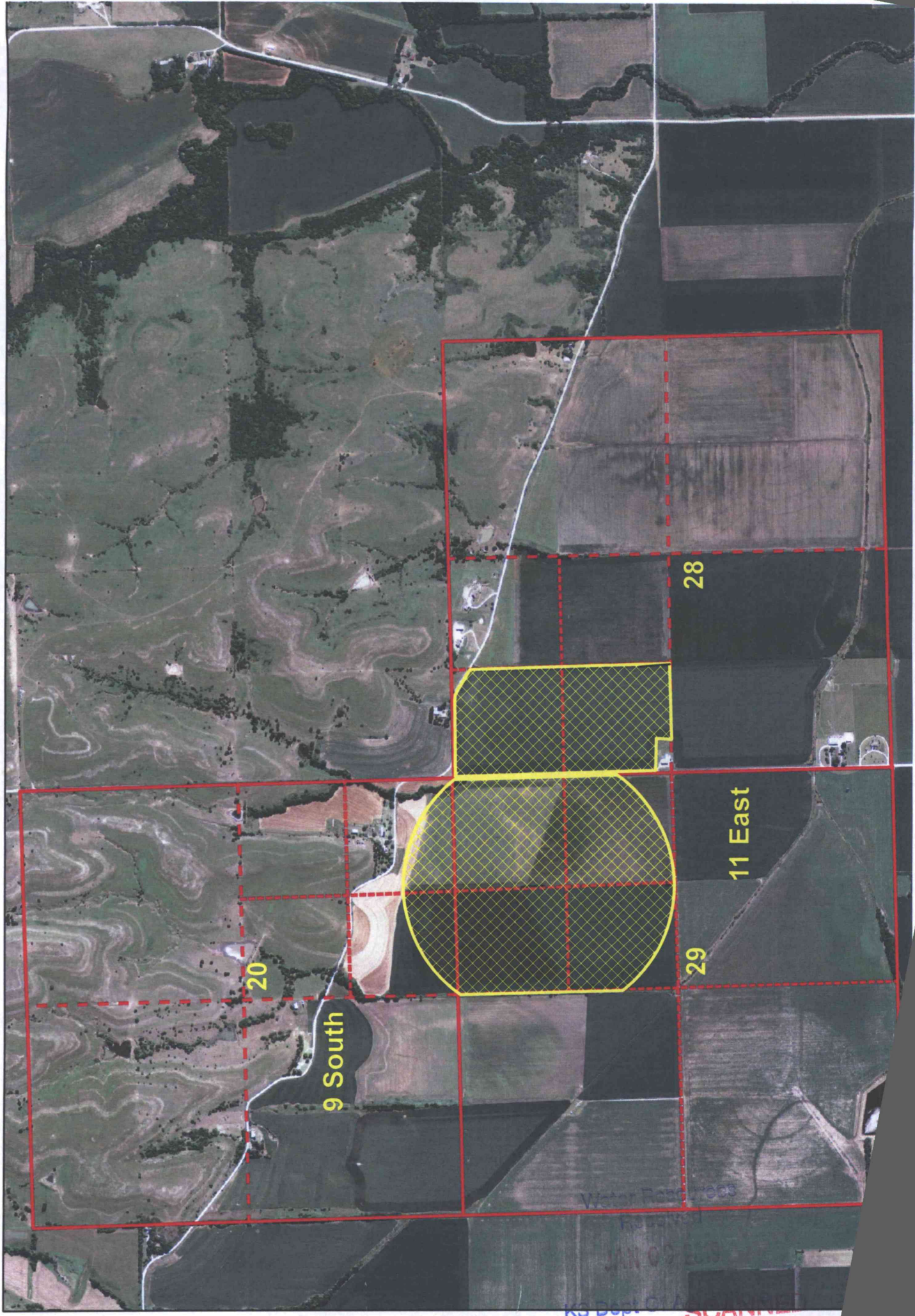
Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW

SCANNED

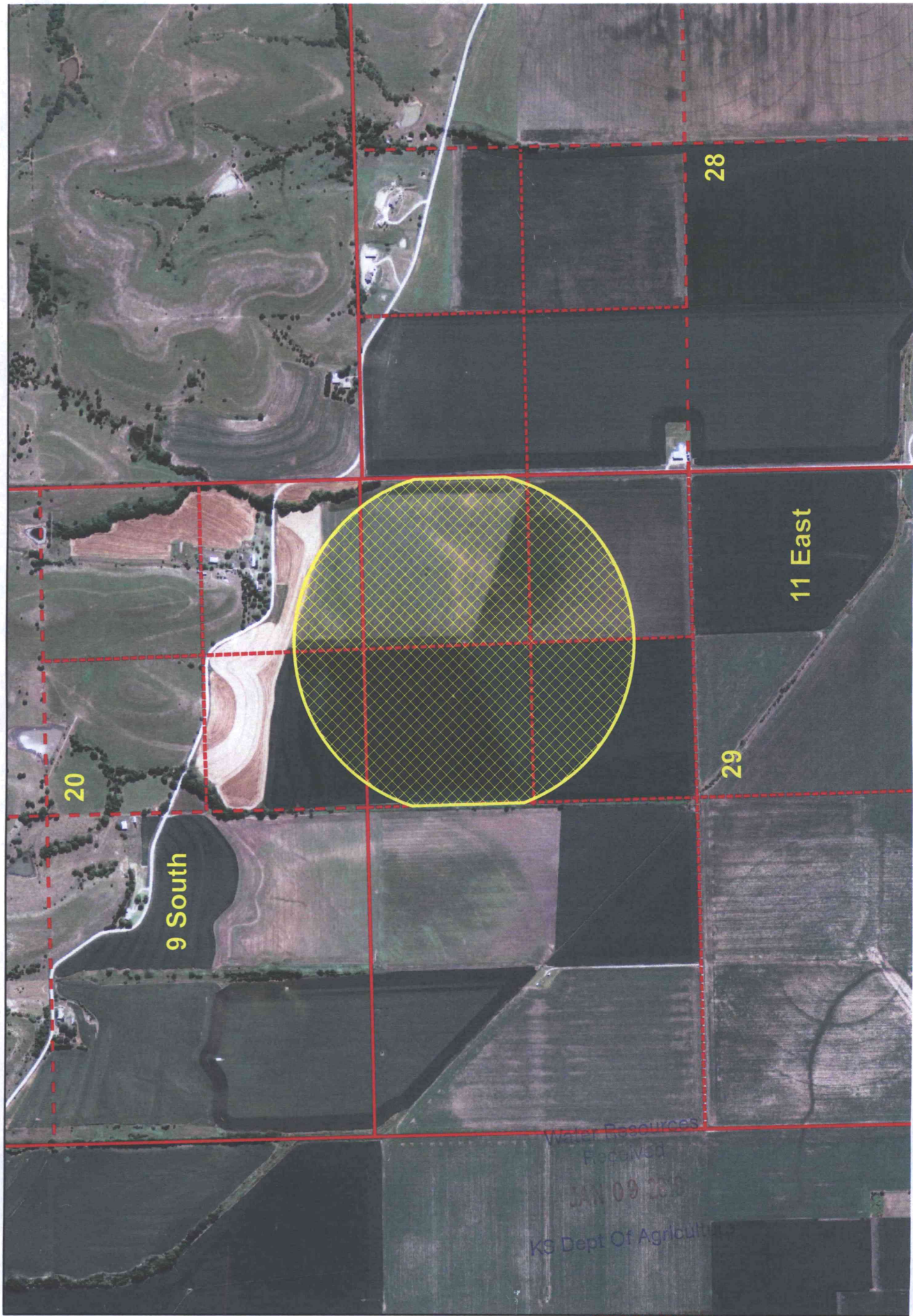
1:18,000

Proposed Place of Use
File No. 10071



1:12,000

Authorized Place of Use
File No. 10071



Water Resources
Received
JAN 09 2017
KS Dept Of Agriculture

SCANNED