

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.

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 diversion and/or place of use.

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Topeka Field Office
 DIVISION OF WATER RESOURCES

File No. 11124

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: TURNER SIMPSON INC Attn: ROBERT L SIMPSON

1920 POYNTZ AVE MANHATTAN, KS 66502

Phone Number: 785 341-3967 Email address: rls@turnersimpson.com

Name and address of Water Use Correspondent: To be changed to: RICHARD COTT
970 18TH RD CLAY CENTER, KS 67432

Phone Number: 785 632-0642 Email address: cottrob@twivvalley.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: SEE SUPPLEMENTAL PAGE

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	

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: SEE SUPPLEMENTAL PAGE

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	

For Office Use Only: Code CPU Fee \$ 200 TR # _____ Receipt Date 3/11/21 Check # 5050

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 11,124
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:
Owner of Land ---- NAME: TURNER-SIMPSON INC ATTN ROBERT L SIMPSON
ADDRESS: 1920 POYNTZ MANHATTAN KS 66502

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		
10	6S	1E	40	40	40	40	40			40	12.1			3			7			262.1
10	6S	1E									Lot 2 27.9				Lot 1 12	Lot 1 18				57.9
																	Owner Total:	320 ac.		

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			

4. *Continued:* 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: R & R COTT FARMS, LLC
ADDRESS: 1047 20TH RD CLAY CENTER, KS 67432

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			
4	6S	1E					Lot 3 22.39	Lot 4 31.69	Lot 5 5.30	Lot 5 38.20	Lot 8 11.01			Lot 8 5.61							114.2
4	6S	1E			40		0.92	2.83	0.81	5.4			7.74	38.18	38.57	38.7	35.51				208.66
9	6S	1E					Lot 1 16.33							Lot 7 25.63	Lot 7 0.70						42.66
* 9	6S	1E	40	35.73		35.44															111.17
10A	6S	1E									Lot 3 35										35
10A	6S	1E						40	40		2.59										82.59
																	Owner Total:	594.28 ac.			

* LHH-TPO 5-10-21

Owner of Land ---- NAME: TURNER-SIMPSON INC ATTN ROBERT L SIMPSON
ADDRESS: 1920 POYNTZ MANHATTAN KS 66502

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			
10	6S	1E	40	40	40	40	40			40	12.1			3			7				262.1
10	6S	1E									Lot 2 27.9				Lot 1 12	Lot 1 18					57.9
																	Owner Total:	320 ac.			

5. **Presently authorized point of diversion:** **NO CHANGE - NOT THE SUBJECT OF THIS APPLICATION**

One in the _____ Quarter of 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 _____ 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 follows: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of 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 _____ Proposed well depth (feet) _____.

This point is: Additional Well Geo Center List other water rights that will use this point _____.

6. **Presently authorized point of diversion:**

One in the _____ Quarter of 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 _____ 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 follows: No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of 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 _____ Proposed well depth (feet) _____.

This point is: Additional Well Geo Center List other water rights that will use this point _____.

7. The changes herein are desired for the following reasons? (please be specific) _____

To create a complete P/U overlap between File Nos. 5,213; 11,124; 16,197; 32,508; 35,793; 35,794; & 49,776

8. If a well, is the test hole log attached? Yes No

9. The change(s) will be completed by? _____
Upon approval _____

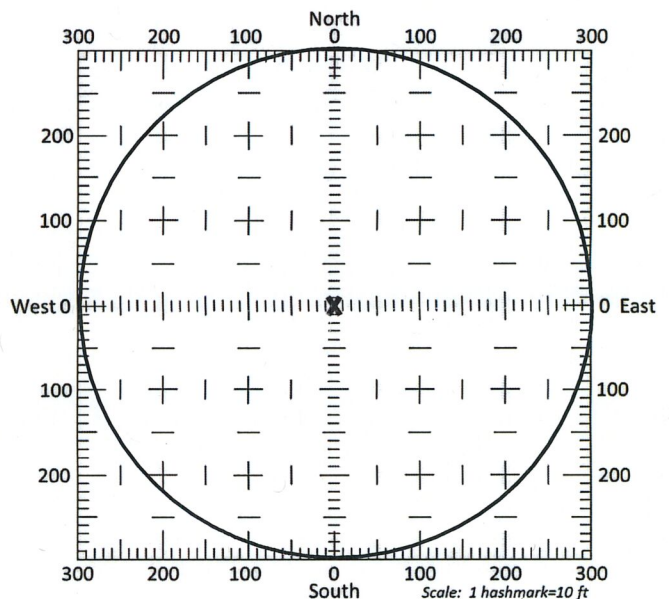
10. If the point of diversion is a well:
(a) What are you going to do with the old well?
N/A _____

(b) When will this be done? N/A _____

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by Lloyd Hemphill

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 lines



13b. If the proposed point of diversion will be relocated within a 300 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.)**

N/A

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely 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 substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Marhattan, Ks., Kansas, this 9th day of March, 2021.

<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>Tanner Simpson Inc.</u> (Please Print)	_____	(Please Print)
<u>Robert L. Simpson</u> (Owner)	<u>Assistant</u>	(Spouse)
_____	_____	(Please Print)
_____	_____	(Please Print)
_____	_____	(Please Print)
_____	_____	(Please Print)

State of Kansas }
County of Riley } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9th day of March, 2021.

[Signature]
Notary Public

My Commission Expires 10/20/24

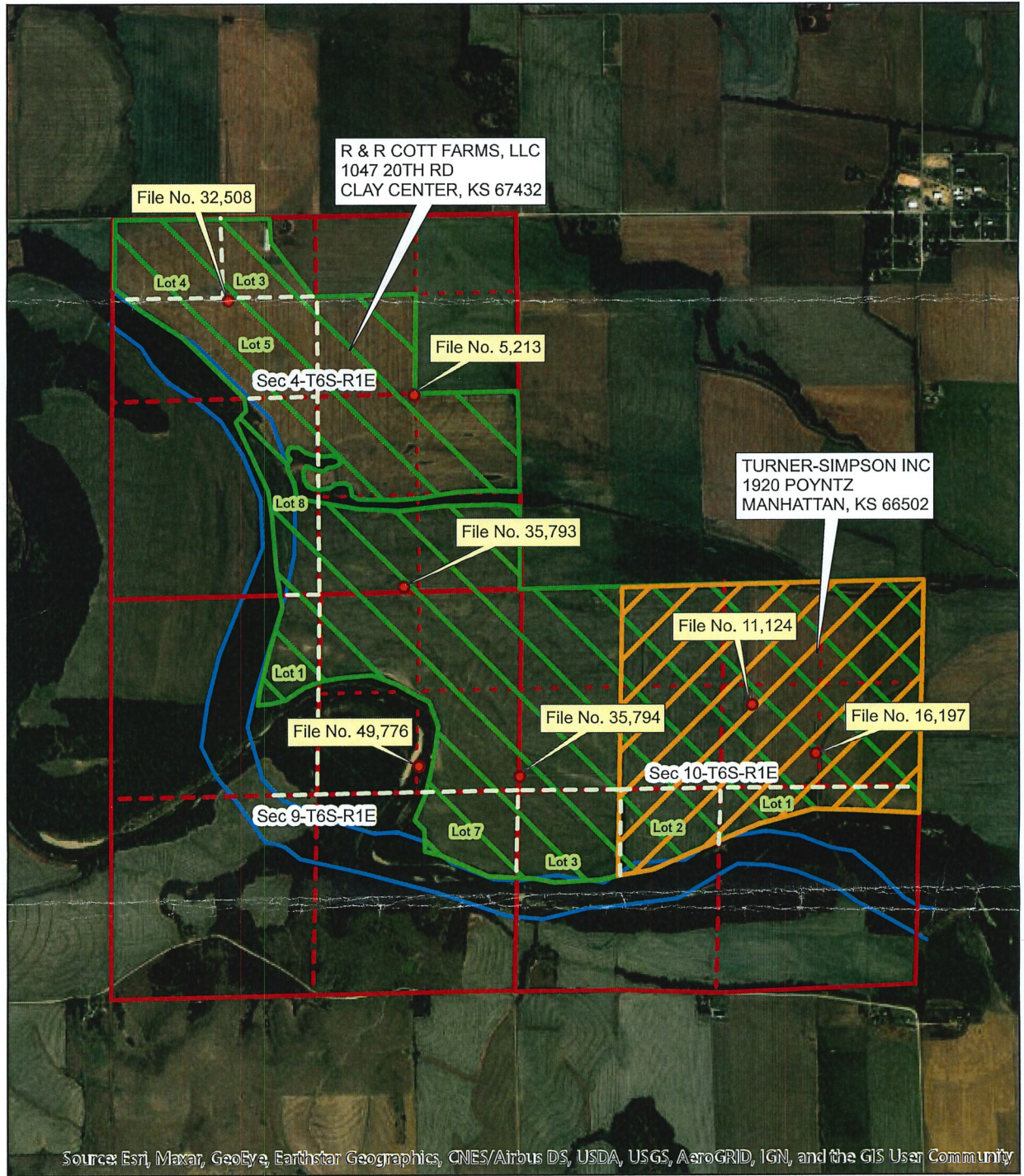
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(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

PLACE OF USE CHANGE WATER RIGHT, FILE NO. 11,124



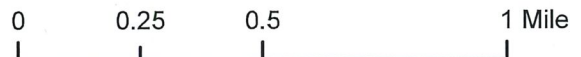
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

- Authorized_PU_11124
- Proposed_PU

Map prepared by: LHH/TFO 2-23-21



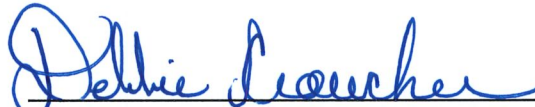
Scale: 1:24,000



CERTIFICATE OF SERVICE

On this 11 day of June, 2021, I hereby certify that the attached **APPROVALS OF APPLICATION FOR CHANGE IN PLACE OF USE**, Water Right, File Nos. 11,124 and 16,197, dated June 3, 2021 was mailed postage prepaid, first class, US mail to the following:

TURNER SIMPSON INC
Attn: ROBERT L SIMPSON
1920 POYNTZ AVE
MANHATTAN, KS 66502


Staff