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

					F	ile No	. 4992	2									RECEIV 3:28 R 1 5	pm
. /	Application is he	reby m	ade fo	or appr	oval o	f the C	hief E	nginee	r to ch	ange t	he (ch	eck or	e or b	oth):	DIZ		eka Field OF WATER	Office R RESOURCE
					□Р	lace o	Use		\boxtimes	Point o	of Dive	ersion						· · · · · · · · · · · · · · · · · · ·
٠ ر	under the water	right w	hich is	the su	ubject	of this	applic	ation i	n acco	rdance	with t	he cor	dition	s desc	ribed b	pelow.		
-	The source of su	upply is	s:		⊠G	round	water			Surfac	ce wate	er						
	Name and addre		5 5						<u> </u>		1							
I	Phone Number:	<u>(785)</u>	479-02	222				Email	addres	ss:								
I	Name and addre	ess of \	Nater	Use C	orresp	onden	t: SAI	ME AS	APPL	ICAN	Т							
	Phone Number: The presently au	uthorize	ed plac	ce of u	se is:					ss:					A			
(Owner of Land -																	
	/ If there is more th)	ADDRE														-		
	(II there is there the		NE			PPIONIC		N ¹ / ₄		July 1,7	SV	V1/4	-		91	Ξ1/4		TOTAL
Sec.	. Twp. Range	NE¼		SW1/4	SE1/4	NE¼	NW1/4		SE1/4	NE¼		SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	ACRES
	4 2									9	2 1					l ×		- 1
														200				
	If this application Owner of Land - , , (If there is more the	NA ADDRI	ME: .											-	:			
	,	ii -		Ξ1/4				N1/4		_	SV	V1/4			SI	E1⁄4		TOTAL
		II .		-/4					T	1154			054	NE1/4				ACRES
	. Twp. Range	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE74	NW1/4	SW1/4	SE1/4	7.0
	. Twp. Range	NE¼		SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NVV/4	SVV/4	SE1/4	NE/4	NVV¼	SW1/4	SE1/4	7.0
Sec	. Twp. Range	NE¼		SW1/4	SE¼	NE¼	NW1/4	SW¼	SE¼	NE1/4	NVV/4	SVV/4	SE¼	NE74	NVV¼	SW¼	SE1/4	

5.	Presently authorized point of diversion:	_										
	One in the NE Quarter of the NW Quarter of the SW Quarter	r										
	of Section34, Township12South, Range4E(E/W)	١.										
	in <u>DICKINSON</u> County, Kansas, <u>2210</u> feet North <u>4140</u> feet West of Southeast corner of section.	,										
	Authorized Rate Authorized Quantity Depth of well (feet)											
	(DWR use only: Computer ID No 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 ** NE NW Quarter of the Quart	r										
(, '	of Section34, Township12 South, Range 4E (F/M))										
	in <u>DICKINSON</u> County, Kansas, <u>168305</u> feet North <u>4020</u> 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											
	KLHH/TFO-DWR # LHH 4/12/2021	-										
6.	Presently authorized point of diversion:											
0	One in the Quarter of the Quarter of the Quarter	r										
	of Section, Township South, Range(E/W)											
i	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	r										
	of Section, Township South, Range(E/W)											
- 1	in County, Kansas, feet North feet West of Southeast corner of section.											
	Proposed Rate Proposed Quantity Proposed well depth (feet)											
L	This point is: Additional Well Geo Center List other water rights that will use this point											
_		11										
7.	The changes herein are desired for the following reasons? (please be specific) TEST DRILLING RESULTS REVEALED											
	POOR FORMATION AT THE CURRENTLY AUTHORIZED 300 200 100 0 100 200 300											
	LOCATION.											
	If a well, is the test hole log attached? \square Yes \square No											
8.	If a well, is the test hole log attached? \square Yes \square No $200 = 1 + 1 + 1 = 1 + 1 + 1 = 200$											
9.	The change(s) (was)(will be) completed by?											
	UPON APPROVAL OF APPLICATION											
10	If the point of diversion is a well.											
10.	If the point of diversion is a well: West 0 High point of diversion is a well: O East											
	(a) What are you going to do with the old well?											
	N/A 100 100 $1 + 1 + 1 = 1 + 1 + 1 = 100$											
	(b) When will this be done?											
11	Groundwater Management District recommendation attached?											
	Yes No											
12.	Assisted by <u>BRETT BUNGER 3-8-21</u> 300 200 100 0 100 200 300 South Scale: 1 hashmark=10 ft											

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

14. I	t the proposed groundwater point of di	version is 300 or fewer feet from	m the exis	sting point	of diversion, comple	ete the following:
(a) Does the undersigned represent a Yes No (If no, a 	Il owners of the currently autho all owners must sign this applic	rized plac ation.)	e(s) of use	e identified in this ap	pplication?
(Will the ownership interest of any affected if this application is appro ☐ Yes ☐ No (If yes, 	owner of the currently authori ved as requested? all owners must sign this applie		(s) of use	identified in this ap	plication be adversely
(c) If this application is not approved a Yes No (If no, a	expeditiously, will there be subs all owners must sign this applica	stantial da ation.)	mage to p	roperty, public healt	h or safety?
or a c	application proposes a surface water change in place of use, the application to (attach notarized statement authorizing)	must be signed by all owners	groundwa of the curr	ter change ently auth	e in point of diversio orized place of use,	n greater than 300 feet, or their duly authorized
age a	eby verify, being first duly swor and the owner, the spouse of the behalf, in regards to the water ained in this application are true	e owner, or a duly authorize right(s) to which this app	zed ager	it of the	owner(s) to make	this application on
Dated	dat Chapman	, Kansas, this _	10	day of	March	, 20 21
	Hann & Dolance		li	! While	Jane Por	land
	(Owner)		1	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	// (Spouse)	
	George F. Poll	and	lin.	Ne	Jone E	Cana
	(Please Print)	· /		200	(Please Print)	
	John C. Fedar	d		11) ar	4 a Yola	md
	John A. Fola	and		Ma	(Spouse)	Dand
	(Please Print)		-	· · (u	(Please Print)	o (With the
	(Owner)		s 1		(Spouse)	
	(Please Print)				(DI D:-1)	
Ctata					(Please Print)	
Coun	of Kansas ty of <u>Didunson</u>	SS		*		
l h of	ereby certify that the foregoing a	pplication was signed in m	y presen	ce and	sworn to before i	me this <u>ID</u> day
OI	, 20 <u>21</u> .	NOTARY PUBLIC - State of SARAH WILL	1	- Only a	6-12:11	
Му С	ommission Expires 12(13/20)	My Appt. Exp. 12(13)	12021	ana	Notary Public	
ONLY	COMPLETE APPLICATIONS WILL BE PE	ROCESSED. To be complete, all o	f the applic	able portion	s of the application for	rm must be completed with
accura	ate information; maps, if necessary, must be propriate fee must be paid.	included; signatures of all the app	propriate ov	vners' must	be affixed to the appli	cation and notarized; and
		FEE SCHEDUL				
Each forth i	application to change the place of use n the schedule below: Make checks p (1) Application to change a point of the control of the change application to change the place of the change the chan	ayable to: Kansas Departme f diversion 300 feet or less f diversion more than 300 feet .	nt of Agri	culture		\$100 \$200
					RECEIVED	

MAR 1 5 2021

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. _49,922 A change application was received on March 15, 2021 requesting that the place of use and / or 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 radius of the authorized point(s) of diversion.

Applicable

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.
☐ Applicable ☒ Not Applicable 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. Applicable ☐ Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2021, 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 records and report the reading 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. Installation of the works for diversion of water shall be completed on or before December 31, 2021, or within any authorized extension of time. By March 1, 2022 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 The completed well log shall be submitted with the required notice. □ Applicable ☐ Not Applicable 10. 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 11. Additional Conditions are attached. □ Yes ⊠ No 12. 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order 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 Duly Authorized Designee of the Chief Engineer 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 Katherine (Print Name): 10 Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Shallines Acknowledged before me on Signature: Notary Public My commission expires: ATE O DEBBIE CROUCHER

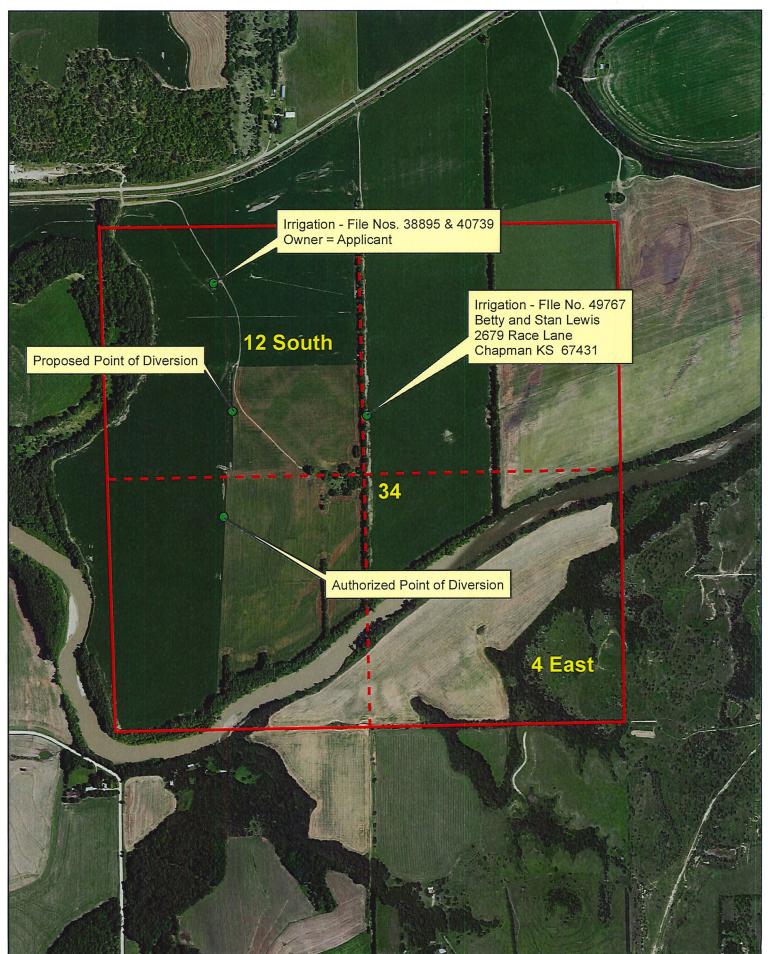
NOTARY

PUBLIC

(Notification in Expires

May 20, 2023

Application to Change the Point of Diversion File No. 49922



CERTIFICATE OF SERVICE

On this <u>3</u> day of April, 2021, I hereby certify that the attached <u>APPROVAL OF APPLICATION FOR CHANGE IN POINT OF DIVERSION</u>, Appropriation of Water, File No. 49,922, dated April <u>19</u>, 2021 was mailed postage prepaid, first class, US mail to the following:

POLAND BROTHERS LLC 2184 POLAND RD JUNCTION CITY, KS 66441-7841

Staff