

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 26440

Field Office No. 4

GMD No. 3

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO
If applicable, list Place of Use Overlap File Nos. _____
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
Name of Former WUC _____ Name of New WUC _____
4. a. **Point of diversion computer ID No(s).** _____ **for point(s) being changed.**
- b. **Show feet distances from the** _____ **corner of the section for the new point(s) of diversion:**

| Action | PDIV ID | Geo Ctr? | Sec | Twp | Rng | 'N | 'W | County | Qualifiers |
|--------|---------|----------|-----|-----|-----|----|----|--------|------------|
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

| Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____ | _____ gpm | _____ gpm | _____ af | _____ af |
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |
| _____ | _____ gpm/cfs | _____ gpm/cfs | _____ af/mgy | _____ af/mgy |

- d. **Name of Drainage Basin** _____ **Is this correctly shown in WRIS?** Yes No
- e. **Formation Name & No.** _____ **Special Use Area** _____

5. **Distances from the original p/d:** _____ ' N _____ ' W

6. WATER RIGHT ACTION TRAIL COMMENTS

11/28/17 Change Application Received (date accepted for priority)
12/28/17 Change Approved
 Notice and Proof by ____/____/____
 _____ Completion Requirement Removed (Change No. C____)

7. METER ACTION TRAIL COMMENTS

12/28/17 DWR Meter Required by 12/31/18

8. Base Acres 860 Year _____ Minimum Reasonable Quantity _____

Date Created 12/19/17 by tpm
 Date Entered _____ by _____

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 26440

| Action | Owner Person ID | Place Use ID # | Sec. | Twp. | Range | NE 1/4 | | | NW 1/4 | | | SW 1/4 | | | SE 1/4 | | | TOTAL ACRES |
|--------|-----------------|----------------|------|------|-------|------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------|
| | | | | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| ENT | 57409 | 32693 | 1 | 26 | 43w | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 30.5 | 244 |
| | | | | | | LOT1 | LOT2 | | LOT3 | LOT4 | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | |

Names and Address:

| | | |
|-------------------------------|-------------------------------|-------------------------------|
| 1. _____ Person ID # _____ | 2. _____ Person ID # _____ | 3. _____ Person ID # _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

GENERAL INSTRUCTIONS

- Give to Applicant:
 - Original application/approval
 - Original receipt (one for each application)
 - Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet - K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
 - Send to headquarters:
 - Good, microfilmable copy of application and/or approval and this check sheet
 - Original check and copy of receipt
 - Test hole log
 - GMD recommendation, if any
 - Map or aerial photograph, if any
 - Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

CONDITIONS

 - Insert notice and proof date.
 - Type or print applicant's/owner's name on line.
 - Complete notary statement.
 - Date stamp received and approved.
 - Complete ownership and WUC change information.
- ADDITIONAL PHOTOCOPIES
- _____
- _____
- _____
- _____
- _____
- _____

CHECK SHEET SUPPLEMENTAL PAGE

9. Changes to the place of use will be:

File Number 26440

| Action | Owner Person ID | Place Use ID # | Sec. | Twp. | Range | Acres Authorized New Acres | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTAL ACRES | | | | |
|--------|-----------------|----------------|------|------|-------|-------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------|--|----|----|-----|
| | | | | | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | | | | | |
| NO CHG | 58487 | 11548 | 17 | 25 | 43w | Acres Authorized New Acres | | | | | | | | | | | | | | | | | | | | | 248 |
| NO CHG | 58487 | 17589 | 21 | 25 | 43w | Acres Authorized New Acres | | | 10 | 39 | | | lot1 | | | | | | | | | | | | 39 | 10 | 98 |
| NO CHG | 58487 | 28936 | 22 | 25 | 43w | Acres Authorized New Acres | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 40 | 31 | 40 | 31 | 31 | 31 | 31 | 31 | 31 | | | | | 514 |
| ENT | 58939 | 25793 | 25 | 25 | 43w | Acres Authorized New Acres | | | | | | | | | | | | | | | | | | | | | 122 |
| ENT | 58939 | 39045 | 26 | 25 | 43w | Acres Authorized New Acres | 11 | 34.5 | 40 | 34.5 | 34.5 | 11 | 34.5 | 40 | 40 | 34.5 | 11 | 34.5 | 34.5 | 40 | 34.5 | 11 | | | | | 480 |
| ENT | 58939 | 19560 | 27 | 25 | 43w | Acres Authorized New Acres | 30.5 | 30.5 | 30.5 | 30.5 | | | | | | | | | | | | | | | | | 122 |
| ENT | 57409 | new | 35 | 25 | 43w | Acres Authorized New Acres | 30.5 | 30.5 | 30.5 | 30.5 | | | | | | | | | | | | | | | | | 122 |
| MOD | 57409 | 17161 | 36 | 25 | 43w | Acres Authorized New Acres | 11 | 34.5 | 40 | 34.5 | 34.5 | 11 | 34.5 | 40 | 40 | 34.5 | 11 | 34.5 | 34.5 | 40 | 34.5 | 11 | | | | | 480 |
| ENT | 57409 | new | 31 | 25 | 42w | Acres Authorized New Acres | 37 | 24 | 11 | 18 | | | | | | | | | | | | | | | | | 90 |

Names and Address:

| | | |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| 1. Person ID # 58487 KANSAS DAIRIES II (HERMANA DAIRY) 11501 SW RD 31 SYRACUSE KS 67878 | 2. Person ID # 58939 AK CORAL CAY FAMILY TRUST E J & KATHLEEN DE GROOT PO BOX 1227 SYRACUSE KS 67878-1227 | 3. Person ID # 57409 KANSAS DAIRIES I LLC (FRONTIER DAIRY) 11501 SW CR 31 SYRACUSE KS 67878-7047 |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|


Kansas
Department of Agriculture
Division of Water Resources

Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

December 28, 2017

ZACHARY GALE
PO BOX 1227
SYRACUSE KS 67878-1227

RE: Change the Place of Use, File Nos File
896, 12012, 15594, 16799, 16877, 21963,
23763, 26440, 28646

Dear Mr. Gale;

Enclosed you will find a *Summary Order Approving Application for Change in Place of Use* for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report (including the meter reading at the beginning and end of the report year).

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,



Thomas P. Makens
Assistant Water Commissioner

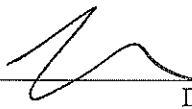
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 30th day of December 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 896, 12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646, dated December 28, 2017, was mailed postage prepaid, first class, US mail to the following:

ZACHARY GALE
PO BOX 1227
SYRACUSE KS 67878-1227

Copy provided to GMD#3



Division of Water Resources

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.

RECEIVED
 3:37pm
 NOV 28 2017

File No. 26440

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office
Division of Water Resources
- 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: ZACHARY GALE
- PO BOX 1227 SYRACUSE KS 67878-1227
- Phone Number: (620)384-5746 Email address: _____
- Name and address of Water Use Correspondent: ZACHARY GALE
- PO BOX 1227 SYRACUSE KS 67878-1227
- Phone Number: () Email address: _____

3. The presently authorized place of use is:
- Owner of Land ---- NAME: see attachments
- 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 attachments
- 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 _____ Fee \$ 200 TR # _____ Receipt Date 11/28/17 Check # 4148

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

File No. 26440

2. Name of applicant: Zachary Gale

Address: PO Box 1227

City, State and Zip: Syracuse, KS 67878

Phone Number: (620)384-5746 E-mail address: fdfarms@gmail.com

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

Name of water use correspondent: SAME

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): _____

These applications are to make a complete overlap of water rights and allow the applicant to apply fresh water on some land that currently is watered with lagoon water and will provide a means to better manage the nutrient load.

The change(s) (was) (will be) completed by As soon as approved (Date)

| | | | | | |
|----------------------|-----|-------------------------------|------|---------------------|---------------------|
| For Office Use Only: | | | | | |
| F.O. Code | GMD | Meets K.A.R. 5-5-1 (YES / NO) | Use | Source G / S County | By _____ Date _____ |
| | | Fee \$ | TR # | Receipt Date | Check # |

4. The presently authorized place of use is:

Owner of Land — NAME: Kansas Dairies II (Hermana Dairy)

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

| 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 | |
| 17 | 25s | 43w | | | | | | | | | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 248.0 |
| 21 | 25s | 43w | | | 10.0 | 39.0 | | | | | | | | | 39.0 | 10.0 | | | 98.0 |
| 22 | 25s | 43w | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 40.0 | 31.0 | 31.0 | 40.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 514.0 |

List any other water rights that cover this place of use. 16877 & 26440

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: A K Carol Cay Family Trust

ADDRESS: PO Box 1227, Syracuse, KS 67878

| 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 | |
| 25 | 25s | 43w | | | | | | | | | 30.5 | 30.5 | 30.5 | 30.5 | | | | | 122.0 |
| 26 | 25s | 43w | 11.0 | 34.5 | 40.0 | 34.5 | 34.5 | 11.0 | 34.5 | 40.0 | 40.0 | 34.5 | 11.0 | 34.5 | 34.5 | 40.0 | 34.5 | 11.0 | 480.0 |
| 27 | 25s | 43w | 30.5 | 30.5 | 30.5 | 30.5 | | | | | | | | | | | | | 122.0 |

List any other water rights that cover this place of use. 896,12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646

Owner of Land — NAME: Kansas Dairies II (Hermana Dairy)

ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

| 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 | |
| 17 | 25s | 43w | | | | | | | | | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 248.0 |
| 21 | 25s | 43w | | | Lot 1 10.0 | 39.0 | | | | | | | | | 39.0 | 10.0 | | | 98.0 |
| 22 | 25s | 43w | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 40.0 | 31.0 | 31.0 | 40.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 514.0 |

List any other water rights that cover this place of use. 896,12012, 15594, 16799, 16877, 21963, 23763, 26440, 28646

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

3. *Continued:* The presently authorized place of use is:

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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

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: Kansas Dairies I (Frontier Dairy)
ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

| 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 | |
| 36 | 25s | 43w | 11.0 | 34.5 | 40.0 | 34.5 | 34.5 | 11.0 | 34.5 | 40.0 | 40.0 | 34.5 | 11.0 | 34.5 | 34.5 | 40.0 | 34.5 | 11.0 | 480.0 |
| 1 | 26s | 43w | <u>2-1</u> 30.5 | <u>2-2</u> 30.5 | 30.5 | 30.5 | <u>2-3</u> 30.5 | <u>2-4</u> 30.5 | 30.5 | 30.5 | | | | | | | | | 244.0 |
| 31 | 25s | 42w | 37.0 | 24.0 | 11.0 | 18.0 | | | | | | | | | | | | | 90.0 |

Owner of Land ---- NAME: Kansas Dairies I (Frontier Dairy)
ADDRESS: 11501 SW RD 31, Syracuse, KS 67878

| 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 | |
| 35 | 25s | 43w | 30.5 | 30.5 | 30.5 | 30.5 | | | | | | | | | | | | | 122.0 |
| | | | | | | | | | | | | | | | | | | | |

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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

6. The presently authorized point(s) of diversion (is) (are) No Change
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) _____
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** 1 R R

One in the NE Quarter of the SE Quarter of the NE Quarter of Section 21, Township 25 South, Range 43 W, in HAMILTON County, Kansas, 3818 feet North 118 feet West of Southeast corner of section.
 Authorized Rate 805GPM Authorized Quantity 642AF* Limited
 (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:** STK

One in the NW Quarter of the SE Quarter of the SE Quarter of Section 21, Township 25 South, Range 43 W, in HM County, Kansas, 919 feet North 1246 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 _____ 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 _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

It is proposed that the use be changed to IRR purposes.

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

This proposed change in place of use is in accordance with KAR 5-5-11

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to _____ 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.

See attached Plat

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.

Complies with current rules

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 _____, Kansas, this 30th day of October, 2015.

E. Goedhart

(Owner)

(Spouse)

Eric Goedhart

(Please Print)

(Please Print)

X E.J. De Groot

(Owner)

X Kathleen D. Groot

(Spouse)

E.J. De Groot

(Please Print)

Kathleen De Groot

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of _____ } SS

Certificate Attached
[Signature]

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 20____.

Notary Public

My Commission Expires _____

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:

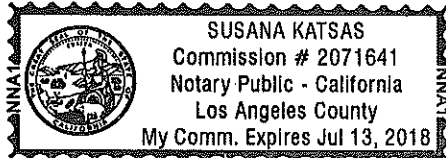
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

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

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 3rd
day of November, 2015, by E. J. DeGroot
Kathleen R. DeGroot and Eric Goedhard,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature

Susana Katsas

