

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 33459

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? YES
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
NO CHG									

- 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 na

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

6. WATER RIGHT ACTION TRAIL COMMENTS

2/21/17 Change Application Received (date accepted for priority)
4/7/17 Change Approved
 Notice and Proof by ____/____/____
 _____ Completion Requirement Removed (Change No. C____)

7. METER ACTION TRAIL COMMENTS

_____/_____/____ DWR Meter Required by ____/____/____

8. Base Acres _____ Year _____ Minimum Reasonable Quantity _____

Date Created 3/23/17 by tpm

Date Entered _____ by _____

CHECK SHEET SUPPLEMENTAL PAGE

File Number 33459

9. Changes to the place of use will be:

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	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
MOD	39506	39021	28	30	38w													40	40	40	40	32.5	32.5	32.5	32.5	290
NO CHG	10789	19479	29	30	38w																					160
NO CHG	10789	16101	32	30	38w																					160
NO CHG	28466	14016	32	30	38w													40	40	40	40					160
NO CHG	28466	25960	33	30	38w													18	40	33	30	31.25	31.25	31.25	31.25	496
NO CHG	40039	50665	33	30	38w													6								6
ENT	64620	16853	34	30	38w													40	40	40	40					326
ENT	64620	8396	3	31	38w																					159.96
ENT	64620	13961	4	31	38w													40.01	40.01	40	40					160.02

DER PU ID# 50666

Names and Address:

1. <u>C L FARMS</u>	Person ID # <u>39506</u>	2. <u>CHARLES W LUCAS</u>	Person ID # <u>10789</u>	3. <u>MYRNA LUCAS</u>	Person ID # <u>28466</u>
<u>LOREN LUCAS</u>		<u>12001 E ROAD 24</u>		<u>10597 S BIG BOW GRADE</u>	
<u>12001 E ROAD 24</u>		<u>JOHNSON KS 67855-9022</u>		<u>JOHNSON KS 67855</u>	
<u>JOHNSON KS 67855-9022</u>					

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

April 7, 2017

LOREN LUCAS
12001 E ROAD 24
JOHNSON KS 67855-9022

RE: Change the Place of Use, File Nos 12920,
13070D2, 21728, 33459, 35603

Dear Mr. Lucas;

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.

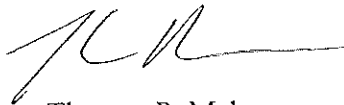
These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

An acceptable water flow meter was required to be installed on the diversion works by earlier requirement of the Chief Engineer. These water flow meters shall be used to provide information required on the annual water use report.

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
C: GMD3

CERTIFICATE OF SERVICE

On this 10th day of April 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 12920, 13070D2, 21728, 33459, 35603 dated April 7, 2017, was mailed postage prepaid, first class, US mail to the following:

LOREN LUCAS
12001 E ROAD 24
JOHNSON KS 67855-9022

Copy provided to GMD#3

A handwritten signature in black ink, appearing to be 'JLR', is written over a horizontal line.

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.

File No. 33459

RECEIVED
 3:22 pm
 FEB 21 2017

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Garden City Field Office
 DIVISION OF WATER RESOURCES

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: LOREN LUCAS
12001 E ROAD 24 JOHNSON KS 67855-9022
 Phone Number: (620)492-5318 Email address: _____
 Name and address of Water Use Correspondent: C L FARMS LOREN LUCAS
12001 E ROAD 24 JOHNSON KS 67855-9022
 Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: C L FARMS LOREN LUCAS
ADDRESS: 12001 E ROAD 24 JOHNSON KS 67855-9022
 (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					
28	30	38w					40	40	40	40									32.5	32.5	32.5	32.5	290

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: C L FARMS
ADDRESS: 12001 E ROAD 24 JOHNSON KS 67855-9022
 (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					
28	30	38w					40	40	40	40									32.5	32.5	32.5	32.5	290

For Office Use Only: Code _____ Fee \$ <u>200</u> TR # _____ Receipt Date <u>2/21/17</u> Check # <u>10474</u>

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ 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:
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 _____ 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 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:
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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? _____
 no change to water well locations _____

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

9. When do you propose to complete the new point of diversion?

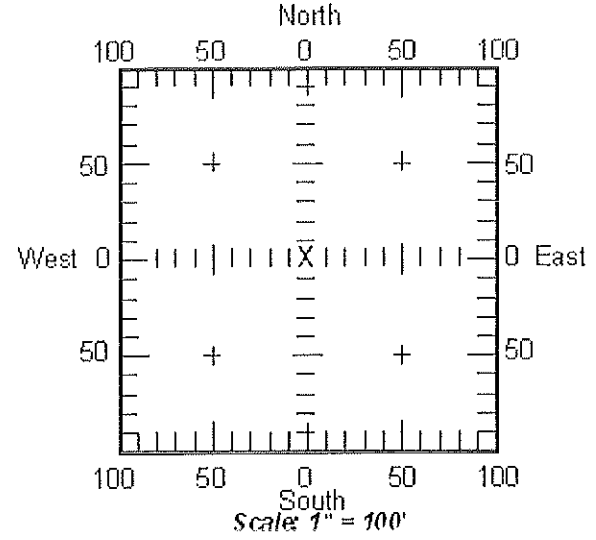
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by lpm _____

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 33459
MAKE ADDITIONAL COPIES AS NECESSARY

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

Owner of Land ---- NAME: CHARLES W LUCAS % LOREN LUCAS
ADDRESS: 12001 E ROAD 24 JOHNSON KS 67855-9022

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	
29	30	38w									40	40	40	40					160
32	30	38w													40	40	40	40	160

Owner of Land ---- NAME: MYRNA LUCAS
ADDRESS: 10597 S BIG BOW GRADE JOHNSON KS 67855

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	
32	30	38w	40	40	40	40													160
33	30	38w	18	40	33	30	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	496

Owner of Land ---- NAME: SEABOARD FOODS LLC
ADDRESS: 9000 W 67TH ST STE 200 SHAWNEE MISSION KS 66202

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	
33	30	38w	6																6

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: CHARLES W LUCAS % LOREN LUCAS
ADDRESS: 12001 E ROAD 24 JOHNSON KS 67855-9022

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	
29	30	38w									40	40	40	40					160
32	30	38w													40	40	40	40	160

Owner of Land ---- NAME: MYRNA LUCAS
ADDRESS: 10597 S BIG BOW GRADE JOHNSON KS 67855

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	
32	30	38w	40	40	40	40													160
33	30	38w	18	40	33	30	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	496

Owner of Land ---- NAME: LUCAS LAND LLC LOREN LUCAS
ADDRESS: 12001 E ROAD 24 JOHNSON KS 67855-9022

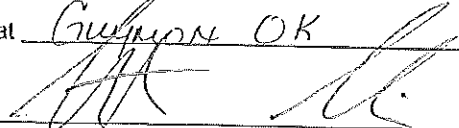
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
34	30	38w	40	40	40	40									40	40	36	40	316
3	31	38w	lot1	lot2			39.98	39.98	40	40									159.96
4	31	38w	40.01	40.01	40	40	lot3	lot4											160.02

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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.

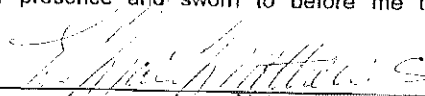
Dated at Gulshan OK, Kansas, this 9th day of FEBRUARY, 2017.

 (Owner)	 (Spouse)
<u>Stephen Summerlin - Sr VP of Operations</u> (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)

State of Kansas }
 County of Texas } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9 day of Feb, 2017.

My Commission Expires 6/16/2018.


 Notary Public

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

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Darden City, Kansas, this 21st day of February, 2017.

[Signature]
(Owner)

(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Finn } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21st day of February, 2017.



[Signature]
Notary Public

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

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et. seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 33459.

1. A change application was received on FEBRUARY 21, 2017 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.
2. 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
3. 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 Applicable
4. 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
5. 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
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017**, 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.
 Applicable Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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.
 Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. 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 No
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.

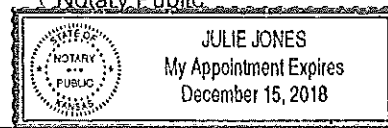
Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

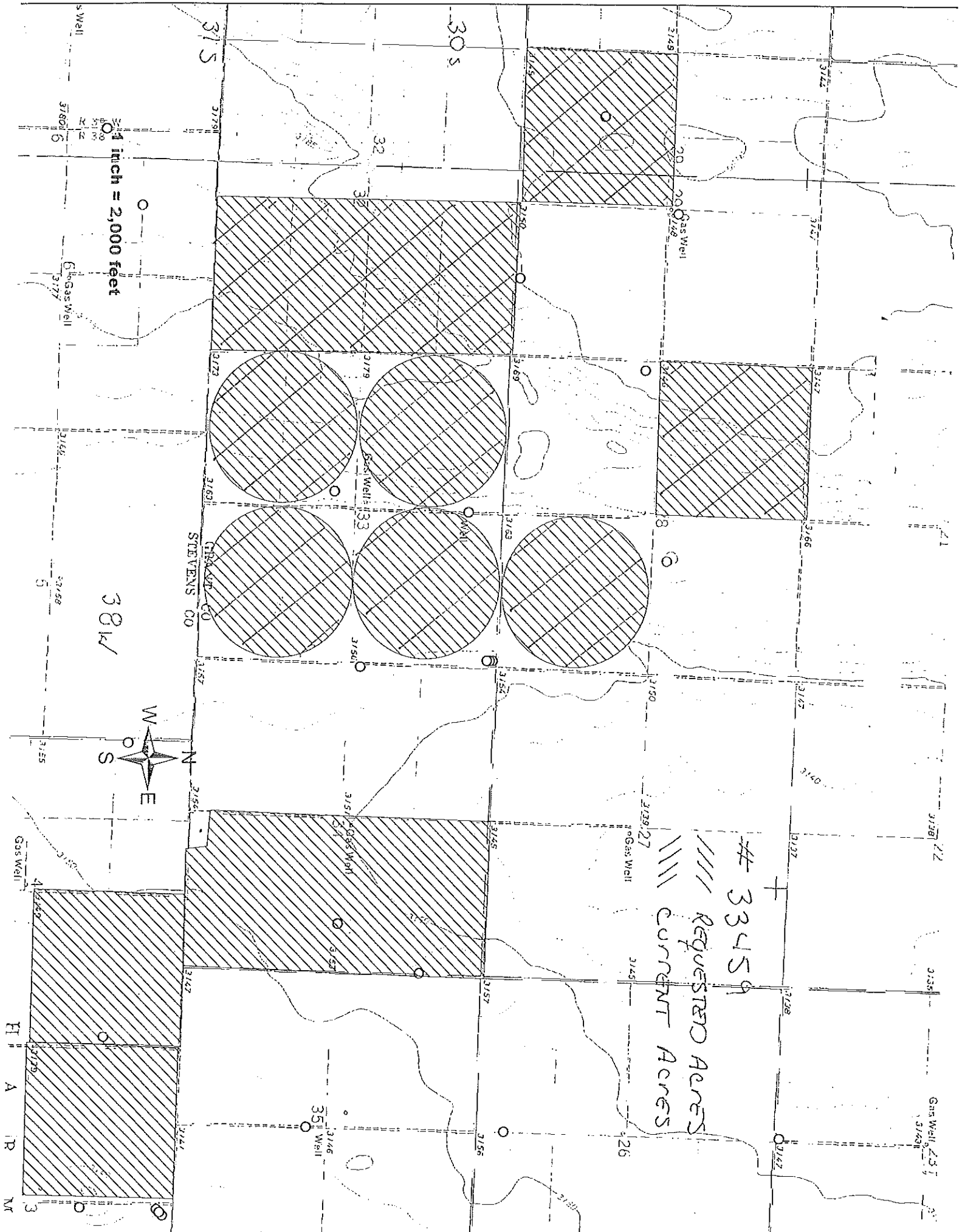
FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: *TL MA*
Duly Authorized Designee of the Chief Engineer
(Print Name): THOMAS P. MAKOWS
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: April 7, 2017
State of Kansas)
County of Linney) SS
Acknowledged before me on April 7, 2017
by Thomas P. Makows
Signature: *Julie Jones*
Notary Public



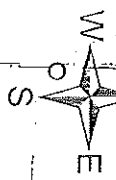
My commission expires:

(Notary Seal)



1 inch = 2,000 feet

38 W



33459
REQUESTED AREAS
CURRENT ACRES

