

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

1. File Number: <b>7959</b>	2. Status Change Date: <b>3-3-2021</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>01</b>
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input checked="" type="checkbox"/> <b>Dismiss by Request Signed 3-1-2021</b> <div style="text-align: right;">Received 3-1-2021</div>	7. Filing Date of Change: <b>2/26/2021</b>
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8a. Applicant(s) New to system <input type="checkbox"/> <span style="float: right;">Person ID <u>50587</u> Add Seq# _____</span>  <b>C &amp; W LIMITED PARTNERSHIP</b> <b>PO BOX 327</b> <b>LEOTI, KS 67861</b>	8c. Landowner(s) New to system <input type="checkbox"/> <span style="float: right;">Person ID _____ Add Seq# _____</span>
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8b. Landowner(s) New to system <input type="checkbox"/> <span style="float: right;">Person ID <u>58190</u> Add Seq# _____</span>  <b>LELA F KNEDLIK</b> <b>1814 I ST</b> <b>BELLEVILLE, KS 66935</b>	8d. WUC New to system <input type="checkbox"/> <span style="float: right;">Person ID <b>65501</b> Add Seq# _____</span>  <b>BRAD WHITHAM</b> <b>PO BOX 327</b> <b>LEOTI, KS 67861</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: \_\_\_\_\_  N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter  Meter Seal  Check Valve  N & P Form  Water Tube  Driller Copy  H & E Letter

Conservation Plan Date Required: \_\_\_\_\_ Date Approved: \_\_\_\_\_ Date to Comply: \_\_\_\_\_

10. Use Made of Water From: \_\_\_\_\_ To: \_\_\_\_\_

<b>NO INFO ON BACK</b>	Date Prepared: <b>3/3/21</b>	By: MAM
	Date Entered: _____	By: _____

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

March 3, 2021

C & W WHITHAM LIMITED PARTNERSHIP  
PO BOX 327  
LEOTI, KS 67861

RE: Water Right, File Nos. 664, 6815, 7959, 8799, 22279, 25033

Dear Mr. Whitham:

Enclosed are the Findings and Orders by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, which dismisses the Application for Approval to Change the Place of use under the referenced file numbers that were received in our office on February 16, 2021 and requested to be dismissed on March 1, 2021.

If you have any questions, please contact us at 620-276-2901. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer". The signature is fluid and cursive.

Michael A. Meyer  
Water Commissioner

MAM

Enclosures

pc: Groundwater Management District No. 1

Brad Whitham  
PO Box 327  
Leoti, KS 67861

THE STATE  OF KANSAS

**KANSAS DEPARTMENT OF AGRICULTURE**  
Mike Beam, Secretary of Agriculture

**DIVISION OF WATER RESOURCES**  
Earl D. Lewis Jr., Chief Engineer

**FINDINGS AND ORDER  
IN THE MATTER OF THE DISMISSAL  
OF AN APPLICATION FOR APPROVAL  
TO CHANGE THE AUTHORIZED  
PLACE OF USE  
UNDER WATER RIGHT, FILE NO. 7959**

After due consideration, the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (hereinafter referred to as the "Chief Engineer"), makes the following findings and order:

FINDINGS


1. That on May 21, 1976, the Chief Engineer, in accordance with K.S.A. 82a-714, issued a Certificate of Appropriation pursuant to Water Right, File No. 7959, for permit to appropriate water for irrigation use.
2. That on February 16, 2021 an Application for Approval to Change the Place of Use for the file described in paragraph No. 1 of these findings was received in the office of the Chief Engineer.
3. That by means of a written request dated March 1, 2021, received in the office of the Chief Engineer on March 1, 2021, Brad Whitham, PO Box 327, Leoti, Kansas 67861, owner of the authorized place of use, requested that the Application for Approval to Change Place of Use, Water Right, File No. 7959 received on March 1, 2021, described in Finding No. 2 above be dismissed.

ORDER

NOW, THEREFORE, It is the decision and order of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, that effective the date of this order, the Application for Approval to Change the Place of Use under an Existing Water Right, received in the Office of the Chief Engineer on February 16, 2021, under Water Right, File No. 7959, shall be dismissed and its priority forfeited.

In all other respects, the Certificate of Appropriation for Beneficial Use of Water, issued pursuant to irrigation use under Water Right, File No. 7959, dated May 21, 1976, remains as authorized.

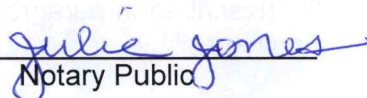
Ordered this 3<sup>rd</sup> day of March, 2021, in Garden City, Finney County, Kansas.

  
Michael A. Meyer  
Water Commissioner  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas            )  
  ) SS  
County of Finney         )

The foregoing instrument was acknowledged before me this 3<sup>rd</sup> day of March 2021, by, Michael A. Meyer, Water Commissioner, Division of Water Resources, Kansas Department of Agriculture.



  
Notary Public

**RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW**

This is a final agency action. If you choose to appeal this decision or any finding or part thereof, you must do so by filing a petition for review in the manner prescribed by the Kansas Act for Judicial Review and Civil Enforcement of Agency Actions (KJRA K.S.A. 77 601 et seq.) within 30 days of service of this order. Your appeal must be made with the appropriate district court for the district of Kansas. The Chief Legal Counsel for the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777, is the agency officer who will receive service of a petition for judicial review on behalf of the Kansas Department of Agriculture, Division of Water Resources. If you have questions or would like clarification concerning this order, you may contact the Chief Engineer.

**CERTIFICATE OF SERVICE**

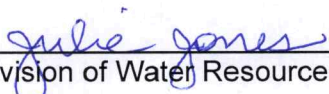
On this 3rd day of March 2021, I hereby certify that the foregoing Findings and Order in the Matter of the Dismissal of Application to Change the Place of Use under Water Right, File No. 7959, dated March 3, 2021 was mailed postage prepaid, first class, US mail to the following:

C & W LIMITED PARTNERSHIP  
PO BOX 327  
LEOTI, KS 67861

With photocopies to:

BRAD WHITHAM  
PO BOX 327  
LEOTI, KS 67861

Garden City Field Office  
Groundwater Management District No. 1

  
\_\_\_\_\_  
Division of Water Resources

KANSAS DEPARTMENT OF AGRICULTURE  
Division of Water Resources

MEMORANDUM

**TO:** Files

**DATE:** March 2, 2021

**FROM:** Michael A. Meyer  
Water Commissioner

**RE:** Water Right,  
File Nos. 664, 6815, 7959, 8799,  
22279, 25033

On February 16, 2021, Brad Whitham with C & W Limited Partnership, filed six applications proposing a change in place of use to have a complete overlap in place of use with all files and authorized wells. Mr. Whitham changed his mind to overlap the place of use with another landowner.

The owner has requested the change applications be dismissed. This will allow only his land to remain completely overlapped in place of use and not be joined with another landowner.

Based on the above discussion, it is recommended that the applications to change the place of use filed on February 16, 2021, be dismissed by a Findings and Order.

  
Michael A. Meyer  
Water Commissioner

## **Meyer, Mike [KDA]**

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**From:** Meyer, Mike [KDA]  
**Sent:** Monday, March 1, 2021 11:05 AM  
**To:** bcwhitham@gmail.com  
**Subject:** water right form to complete  
**Attachments:** 20210301105235917.pdf

**Importance:** High

Brad,  
please see the attached form if you can sign and return. this is a request to dismiss the applications filed on section 10, 11, 14 and 22. recall our conversation that sections 10,11, and 14 are already tied together and it is your request not to include section 22 at this time.  
please sign and return so we can dismiss this applications.

let me know if you get this email

thank you

Michael A. Meyer, PG  
Kansas Department of Agriculture  
Division of Water Resources  
Garden City Field Office  
4532 W Jones Ave, Suite B  
Garden City KS 67846  
Lat 37.98820, Lon -100.944470  
(620)-276-2901  
mike.meyer@ks.gov

**VOLUNTARY DISMISSAL OF AN  
APPLICATION FOR CHANGE**

To: Chief Engineer  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

Re: Appropriation of Water   
Water Right   
Vested Right   
Term Permit

File No. 664, 6815, 7959, 8799, 22279,

Application to Change:  Place of Use     Point of Diversion     Use Made of Water    25033

Application filed with DWR on: 2/16/2021  
Date

The undersigned owner(s) and/or authorized agent(s) of the above referenced water right, or permit, freely and voluntarily request that the application for change described above be dismissed. By signing this waiver, I am indicating my understanding and agreement that I am relinquishing all right, title and interest in said application for change.

The signature(s) below represent all present owners (or an authorized agent) for the file number shown above (attach duplicate copies of this document as necessary).

The signature(s) below also indicate(s) a waiver of any right to a hearing or an appeal that I/we may have had regarding the dismissal of the application for change described above. I/we recognize that if this request is submitted to the Division of Water Resources, it will result in the dismissal of this referenced application for change.

Check the following if applicable:

Processing dismissal is contingent upon approval of: \_\_\_\_\_  
New or Change Application, etc., include File No.

Bradley C. Whitham  
Signature of Owner or Authorized Agent

\_\_\_\_\_  
Signature of Spouse or Title of Authorized Agent

Bradley C. Whitham  
Print Name

\_\_\_\_\_  
Print Name

PO Box 327  
Address

\_\_\_\_\_  
Address

Leoti KS 67861  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

Date: 3-1-21

MM/GCFO  
DWR Initials



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. 7959

**RECEIVED**  
 4:32 pm  
**FEB 16 2021**

Garden City Field Office  
 Division of Water Resources

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: BRAD  
WHITHAM

3. PO BOX 327, LEOTI, KS 67861  
 Phone Number: (620)272-4219                      Email address: bcwhitham@gmail.com  
 Name and address of Water Use Correspondent: Same

Phone Number: (     ) \_\_\_\_\_                      Email address: \_\_\_\_\_

4. The presently authorized place of use is:  
 Owner of Land --- NAME: See supplemental sheet  
 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		
22	16	38	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	615

5. 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: Same  
 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			
10	16	38	31.25	40	40	31.25															285
11	16	38	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	33	633
14	16	38	14	36	40	37.5	40	40	40	40	40	40	40	40	40	37.5	40	36	14		575

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>2-16-21</u> <b>Check #</b> <u>2830</u>
--

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 7959**  
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: ALTA LIVING TRUST, Attn: ALTA L SLEDGE - TRUSTEE  
ADDRESS: 3943 SADDLEWOOD CT, LAS VEGAS, NV 89121-4165

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					
22	16	38	40	40	40	40	40	40	40	40	40	40	36	19	40	40	40	40	40	40	40	615	

Owner of Land --- NAME: LELA F KNEDLIK  
ADDRESS: 1814 I ST, BELLEVILLE, KS 66935

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						

5. **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 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 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 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) more efficient use of irrigation resources

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

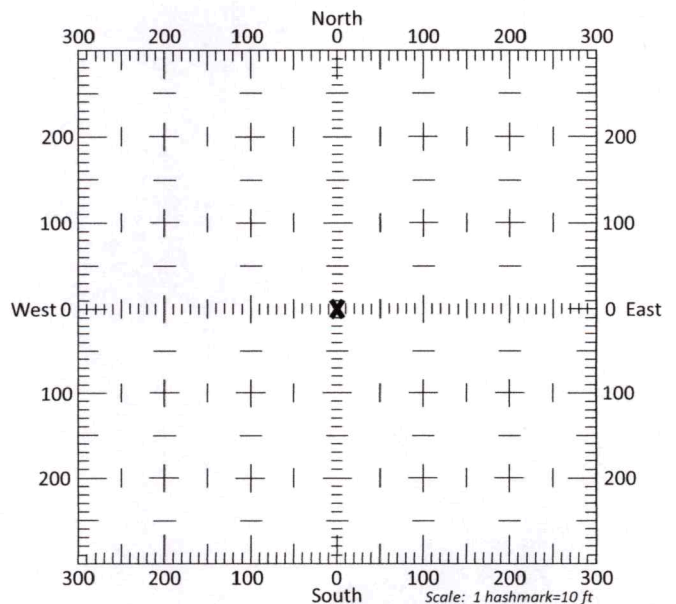
9. The change(s) (was)(will be) completed by?  
ASAP

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 mf/GCFO

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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 Harden City, Kansas, this 8<sup>th</sup> day of February, 2021.

<u>Bradley C. Whittem</u> (Owner)	_____	(Spouse)
<u>Bradley C. Whittem</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }  
County of Atterney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8<sup>th</sup> day of February, 2021.



Julie Jones  
Notary Public

My Commission Expires \_\_\_\_\_

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. 5-5-1, 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. 7959.

- 1. A change application was received on \_\_\_\_\_ 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
- 5. 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
- 6. 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
- 7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20\_\_\_\_**, 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
- 8. **Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_**, or within any authorized extension of time. By March 1, 20\_\_\_\_ 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
- 9. **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.

**Administrative Appeal and Effective Date of Order**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, 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 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 review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

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

By: \_\_\_\_\_  
Duly Authorized Designee of the Chief Engineer

(Print Name): \_\_\_\_\_  
Division of Water Resources - Kansas Department of Agriculture

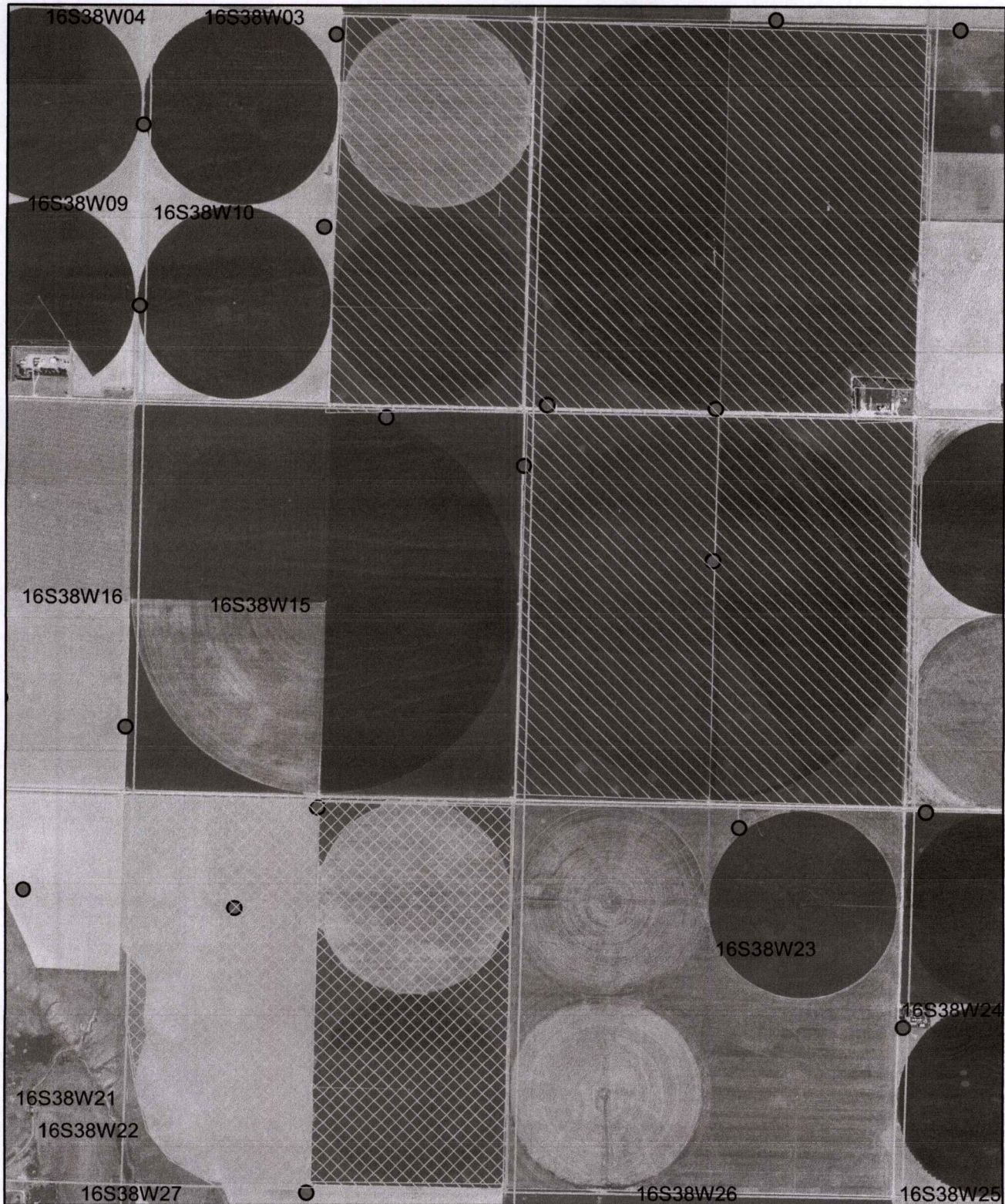
Date of Issuance: \_\_\_\_\_

State of Kansas )  
 ) SS  
County of \_\_\_\_\_ )

Acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_

Signature: \_\_\_\_\_  
Notary Public

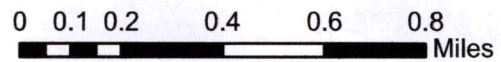
# Change in Place of Use for Water Right 7959



Authorized place of use



Proposed place of use



All wells within 1/2 mile are on this map.

X \_\_\_\_\_