Submit To: CHIEF ENGINEER Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, Kansas 66502 http://agriculture.ks.gov/dwr

DWR 1-120 (Revised 06/16/2014)

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



Assisted by: mdf/GCFO

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.

Application is hereby m	nade for approval of the Chief Engineer	to change the RECEIVED
	Place of Use Place of Use	
(Check one or more)	Point of Diversion	AUG 19 2024
	Use Made of Water	Garden City Field Office Divison of Water Resources
	File No. <u>39507</u>	
Name of applicant: <u>RO</u>	OCKING HEIFER LLC	ale
Address: 439 EAST R	OAD 4	
City, State and Zip: UL	YSSES, KS 67880	
Phone Number: () E-mail ad	ddress:
What is your relationsh	nip to the water right; 🛛 owner 🔲 tena	ant ⊠ agent □ other? If other, please explain
Name of water use cor	rrespondent: <u>Same as above</u>	
City, State and Zip:	ala da antina antina antina mandritra di su a di mana diserta dina di su antina da su antina di su antina di s Antina da antina da a Antina da antina da a	
Phone Number: () E-mail a	ddress:
The change(s) propos	ed herein are desired for the following	reasons (please be specific): To correct an error in the well
location on a 2014 cha	inge application.	
The change(s) (will be) completed by <u>Already completed.</u>	
3-(-) (,	(Date)
For Office Use Only: F.O. 4 GMD 3 Mee Code	ts K.A.R. 5-5-1 (YES/ NO) Use STK Fee \$ 200.00 TR #	Source G/S CountySTBy KJN _{Date} 8/20/24 Receipt Date <u>8/19/24</u> Check # <u>6800</u>
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List any other water rights that cover this place of use.____

File No. 39507

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

File No. 39507

purposes.

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

It is proposed that the use be changed to STK

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

se show any calculations here.		

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

- 15. It is requested that the maximum rate of diversion of water be reduced to N/A 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:
 - 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 ½ 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 ½ 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) ½ mile downstream and ½ 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.

This application is to correct the location of an exisitng point of diversion

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.

A waiver from K.A.R. 5-23-3, Well Spacing Requirements will be required.

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

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		-		Victor	Notary Public	
My Commissi	ion Expires 11 (26 (2024	<u> </u>			Hotary Public	and a stand of the second state
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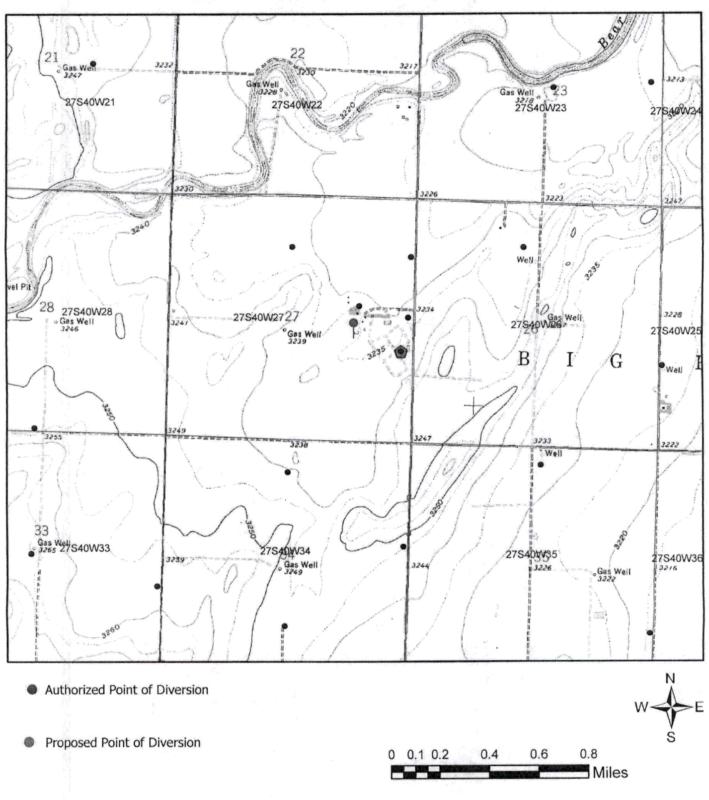
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(1) Application to change a point of diversion 300 feet or less \$10 (2) Application to change a point of diversion more than 300 feet \$21 (3) Application to change the place of use \$22 (4) Application to change the use made of the water \$30	\$100
(5) 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.

CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 39507

SE 1/4 of Section 27, Township 27 South, Range 40 West, ST County



All wells of any kind within 1/2 mile of the requested place of use have been plotted.

(Signature)

Date

mdf/GCFO 08/07/2024

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1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov

Mike Beam, Secretary



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Laura Kelly, Governor

August 23, 2024

ROCKING HEIFER LLC 439 EAST ROAD 4 ULYSSES KS 67880

RE: File No(s). 39507

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at <u>agriculture.ks.gov/divisions-</u> <u>programs/dwr</u>. If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

KristendBaum

Kristen Baum New Applications and Changes Supervisor Water Appropriation Program

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov

Mike Beam, Secretary



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Laura Kelly, Governor

September 13, 2024

ROCKING HEIFER LLC 439 EAST ROAD 4 ULYSSES KS 67880

RE: File No(s). 39507

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Kristen Baum New Applications and Changes Supervisor Water Appropriation Program