

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 27904

Field Office No. 2

GMD No. 5

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. 27905

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).** 9, 12 for point(s) being changed.
b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
MOD	20091	NO	20	22S	13W	1290	1408	Stafford	NC SE
DEL	68836	NO	20	22S	13W	1387	1392	Stafford	SE NW SE

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
<u> </u>	<u> </u> gpm	<u> </u> gpm	<u> </u> mgy	<u> </u> mgy
<u> </u>	<u> </u> gpm/cfs	<u> </u> gpm/cfs	<u> </u> af/mgy	<u> </u> af/mgy

Note: Quantities that were previously assigned to individual p/d's will now be assigned to the entire water right

d. **Name of Drainage Basin** Arkansas River **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** Undifferentiated Kansan/Nebraskan (180) **Special Use Area** None

5. **Distances from the previous/original p/d:** 18 ' N (S) 89 (E) W

6. WATER RIGHT ACTION TRAIL COMMENTS

<u>04/24/2017</u>	Change Application Received (date accepted for priority)
<u>5/5/17</u>	Change Approved
<u> </u> / <u> </u> / <u> </u>	Notice and Proof by <u>12/31/2017</u>
<u> </u> / <u> </u> / <u> </u>	Completion Requirement Removed (Change No. C <u> </u>)

7. METER ACTION TRAIL COMMENTS

<u>5/5/17</u>	DWR Meter Required by <u>12/31/2017</u>
<u> </u> / <u> </u> / <u> </u>	Anti-Reverse Meter Required by <u> </u> / <u> </u> / <u> </u>
<u> </u> / <u> </u> / <u> </u>	Meter Seal Required by <u> </u> / <u> </u> / <u> </u>

8. Base Acres --- Year --- Minimum Reasonable Quantity ---

Date Created 4/25/17 by TJS
Date Entered _____ by _____

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 27904

Action	Owner Person ID	Place Use ID #	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	
NO CHG	5798	50723, 28931, 50722		Acres Authorized																	
				New Acres																	
				Acres Authorized																	
				New Acres																	
				Acres Authorized																	
				New Acres																	
				Acres Authorized																	
				New Acres																	

Names and Address:

1. Person ID # <u>5798</u> GOLDEN BELT FEEDERS INC PO BOX 307 SAINT JOHN KS 67576	2. Person ID # _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____
--	---	---

GENERAL INSTRUCTIONS

- | | | |
|--|--|--|
| 1. Give to Applicant:
a. <u>Original</u> application/approval
b. Original receipt (one for <u>each</u> application)
c. Information packet containing:
<ul style="list-style-type: none"> • 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) | 2. Send to headquarters:
a. Good, scannable copy of application and/or approval and this check sheet
b. Original check and copy of receipt
c. Test hole log
d. GMD recommendation, if any
e. Map or aerial photograph, if any
3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input checked="" type="checkbox"/> | 4. Date stamp received and approved.
5. Complete ownership and WUC change information.

<p><u>ADDITIONAL PHOTOCOPIES</u></p> HQ _____
GMD #5 _____

_____ |
|--|--|--|

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.

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 WATER METER REQUIRED



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. 27904

RECEIVED
 9:55am
 APR 24 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

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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Golden Belt Feeders Inc
1149 NW 10th Ave, St John KS 67576

Phone Number: (620)549-3241 Email address: _____

Name and address of Water Use Correspondent: Golden Belt Feeders Inc
Stan Kaiser, 1149 NW 10th Ave, St John KS 67576

Phone Number: (620)546-3241 Email address: Kaiser@GoldenBeltFeeders.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Golden Belt Feeders Inc
 ADDRESS: PO Box 307, St John KS 67576

(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	
No	Change																		

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: _____
 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	

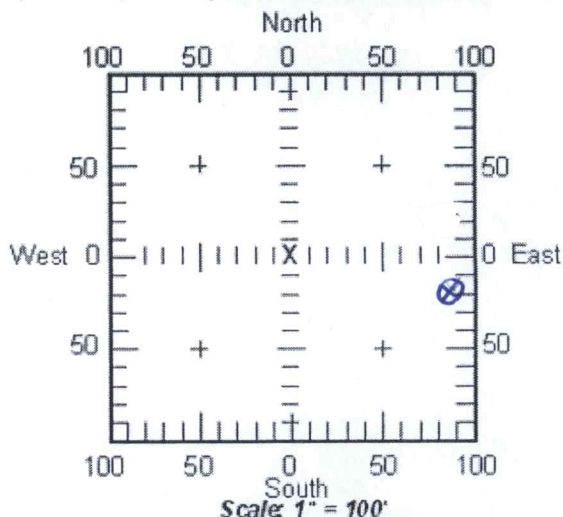
For Office Use Only: Code _____ Fee \$ 100 - TR # _____ Receipt Date _____ Check # 70839

5. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC SE Quarter
 of Section 20, Township 22 South, Range 13 W,
 in Stafford County, Kansas, 1,310 feet North 1,320 feet West of Southeast corner of section.
 Authorized Rate 650 gpm Authorized Quantity 24.5 mgy Depth of well unknown (feet)
 (DWR use only: Computer ID No. 9 GPS 1,290 feet North 1,408 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 NC SE Quarter
 of Section 20, Township 22 South, Range 13 W,
 in Stafford County, Kansas, 1,290 feet North 1,408 feet West of Southeast corner of section.
 Proposed Rate 750 gpm Proposed Quantity 35.19 mgy Proposed well depth (feet) no change
 This point is: Additional Well Geo Center List other water rights that will use this point none

6. **Presently authorized point of diversion:**
 One in the SE Quarter of the NW Quarter of the SE Quarter
 of Section 20, Township 22 South, Range 13 W,
 in Stafford County, Kansas, 1,387 feet North 1,392 feet West of Southeast corner of section.
 Authorized Rate 100 gpm Authorized Quantity 10.69 mgy Depth of well unknown (feet)
 (DWR use only: Computer ID No. 12 GPS 1,308 feet North 1,497 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) Move to Well ID09. See Number 5 for details.
 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? Relocate
 rate and quantity to one well

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.)



8. If a well, is the test hole log attached? Yes No
 9. When do you propose to complete the new point of diversion?
 N/A--proposed well is existing

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
 Plug it
 (b) When will this be done? upon approval of change

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by EKF/SFFO

13b. If the proposed point of diversion will be relocated more than 100 feet but within 2640 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.

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APR 24 2017

Stafford Field Office

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 St. John, Kansas, this 19th day of April, 2017.

<p><u>[Signature]</u> (Owner)</p> <p><u>Stan Kaiser</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
--	---

State of Kansas }
 County of Stafford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of April, 2017.

Dawn Schilke
 Notary Public

My Commission Expires 8/4/2019

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

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Stafford Field Office

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. 27904.

1. A change application was received on 4/24/17 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 50 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 ~~448~~ 141 ^{acc 9/5/17} 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: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 5/5/17

State of Kansas)
County of Stafford) SS

Acknowledged before me on 5/5/17
by Cameron Conant

Signature: Jessica Engelbrecht



My commission expires _____ (Notary Seal)

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APR 24 2017

Stafford Field Office



Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

May 5, 2017

Golden Belt Feeders Inc.
PO Box 307
ST. John KS 67576

Re: Water Right, File No(s). 27904

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures


pc: Water Rights Section
Ground Water Management District 5

CERTIFICATE OF SERVICE

On this **5 May 2017**, I hereby certify that the attached Change in Point of Diversion, File No. 27904 dated May 5, 2017 was mailed to the following:

Golden Belt Feeders Inc.
PO Box 307
ST. John KS 67576

pc: Water Rights Section
GMD #5



Staff

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: April 28, 2017

FROM: Tyler Saryerwinnie

RE: Water Right, File No. 27904

An application for approval to change the point of diversion for the above referenced file was received on April 24, 2017. During office processing, it was determined that the drainage basin designation for the water right was incorrect in the WRIS database. Upon review, it was determined that the Certificate of Appropriation, the Permit to Proceed, and the WRIS database all designate the drainage basin as Rattlesnake Creek.

According to written correspondence dated January 13, 1999 by then Chief Engineer David Pope to Board President John Janssen of Groundwater Management District No. 5, the issue of basin determination for water rights within the Mystery River drainage area was addressed.

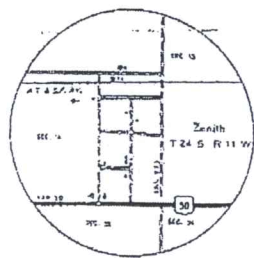
Within this correspondence, Chief Engineer Pope indicated that "the water rights within the Mystery River drainage area will be changed from the Rattlesnake Creek Basin to the Arkansas River Basin in the DWR's water rights database."

A map included in this file depicts the above referenced water right in relation to the "HUC 14 Boundary" and the "Radium Forum" boundary. The above referenced water right lies within the Mystery River drainage basin, and therefore, should be considered as "part of the middle reach of the Arkansas River Basin."

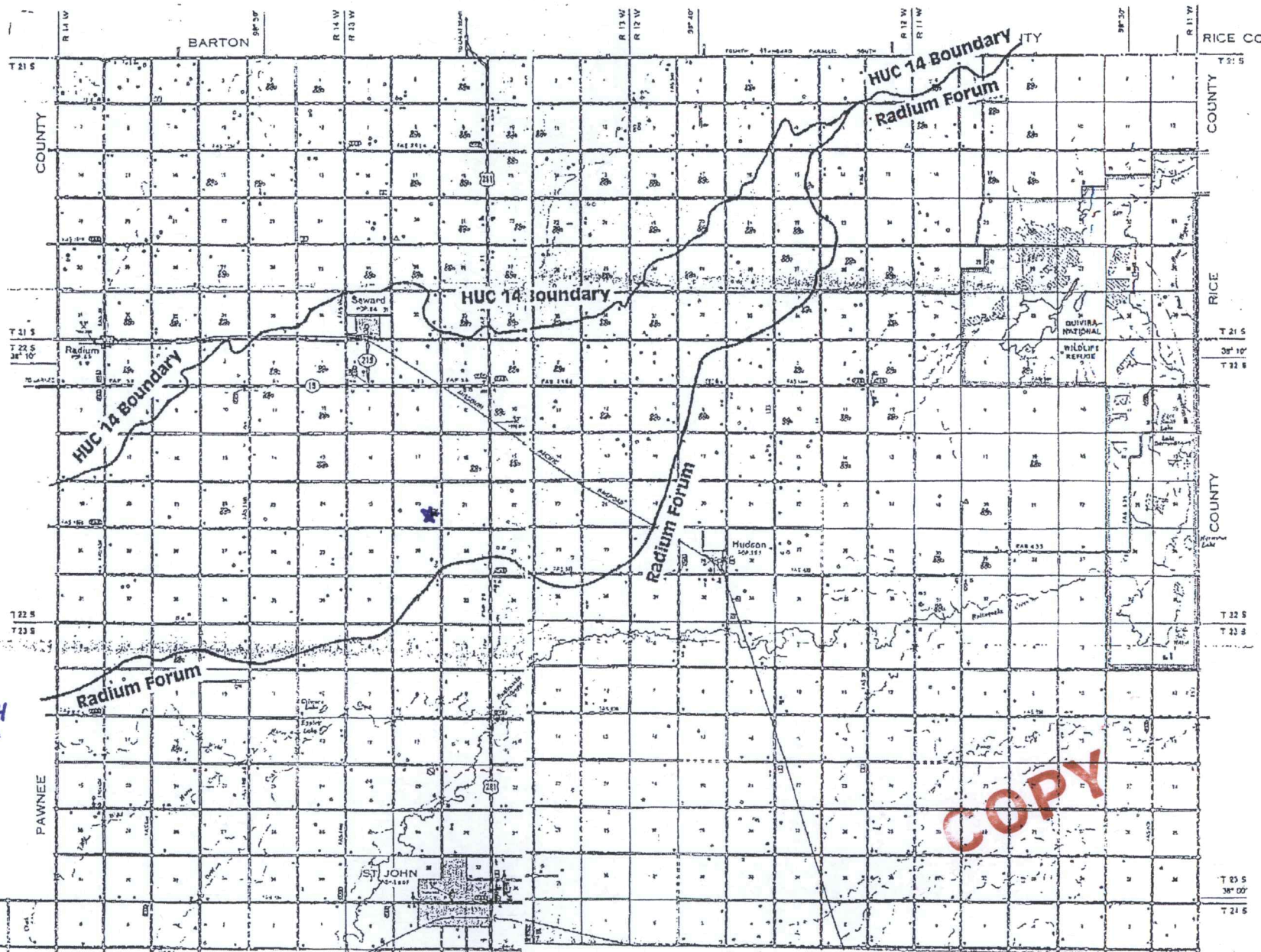
The check sheet accompanying the change in point of diversion application filed on April 24, 2017 indicates that the drainage basin is not correctly shown in WRIS and instructs that the drainage basin to be changed to Arkansas River Basin.

TJS

Tyler Saryerwinnie
Environmental Scientist



ENLARGEMENT SCALE
1/4 MILE



★ FILE No. 27904
20-22S-13W

COPY

RECORDED
APR 11 1982
ASB

QUALITY CONTROL

JAN. -14' 99 (THU) 08:35 DIV. WATER RESOURC

TEL: 785296 6

P. 002

STATE OF KANSAS

BILL GRAVES, GOVERNOR
Alice A. Devine, Secretary of Agriculture



DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer-Director
901 South Kansas Avenue, 2nd Floor
Topeka, Kansas 66612-1283
(785) 296-3717 FAX (785) 296-1176

KANSAS DEPARTMENT OF AGRICULTURE

John Janssen
Board President
Groundwater Management District No. 5
125 Main Street
Stafford, Kansas 67578

January 13, 1999

Re: Rattlesnake Creek Basin Boundary

Dear Mr. Janssen,

I am writing in reference to the Rattlesnake Creek basin boundary issue and the Subbasin Program work currently underway. As you know, the topic of the basin boundary has been a point of interest for several government agencies and water right holders in the district for the past couple of years. Recently, the revised Hydrologic Unit Code series 14 (HUC14) basin boundaries were finalized and made available by the Data Access and Support Center at Kansas Geological Survey. This was done after a lengthy process by which the boundaries were reviewed, modified, and finalized by the Natural Resources Conservation Service in cooperation with U.S. Geological Survey. The Division will now adopt the new basin boundaries under the HUC 14 series to use in our administrative procedures. This leaves some question about how the area originally considered part of the Rattlesnake and now as the Mystery River drainage area within the Arkansas River Basin, should be handled.

As you also know, during the time period that the above described work was being completed, the Rattlesnake Subbasin Program and work of the Rattlesnake/Quivira Partnership was underway. It is my understanding that the Partnership will be submitting a new management program for my review in the near future. This new program and all of the data analysis, work of interested parties and planning that has gone into it, has included the Mystery River drainage area of the Rattlesnake that is now considered part of the middle reach of the Arkansas River Basin. Recently, there have been some questions regarding how this issue might be handled. After consideration, I believe it should be handled in the following manner:

1) The water rights within the Mystery River drainage area will be changed from the Rattlesnake Creek Basin to the Arkansas River Basin in the DWR's water rights database. Water right holders will be notified of this change.

2) The water users within the Mystery River drainage area will be eligible to participate in the incentive based/voluntary management alternatives developed by the Partnership as approved by the Chief Engineer. However, the alternative actions that are currently included in the management program as a method to achieve goals developed by the Partnership if the

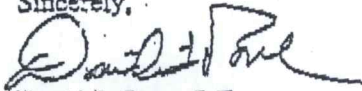
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any measures do not have the desired effect will no longer be applicable to this area.

As the Middle Arkansas Subbasin Program proceeds it will add to its consideration area of the Arkansas River Basin and develop new management alternatives as needed to address any groundwater declines that exist.

With the above described actions is to provide a practical and fair approach to handle a significant change in the area of a watershed that is about to finalize and implement a new management program which has included the water rights information and water users from this process. My staff intends to begin notifying water rights holders as early as next week about the change in basin designation according to the water rights database. I hope that this information is helpful in putting the finishing touches on the Rattlesnake management plan as well as in your work with water right holders. Please do not hesitate to contact me with questions or concerns about this subject.

Sincerely,



David L. Pope, P.E.
Chief Engineer

Wah M. Zarta Gier, Basin Team Project Manager
Kegley, Acting Program Manager, Water Management Services
Falk, Water Commissioner, Stafford Field Office

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