

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

1. File Number: 20237	2. Status Change Date:	3. Change Num: 2	4. Field Office: 02	5. GMD: 05
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 2/1/18
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8d. Landowner(s) New to system <input type="checkbox"/> Person ID 35821 Add Seq# 1 <p style="text-align: center;">MICHAEL W HALEY TRUST PO BOX 904 LAWRENCE KS 66044-0904</p>
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID 35819 Add Seq# 1 <p style="text-align: center;">EUGENE W & BETTY JO HALEY PO BOX 904 LAWRENCE KS 66044-0904</p>	8e. Landowner(s) New to system <input type="checkbox"/> Person ID 64721 Add Seq# 1 <p style="text-align: center;">HALEY FAMILY TRUST PO BOX 904 LAWRENCE KS 66044-0904</p>
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8c. Landowner(s) New to system <input type="checkbox"/> Person ID 35820 Add Seq# 1 <p style="text-align: center;">JO LYNN HALEY REV TRUST PO BOX 904 LAWRENCE KS 66044-0904</p>	8f. WUC New to system <input type="checkbox"/> Person ID 38232 Add Seq# 1 <p style="text-align: center;">TERRY RYAN PO BOX 127 ROZEL KS 67574-127</p>
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/18** N & P Date to Comply: **12/31/18**

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

Conservation Plan Date Required: _____ Date Approved: **2/1/18** Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **2/1/18** By: **TJS**
 Date Entered: _____ By: _____

File No. **20237** 11. County: **PAWNEE** Basin: **Pawnee River** Stream: Formation Code: **330 (Dakota Aquifer System - unconfined)** Special Use: **None**

12. Points of Diversion Rate and Quantity
 CHK MOD PDIV Authorized Additional
 DEL Qualifier S T R ID 'N 'W Comment (AKA Line) Rate Quantity Rate Quantity
 ENT gpm/cfs af/mgy gpm/cfs af/mgy Overlap PD Files

DEL 28864
 ENT **NE SE SE** **7** **22S** **19W** **1111** **59** **30' South of Original Well** **720 gpm** **150 AF** **720 gpm** **150 AF** **None**

13. Storage: Rate NF Quantity ac/ft Additional Rate NF Additional Quantity ac/ft

14. Limitation: af/yr at gpm (cfs) when combined with file number(s)
 Limitation: af/yr at gpm (cfs) when combined with file number(s)

15. 5YR Allocation: Allocation Type Start Year 5 YR Amount Amount Unit Base Acres Comment

16. Place of Use CHK MOD DEL ENT PUSE S T R ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
CHK 26684																				8b., 8c., 8d., 8e. No None

Base Acres: --- Year: --- Minimum Reasonable Quantity: ---

Comments:

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.

RECEIVED
4:30pm
FEB 01 2018

File No. 20237

Stafford 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: Terry Ryan

PO Box 127, Rozel KS 67574-127

Phone Number: (620)357-5130

Email address: tctfarms@gbta.net

Name and address of Water Use Correspondent: Terry Ryan

PO Box 127, Rozel KS 67574-127

Phone Number: (620)357-5130

Email address: tctfarms@gbta.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: Eugene W & Betty Jo Haley // Jo Lynn Haley Rev Trust // Michael W Haley Trust // Haley Family Trust

ADDRESS: PO Box 904, Lawrence KS 66044-0904

(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					
7	22S	19W																	40	40	40	40	160

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: No Change

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 \$ _____ TR # _____ Receipt Date _____ Check # _____

5. **Presently authorized point of diversion:**

One in the NE Quarter of the SE Quarter of the SE Quarter of the SE Quarter of Section 7, Township 22 South, Range 19 W, in Pawnee County, Kansas, 1130 feet North 75 feet West of Southeast corner of section. Authorized Rate 720 GPM Authorized Quantity 150 AF Depth of well 191 (feet)
(DWR use only: Computer ID No. 1 GPS 1141 feet North 59 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 NE Quarter of the SE Quarter of the SE Quarter of the SE Quarter of Section 7, Township 22 South, Range 19 W, in Pawnee County, Kansas, 1111 feet North 59 feet West of Southeast corner of section. Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) ~215. 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 _____ 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)

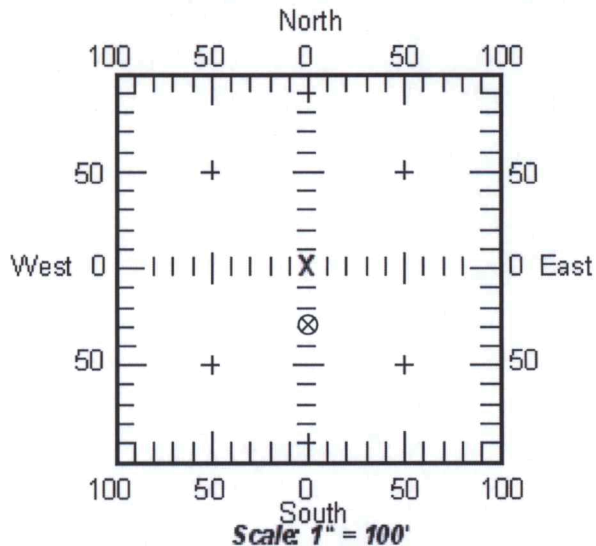
This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:

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) Well collapsed*

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. 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? Domestic well*

(b) When will this be done? upon completion*

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by TJS-SFFO

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.

* TJS - DWR, per applicant RECEIVED

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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 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 Stafford, Kansas, this 1st day of February, 2018.

<u>Terry Ryan</u> (Owner)	
<u>Terry Ryan</u> (Please Print)	

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 1st day of February



Jessica Engelbrecht
 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

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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. 20,237.

1. A change application was received on 2/1/2018 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 80 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, 2018**, 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, 2018**, or within any authorized extension of time. By March 1, 2019 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

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: 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: 2/1/18

State of Kansas)
County of Stafford) SS

Acknowledged before me on 2/01/2018
by Cameron Conant

Signature: Jessica Engelbrecht
Notary Public



My commission expires _____ (Notary Seal)

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**ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING
APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

The effective date of the change approval to change the point of diversion shall be the date this order is executed by the Chief Engineer.

- 10a. The owner of the authorized place(s) of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer

- 10b. A seal shall be placed on the water flowmeter by the Division of Water Resources or the Groundwater Management District in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

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FAX COVER SHEET

ROSENCRANTZ- BEMIS ENT. INC.

**P.O. Box 713
1115 281 By- Pass
Great Bend, Ks. 67530
620-793-5512
620-793-5176 Fax
R-Bwater@hotmail.com**

Send to: Stafford Water Resources	From: Bobbie
Attention:	Date:
Office location:	Office location:
Fax number: 620-234-6900	Phone number: 620-792-2488

Urgent Reply ASAP Please comment Please review For your information

Total pages including cover: 2

Please see attached test hole for Terry Ryan on SE 7-22-19 in Pawnee Co.

Thank you

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Stafford Field Office
DIVISION OF WATER RESOURCES

DRILLER'S TEST LOG

Customer Name: Terry Ryan Date: 1/31/2018
 Address _____ Test No: #1-18
 County: Pawnee Quarter: SE Section: 7 Township: 22 Range: 19

Drilled Footage		Description of Strata	Indicate Test Location by an X			
From	To					
0	3	Top soil				
3	9	Brown clay				
9	75	Tan clay				
75	92	Dakota drift w/ broken rock				
92	93	Tan clay				
93	98	Dakota drift w/ tan clay				
98	104	Yellow gray shale				
104	112	Fire clay				
112	116	Gray shale				X
116	198	Sandstone				
198	215	Gray shale & fire clay				
			Static Water Level: <u>85</u> Ft			
			Remarks: _____			
			Garmin GPS- Nad 83			
			Latitude: 38.1495 N			
			Longitude: 99.4424 W			
			Elevation: _____			
			Driller: <u>Luis Luna</u>			
			Spot Location: <u>NE/ SE/ SE</u>			

RECEIVED ROSENCRANTZ-BEMIS EQUIPMENT CO., INC

Telephone (620) 792-2488 or (620) 793-5512

P.O. Box 713, Great Bend, KS 67530

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CERTIFICATE OF SERVICE

On this **1st** day of **February, 2018**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **20237**, dated **February 1, 2018** was hand delivered to the following:

Terry Ryan



Staff