

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PD WORKSHEET

1. File Number: 27905	2. Status Change Date: 8/30/2018	3. Change Num: C1	4. Field Office: 02	5. GMD: 05
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 07-JUN-2018
8a. Applicant(s) New to system <input type="checkbox"/> GOLDEN BELT FEEDERS INC STAN KAISER 1149 NW 10TH AVE SAINT JOHN KS 67576		Person ID <u>5798</u> Add Seq# <u>2</u>	8c. Landowner(s) New to system <input type="checkbox"/> M & N FARM ENTERPRISES INC 2600 CANTERBURY LN GREAT BEND KS 67530	
8b. Landowner(s) New to system <input type="checkbox"/> GOLDEN BELT FEEDERS INC STAN KAISER 1149 NW 10TH AVE SAINT JOHN KS 67576		Person ID <u>5798</u> Add Seq# <u>2</u>	8d. WUC New to system <input type="checkbox"/> GOLDEN BELT FEEDERS INC STAN KAISER 1149 NW 10TH AVE SAINT JOHN KS 67576	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/18</u>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 08/27/18 By: RAK Date Entered: 9/5/2018 By: UM				

File No. **27905** 11. County: **SF** Basin: **ARKANSAS RIVER** Stream: Formation Code: **180** Special Use:

~~please change from Rattlesnake Creek~~

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
ENT	86192			SW¼ SW¼ SE¼	17	22	13W	8	94	2639	STANDBY WELL					NONE
MOD	515			NW¼ NW¼ SE¼	20	22	13W	4	2635	2635	RM 67 PRIMARY WELL	80 g.p.m.	--	80 g.p.m.	--	NONE
MOD	27709			NC SE¼	20	22	13W	7	1270	1443	RM 84 PRIMARY WELL	75 g.p.m.	--	75 g.p.m.	--	NONE
MOD	45097			<u>CW</u> NW¼ SE¼	20	22	13W	6	1915	2640	RM 63 PRIMARY WEL	45 g.p.m.	--	45 g.p.m.	--	NONE
BLANKET QUANTITY												52.47 m.g.y.	52.47 m.g.y.			

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

14. **ADD** Limitation: **STANDBY WELL** 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				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files				
CHK	MOD	DEL	ENT	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								
√	50722			17	22S	13W	4	FEEDLOT: SW¼ SE¼																	8C	YES	27904
MOD	28931			20	22S	13W	4	FEEDLOT: NE¼ NE¼; NW¼ NE¼; SW¼ NE¼; SE¼ NW¼; NE¼ SW¼;																	8C	YES	27904
ENT	69079			20	22S	13W		FEEDLOT : SE¼																	8B	NO	27904
√	50723			28	22S	13W	5	FEEDLOT: SW¼ NW¼ & NW¼ SW¼																	8C	YES	27904

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____

Comments: _____

*(Remove SE¼ From PU comment line
 Create new PUSE ID New Owner
 For SE¼ 20-22-13W)*

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files
FROM: Richelle A. Krueger

DATE: August 28, 2018
RE: Water Right
File No. 27,905

Stanley D. and Jana M. Kaiser, on behalf of Golden Belt Feeders, Inc. and M & N Enterprises, Inc., owners of the referenced file number, filed an application for approval to change the authorized point of diversion authorized stockwatering use.

The referenced water right does not appear abandoned as per K.S.A. 82a-718.

The referenced file number is authorized three wells with 52.47 million gallons per calendar year blanket quantity and assigned diversion rates per well for stockwatering use in Sections 17, 20, and 28, Township 22 South, Range 13 West, Stafford County, Kansas. There are no overlaps in the authorized points of diversion but the place of use overlaps Water Right, File No. 27,904. The water right owners propose to add an existing well as a standby well located located 94 feet North and 2,639 feet West of the Southeast corner of Section 17. The proposed standby well was once authorized by Temporary Permit, File No. 20170148.

A condition will be placed on the approval document limiting the standby well for use exclusively at such time the wells identified as primary wells are inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this right to be exceeded.

WRIS and the application map indicate no domestic and three nondomestic wells within one-half mile of the proposed existing well, two of the nondomestic wells are under common ownership. The nearby well owner was notified of the proposed change in point of diversion in a letter dated August 6, 2018; no responses have been received as of today's date.

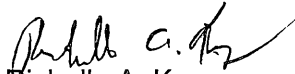
The same local source of supply does not appear to change previously determined to be Undifferentiated Kansas/Nebraskan (180).

In a letter dated August 16, 2018 Orrin Feril, Manager of Big Bend Kansas Groundwater Management District No. 5, indicated that the application is consistent with K.A.R. 5-25-20(b) and that the Board of Directors of GMD No. 5 recommended approval of the application.

In an e-mail dated August 23, 2018, Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated he recommends approval of the referenced change application. He also recommended changing the drainage basin from Rattlesnake Creek to Arkansas River, please see the referenced e-mail for further details.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, it has been recommended that the referenced application be approved.


Richelle A. Krueger
Environmental Scientist

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

GOLDEN BELT FEEDERS INC
STAN AND JANA KAISER
1149 NW 10TH AVE
SAINT JOHN KS 67576

September 6, 2018 **FILE COPY**

RE: Water Right, File No. 27,905

Dear Mr. and Mrs. Kaiser:

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.

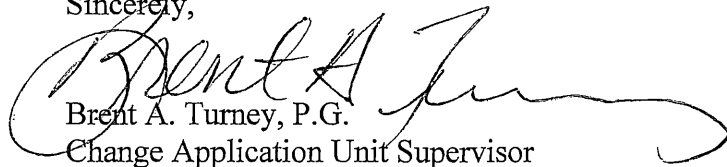
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and installation of the required meters as soon as these actions are completed.

Please note that the well described in the approval document as the standby well shall be used exclusively at such time one or more of the wells described in the approval document as the primary wells are inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

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

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office
Groundwater Management District No. 5
M & N Farm Enterprises, Inc.



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION AND ORDER CORRECTING
THE DRAINAGE BASIN
FILE NO. 27,905**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Stan and Jana Kaiser, on behalf of Golden Belt Feeders, Incorporated 1149 Northwest 10th Avenue, Saint John, Kansas 67576 and on behalf of M and N Farm Enterprises, Incorporated, 2600 Canterbury, Great Bend, Kansas, 67530, received in this office on June 7, 2018, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer dated March 6, 1995 and April 29, 1997, approving applications to change the place of use, and by the Findings and Order of the Chief Engineer dated May 17, 2013, reducing the number of authorized points of diversion and authorized diversion rate, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order corrects the drainage basin in which the points of diversion are located from Rattlesnake Creek to Arkansas River.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized locations of the points of diversion shall be:

one(1) well located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 17, more particularly described as being near a point 94 feet North and 2,639 feet West of the Southeast corner of said section (standby well);

one(1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 20, more particularly described as being near a point 2,635 feet North and 2,635 feet West of the Southeast corner of said section (primary well), at a diversion rate not in excess of 80 gallons per minute (0.18 c.f.s.);

one(1) well located near the center of the West side of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 20, more particularly described as being near a point 1,915 feet North and 2,640 feet West of the Southeast corner of said section (primary well), at a diversion rate not in excess of 45 gallons per minute (0.10 c.f.s.); and

one(1) well located near the center of the Southeast Quarter (SE $\frac{1}{4}$) of Section 20, more particularly described as being near a point 1,270 feet North and 1,443 feet West of the Southeast corner of said section (primary well), at a diversion rate not in excess of 75 gallons per minute (0.17 c.f.s.);

all in Township 22 South, Range 13 West, Stafford County, Kansas, in a quantity not to exceed 52.47 million gallons (161 acre-feet) per calendar year,

located substantially as shown on the map accompanying the application to change the point of diversion.

The well described herein as the standby well shall be used exclusively at such time the wells herein described as the primary wells are inoperable due to mechanical, maintenance or power failure. Use of the standby well under these limiting conditions does not allow the authorized quantity of water or rate of diversion under this file to be exceeded.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install acceptable water meters on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meters has been completed. The water right owner shall maintain the water meters in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meters and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 27,905, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated August 18, 1993, as modified and amended by the aforementioned orders.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

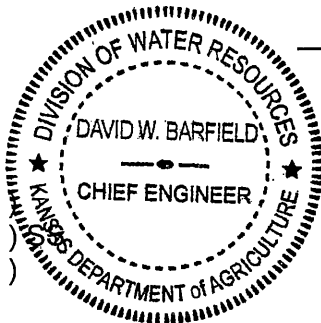
If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 30th day of August 2018, in Topeka, Shawnee County, Kansas.

David W. Barfield

David W. Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

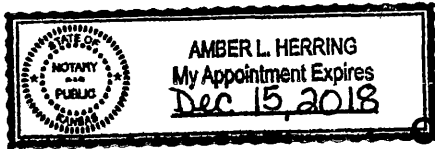


State of Kansas
County of Riley

The foregoing instrument was acknowledged before me this 30th day of August 2018, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Amber L. Herring

Notary Public



CERTIFICATE OF SERVICE

On this 1st day of September, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 27,905, dated August 30th, 2018 was mailed postage prepaid, first class, US mail to the following:

GOLDEN BELT FEEDERS INC
STAN KAISER
1149 NW 10TH AVE
SAINT JOHN KS 67576

With a true and correct copy to:

M & N FARM ENTERPRISES INC
2600 CANTERBURY LN
GREAT BEND KS 67530

With photocopies to:

Stafford Field Office
Groundwater Management District No. 5

Danielle Wilson

Division of Water Resources

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

**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**



State of Kansas

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.

1. Application is hereby made for approval of the Chief Engineer to change the

- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

**Water Resources
 Received
 JUN 07 2018
 12:40
 KS Dept Of Agriculture**

File No. 27905

2. Name of applicant: Golden Belt Feeders Inc

Address: Stan Kaiser, 1149 NW 10th Ave

City, State and Zip: St John KS 67576

Phone Number: (620)549-3241 E-mail address: kaiser@goldenbeltfeeders.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Golden Belt Feeders Inc

Address: Stan Kaiser, 1149 NW 10th Ave

City, State and Zip: St John KS 67576

Phone Number: (620) 549-3241 E-mail address: kaiser@goldenbeltfeeders.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): This change proposes to add a well to the water right for stand-by purposes only.

The change(s) were completed by 6/19/17 under tempory permit no. 20170148
 (Date)

For Office Use Only:										
F.O. Code	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1 (YES / NO)	Use	<u>STK</u>	Source	<u>G/S</u>	County	<u>SF</u>
Fee \$	<u>300</u>	TR #		Receipt Date	<u>6/7/18</u>	By	<u>ADW</u>	Date	<u>6/7/18</u>	Check #
										<u>73081</u>

APPLICATION COMPLETE
8/24/18
 REVIEWER: RAK

SCANNED

6/7/18 ADW

4. The presently authorized place of use is:

Owner of Land — NAME: Golden Belt Feeders Inc

ADDRESS: Stan Kaiser, 1149 NW 10th Ave, St John KS 67576

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	
20	22	13W	Feedlot in the SE 1/4																

List any other water rights that cover this place of use. 27904

Owner of Land — NAME: M & N Farm Enterprises Inc

ADDRESS: 2600 Canterbury, Great Bend KS 67530

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	
17	22	13W	Feedlot in the SW 1/4 of the SE 1/4																
20	22	13W	* \rightarrow NE¼ NE¼; NW¼ NE¼, SW¼ NE¼ Feedlot in the NE 1/4 and the SE 1/4 of the NW 1/4; NE¼ SW¼																
28	22	13W	Feedlot in the SW 1/4 of the NW 1/4 and the NW 1/4 of the SW 1/4																

List any other water rights that cover this place of use. 27904

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: No Change

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	

List any other water rights that cover this place of use. _____

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	

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources
Received

JUN 07 2018

* per 4/29/97 change per Approval
* RAK/own 7/23/18

KS Dept Of Agriculture
SCANNED

- 6. The presently authorized point(s) of diversion are Three (3) primary wells with diversion works
(Provide description and number of points)
- 7. The proposed point(s) of diversion are Three (3) primary wells and one (1) standby well with diversion works
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **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 _____
 (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 SW Quarter of the SW Quarter of the SE Quarter of Section 17, Township 22 South, Range 13 W, in Stafford County, Kansas, 94 feet North 2639 feet West of Southeast corner of section.
 Proposed Rate standby Proposed Quantity standby
 This point is: Additional (standby) Well Geo Center List other water rights that will use this point none

9. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the SE Quarter of Section 20, Township 22 South, Range 13 W, in Stafford County, Kansas, 2635 feet North 2635 feet West of Southeast corner of section.
 Authorized Rate 80 gpm Authorized Quantity 52.47 mgq (blanket quantity)
 (DWR use only: Computer ID No. 4 GPS N/A feet North N/A 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 _____
 This point is: Additional Well Geo Center List other water rights that will use this point none

10. **Presently authorized point of diversion:** **Correct qtr qtr qtr to CW NWSE per feet distances*
 One in the SW Quarter of the NW Quarter of the SE Quarter of Section 20, Township 22 South, Range 13 W, in Stafford County, Kansas, 1915 feet North 2640 feet West of Southeast corner of section.
 Authorized Rate 45 gpm Authorized Quantity see No. 9
 (DWR use only: Computer ID No. 6 GPS N/A feet North N/A 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 _____
 This point is: Additional Well Geo Center List other water rights that will use this point none

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources
 Received
 JUN 07 2018
 SCANNED
 KS Dept Of Agriculture

**As of 8/27/18*

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

It is proposed that the use be changed to --- purposes.

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

N/A

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to --- 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:

- 1) 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 1/2 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 1/2 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) 1/2 mile downstream and 1/2 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.

The proposed well is being added for standby purposes only. In 2017, the north well under File No. 27905 (ID4) went down during the summer and the other wells could not provide adequate water to the northernmost pens of the feed yard. At that time, a temporary permit was requested and approved to authorized water for the feed yard during that emergency.

This change proposes to offer a permanent solution to prevent the same situation in the future.

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.

The wells may be just over 2,640 feet apart. A gps is not available, so this cannot be stated as definite.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources

JUN 07 2018

KS Dept Of Agriculture
SCANNED

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.

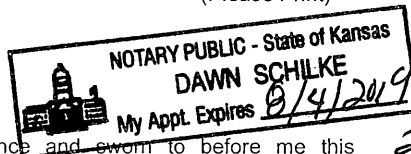
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at _____, Kansas, this 21st day of May, 20 18.

Stah Kaiser
(Owner)
Stah Kaiser
(Please Print)
(Owner)
(Please Print)
(Owner)
(Please Print)

Jana M. Kaiser
(Spouse)
Jana M. Kaiser
(Please Print)
(Spouse)
(Please Print)
(Spouse)
(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 21st day of May, 20 18.

Dawn Schilke
Notary Public

My Commission Expires 8/4/2019

FEE SCHEDULE

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 \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) 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.

Water Resources
Received
JUN 07 2018

KS Dept Of Agriculture
SCANNED

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 as specified in sections 14 and 15 of this application.

Dated at St John, Kansas, this 30th day of July, 20 18.

Jana M. Kaiser
 (Owner)
Jana M. Kaiser
 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

Stanley P. Kaiser
 (Spouse)
Stanley D. Kaiser
 (Please Print)

 (Spouse)

 (Please Print)

 (Spouse)

 (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 30th day of July, 20 18.

Dawn Schilke
Notary Public

My Commission Expires 8/14/2019.

FEE SCHEDULE

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 \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) 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.**

WATER RESOURCES
RECEIVED

AUG 03 2018

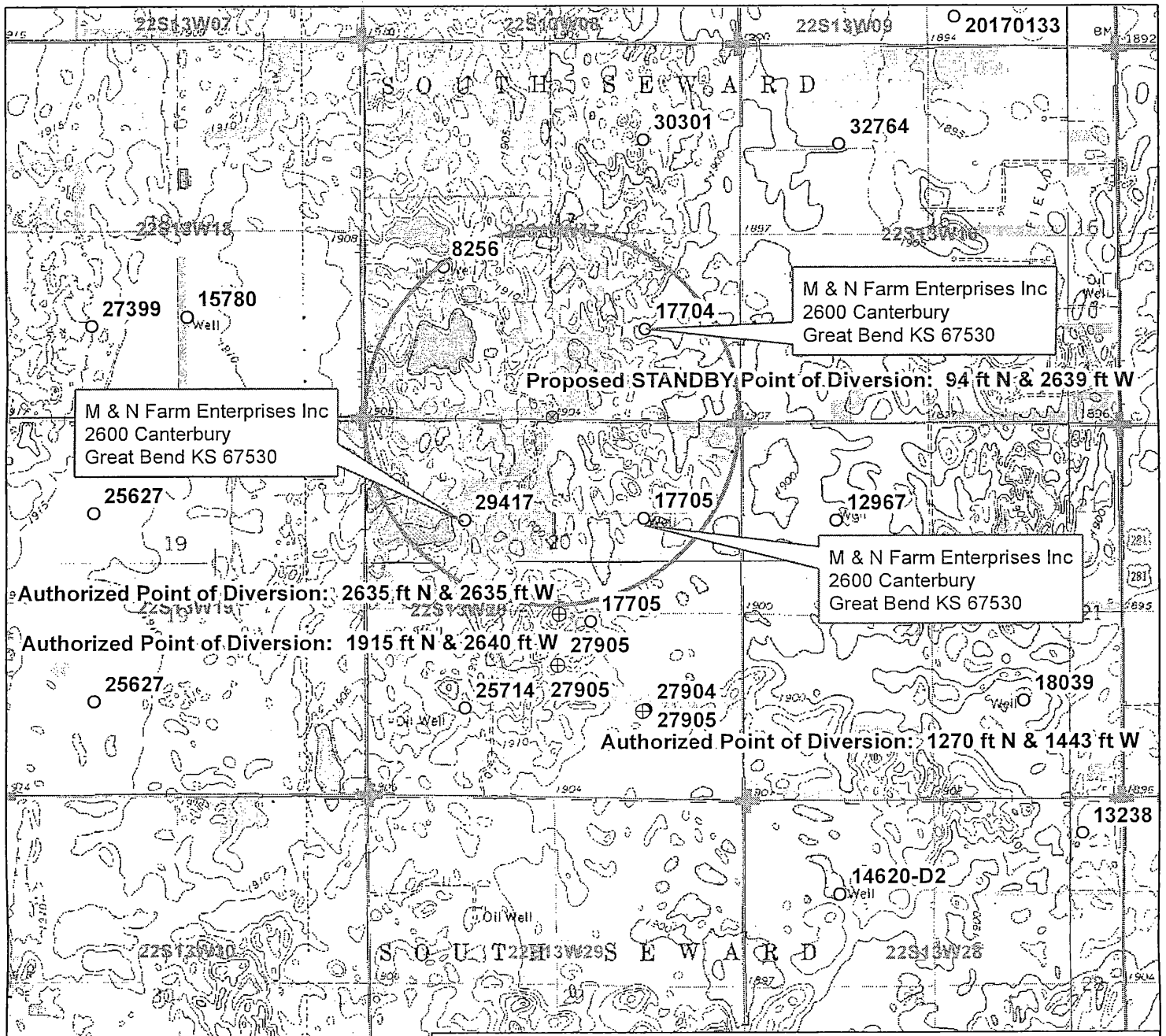
KS DEPT OF AGRICULTURE
SCANNED

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET
FILE NO. 27905

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, 1270 feet North 1443 feet West of Southeast corner of section.
Authorized Rate 75 gpm Authorized Quantity see Item 9 Depth of well _____ (feet)
(DWR use only: Computer ID No. 7 GPS N/A feet North N/A 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 none

Water Resources
Received

JUN 07 2018



- Water Appropriations
- ⊕ Authorized Point of Diversion
- ⊗ Proposed Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- ▭ Section Line

Water Right, File No. 27905

Change in Point of Diversion Application Map
17 & 20-22-13W // Stafford County

To the best of my knowledge, all groundwater wells within
1/2 mile of the proposed point of diversion have been shown.

Water Resources
Received

JUN 07 2018

5/3/18 EKF-SFFO 1:24,000 scale

Signature: *James M. King*
Kerby A. Nicks



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

**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**



State of Kansas

*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.

1. Application is hereby made for approval of the Chief Engineer to change the

- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

Water Resources
 Received
JUN 07 2018
 12:40
 KS Dept Of Agriculture

File No. 27905

2. Name of applicant: Golden Belt Feeders Inc

Address: Stan Kaiser, 1149 NW 10th Ave

City, State and Zip: St John KS 67576

Phone Number: (620)549-3241 E-mail address: kaiser@goldenbeltfeeders.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Golden Belt Feeders Inc

Address: Stan Kaiser, 1149 NW 10th Ave

City, State and Zip: St John KS 67576

Phone Number: (620) 549-3241 E-mail address: kaiser@goldenbeltfeeders.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): This change proposes to add a well to the water right for stand-by purposes only.

The change(s) were completed by 6/19/17 under tempory permit no. 20170148
 (Date)

For Office Use Only:							
F.O. Code	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1 (YES / NO)	Use	<u>STK</u>	Source
	<u>CGT</u>						<u>C/S</u>
				Fee \$	<u>300</u>	TR #	
						Receipt Date	<u>6/17/18</u>
						By	<u>AW</u>
						Date	<u>6/7/18</u>
						Check #	<u>73081</u>

WATER RESOURCES RECEIVED
 AUG 03 2018 Assisted by: EKF/SFFO
 SCANNED
 KS DEPT OF AGRICULTURE
 SCANNED
 6/7/18

Krueger, Richelle [KDA]

From: Lanterman, Jeff [KDA]
Sent: Thursday, August 23, 2018 4:19 PM
To: Krueger, Richelle [KDA]; Conant, Cameron [KDA]
Subject: FW: Request for Recommendation Change in PD File No. 27905 Golden Belt Feeders
Attachments: 27905addstdbywellgmd5mem.docx; standby map.pdf; 27904 basin memo.pdf

Richelle;

This standby well addition seems OK to approve. See cameron's notes on the basin designation change. We try to fix these as they come up → The ol Mystery River Conundrum.

Make sure they know it is to be metered separately.

Thanks
Jeff

From: Conant, Cameron [KDA]
Sent: Thursday, August 23, 2018 9:39 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>
Subject: FW: Request for Recommendation Change in PD File No. 27905 Golden Belt Feeders

Jeff, at this time we still have not comments from nearby owners. Even if we did get any comments this change should be of no concern to any nearby wells provided this standby well is operated as it should be with a short term, very limited use in mind. I'm going ahead with the review a couple days early, that said, if Richelle receives any compelling comments we would like to see them and reserve the right to alter our recommendation if need be!

Golden Belt is requesting a standby well in addition to their normal permitted wells at the feed yard. They had well issues last year and they were unable to get adequate water to their "north pens". They drilled a new well and filed a temporary permit which we approved and they were able to continue using the north pens. They have since fixed the normal stock well that had issues last year but they are wanting a permanent solution to water the north pens if the well goes down again so they filed a change application to add the temporary well location as a standby well.

It should be noted the standby well is likely located a little bit over ½ mile from the nearest stock well authorized by 27905 (as shown on the attached map). We don't have good GPS on either well at this time so this was not confirmed one way or the other. GMD#5 has recommended approval of this change.

This is the "Mystery River" area, please check out 27904 in Docuware and the way we used a 4/24/17 change memo, old letter, and map to re-classify 27904 to be Arkansas River, not Rattlesnake. I've attached the memo Tyler wrote at that time. This is not a huge deal but I think we should make this basin designation change right now wince we are doing a change on the file.

This p/d change to add a standby well looks good to me. I think this can be recommended for approval with the basin designation change and with the normal conditioning and language about being metered and never used unless meeting the definition of standby well. There should really just not be negative issues to any surrounding wells from this change to add a standby well. Please pass on to Richelle if you agree.

Cameron

From: Krueger, Richelle [KDA]

Sent: Monday, August 20, 2018 11:13 AM

To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>

Cc: Conant, Cameron [KDA] <Cameron.Conant@ks.gov>

Subject: Request for Recommendation Change in PD File No. 27905 Golden Belt Feeders

Hi Jeff,

Attached is a draft memo for the referenced change in pd. Barring any comments from the nearby well owner (comment period expires on August 24, 2018) do you recommend approval of the referenced change application?

Thanks,
Richelle

**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.

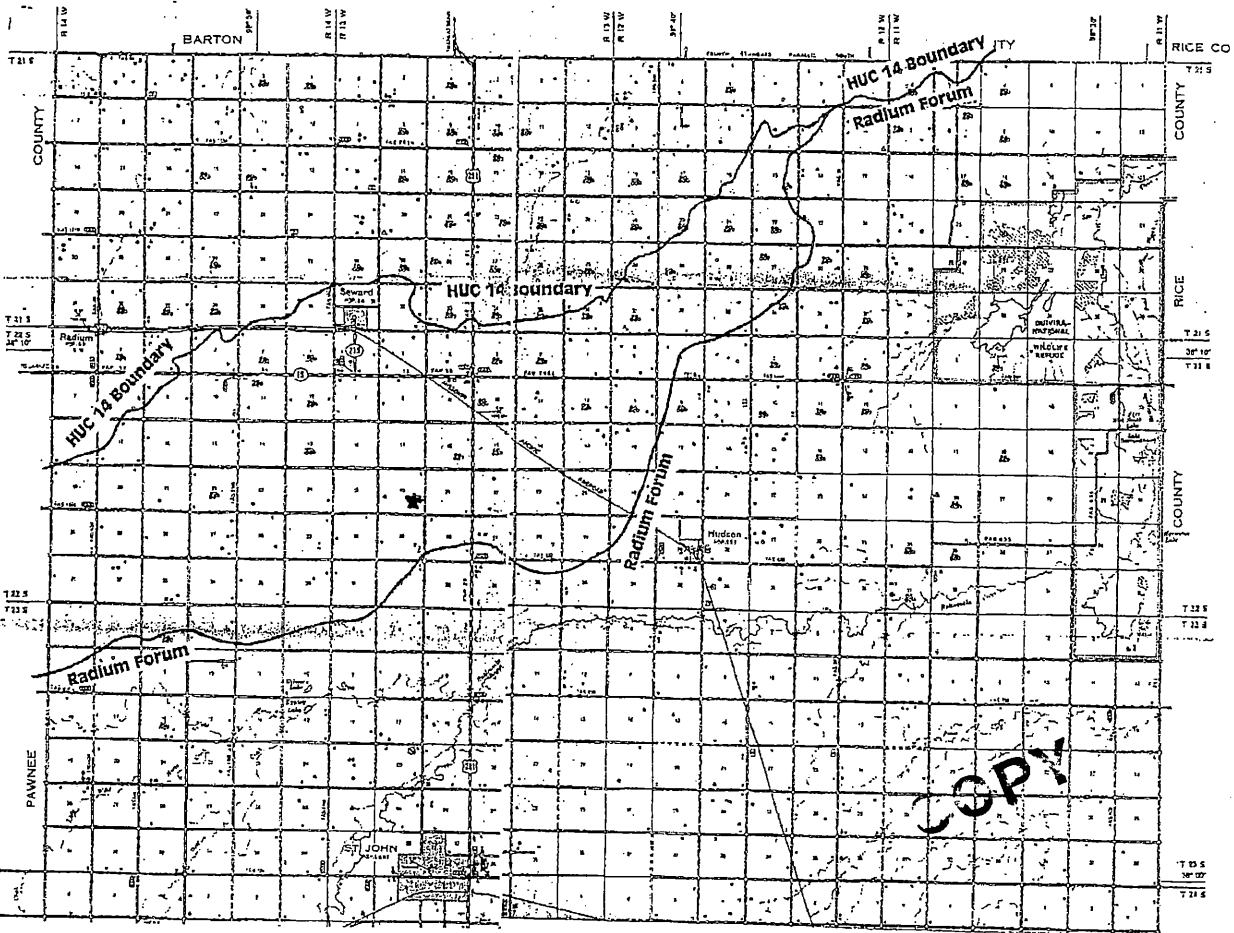
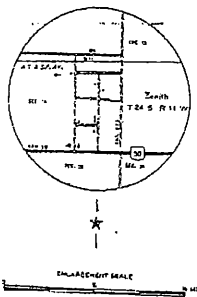
Within this correspondence, Chief Engineer Pope indicated that "the water rights within the Mystery River drainage area will be changed from the Rattlesnake Creek Basin to the Arkansas River Basin in the DWR's water rights database."

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.

TS

Tyler Saryerwinnie
Environmental Scientist



★ FILE No. 27904
20-22S-13W

COPY

SCANNED

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

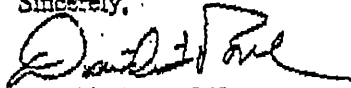
COPY

ary 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 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 E. Pope, P.E.
Chief Engineer

John M. Zarta Gier, Basin Team Project Manager
Bryant A. Gley, Acting Program Manager, Water Management Services
Falk, Water Commissioner, Stafford Field Office

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Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Kerry Froetschner - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

August 16, 2018

Richelle Krueger
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

RE: Water Right File No. 27905
Change in the Point of Diversion

Dear Ms. Krueger,

Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the point of diversion. It is the understanding of the District that this change is intended to utilize an existing well north of the side of the feed yard as a standby well for emergency use. Based upon information received in the District office, the application appears to be consistent with 5-25-20(b) and is therefore recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Orrin Feril".

Orrin Feril
Manager

WATER RESOURCES
RECEIVED
AUG 17 2018
KS DEPT OF AGRICULTURE

SCANNED

Krueger, Richelle [KDA]

From: Orrin Feril <oferil@gmd5.org>
Sent: Thursday, August 16, 2018 2:09 PM
To: Krueger, Richelle [KDA]
Subject: Application for Change, Water Right, File No. 27905
Attachments: 27905 2018-08-16 Rec.pdf

Richelle,

I'm attaching the recommendation requested by your office in a letter dated August 06, 2018. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

Orrin Feril

Manager
Big Bend GMD#5
Email: oferil@gmd5.org
Phone: (620) 234-5352
Mobile: (620) 388-0172
Fax: (620) 234-5718
www.gmd5.org

WATER RESOURCES
RECEIVED
AUG 17 2018
KS DEPT OF AGRICULTURE

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

SAND HILLS GUN CLUB INC
SCOT MOEDER
6 SW 50 RD
GREAT BEND KS 67530

August 6, 2018

FILE COPY

RE: Water Right, File No. 27,905

Dear Sir or Madam:


This is to advise you that Golden Belt Feeders, Inc., has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the authorized point of diversion under Water Right, File No. 27,905. Based upon K.S.A. 82a-1906, you are being notified of the above referenced application for change.

You are notified of this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

You can find the application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

pc: Stafford Field Office
Groundwater Management District No. 5
Golden Belt Feeders, Inc.

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

BIG BEND GROUNDWATER
MANAGEMENT DISTRICT NO 5
ATTN ORRIN FERIL
125 S MAIN
STAFFORD KANSAS 67578

August 6, 2018

FILE COPY

Re: Water Right, File No. 27,905

Dear Mr. Feril:

We are enclosing a copy of the application to change the point of diversion for the above referenced file number.

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning this application.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

Enclosures

pc: Stafford Field Office

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

GOLDEN BELT FEEDERS INC
STAN KAISER
1149 NW 10TH AVE
SAINT JOHN KS 67576

July 23, 2018

THE COPY

RE: Water Right, File No. 27,905

Dear Mr. Kaiser:

Reference is made to the application for approval of the Chief Engineer to change the point of diversion under Water Right, File No. 27,905 received in the office of the Chief Engineer on June 7, 2018. Please find enclosed a copy of the application. Upon review of the application, we find that additional information is needed.

K.A.R. 5-5-5 *Signatures required on change applications* requires in part that all landowners and spouses holding an undetermined portion of the water right must sign the change application. Based on information in this office it appears we need the original notarized signature of the authorized representative of M & N Farm Enterprises, Inc. Enclosed is a copy of the application along with an additional blank signature form. If this ownership information is not correct, please submit a copy of the recorded deed to clearly indicate all owners so that our records may be updated. If you are authorized to sign for M & N Farm Enterprises, Inc. we need a copy of your power of attorney specifically granting you the authority to sign for them on matters involving water rights.

Also, please sign and date the map for File No. 27,905.

Please return the original notarized signature of the authorized representative of M & N Farm Enterprises, Inc. along with the signed map by August 23, 2018 so that we may continue with processing the referenced application.

Our staff at the Stafford Field office can provide assistance, if needed. Please call (620) 234-5311 to set an appointment time. We appreciate you making an appointment, as it will save your time and allows us to better serve you. If you do go to the field office for assistance, please take this letter, application and any attachments.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor Brent Turney at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK

Enclosures

pc: Stafford Field Office
Groundwater Management District No. 5
M & N Farm Enterprises, Inc.

SCANNED

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777

900 SW JACKSON, ROOM 456
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PHONE: (785) 296-3556
www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

STAN KAISER
1149 NW 10TH AVE
ST JOHN, KS 67576

June 8, 2018

RE: File No 27905-

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STAFFORD Field Office GMD5