

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

1. File Number: 6632	2. Status Change Date:	3. Change Num: 2	4. Field Office: 02	5. GMD:
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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: 4/5/18
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	Person ID 64692 Add Seq# 1
TRAVIS C & KATIE L RUFF 26178 NE 230 RD HANSTON KS 67849			

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID 61561 Add Seq# 1	8d. WUC New to system <input type="checkbox"/>	Person ID 61561 Add Seq# 1
RRE TRUST ROGER R EWY 404 E ADAMS HANSTON KS 67849			

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: **4/18/18**
 Date to Comply: _____

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

Date Prepared: **4/6/18** By: **TJS**

Date Entered: _____ By: _____

File No. **6632** 11. County: **HG** Basin: **Pawnee River** Stream: --- Formation Code: **113** Special Use: **113**

12. Points of Diversion											Rate and Quantity						
CHK	MOD	DEL	ENT	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
DEL				26862					4								None
ENT					NC NE	18	21S	21W		3995	1411		725 GPM	198 AF	725 GPM	198 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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		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				15811				1																				8b.	NO	HG2
ENT				27439	17	21S	21W	1							4												4	8c.	YES	HG2

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
9/22/18
 APR 05 2018

File No. 6632

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: Brad Ruff

25588 SE 230 Rd, Hanston KS 67849

Phone Number: (620)623-0086

Email address: rufffarms77@outlook.com

Name and address of Water Use Correspondent: RRE Trust

Roger R Ewy, 404 E Adams, Hanston KS 67849

Phone Number: ()

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: A.) RRE Trust

// B.) Travis & Katie L Ruff

ADDRESS: A.) Roger R Ewy, 404 E Adams, Hanston KS 67849 // B.) 26178 NE 230 Rd, Hanston KS 67849

(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	
<u>A.) 18</u>	<u>21S</u>	<u>21W</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>												<u>160</u>	
<u>B.) 17</u>	<u>21S</u>	<u>21W</u>					<u>4</u>											<u>4</u>	
Total: 164																			

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 \$ 200- TR # _____ Receipt Date _____ Check # 13427

* TJS-SFFO

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

One in the NW Quarter of the NW Quarter of the NE Quarter of Section 18, Township 21 South, Range 21 W, in Hodgeman County, Kansas, 4733 feet North 2677 feet West of Southeast corner of section. Authorized Rate 725 GPM Authorized Quantity 198 AF Depth of well 120 (feet)
(DWR use only: Computer ID No. 4 GPS 4736 feet North 2671 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 SE* Quarter of the NW* Quarter of the NE* Quarter of Section 18, Township 21 South, Range 21 W, in Hodgeman County, Kansas, 40013995* feet North 1525 1411* feet West of Southeast corner of section. Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) ~115.
 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) Production in the old well authorized by File No. HG3 is failing. This app proposes a new point of diversion near the pivot point. Another p/d application is being filed under File No. HG 3 to cover the well previously authorized by this file (6632).

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

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

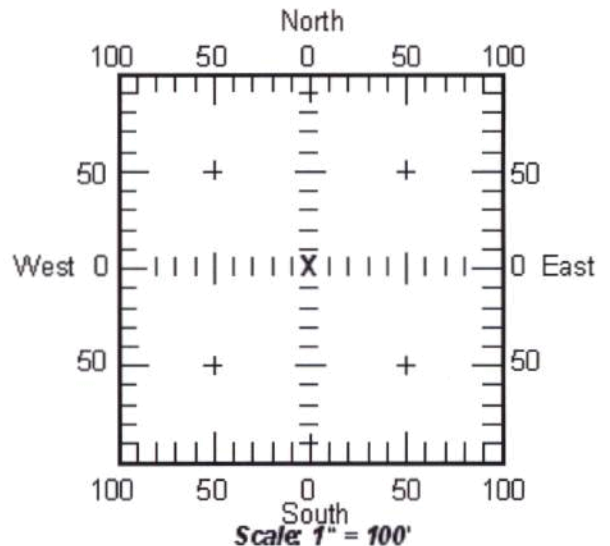
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Old well will be authorized by File No. HG 3

(b) When will this be done? Upon approval

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by TJS - SFFO
*Per conversation w/applicant on 4/4/18 TJS-SFFO

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.)



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.

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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 Hanston, Kansas, this 4th day of April, 2018.

<u>RRE Trust by Roger R Ewy</u> (Owner)	_____	(Spouse)
<u>RRE Trust by Roger R Ewy</u> (Please Print)	_____	(Please Print)
<u>T C Ruff</u> (Owner)	<u>Kate L. Ruff</u>	(Spouse)
<u>Travis C. Ruff</u> (Please Print)	<u>Kate Ruff</u>	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Hodgeman } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4 day of April, 2018.

My Commission Expires 12/2/2019

Mindy Cure
Notary Public

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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APR 05 2018

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. 6632.

1. A change application was received on 4/5/2018 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 300 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 1662 1762* 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

*TJS - SFFO

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer

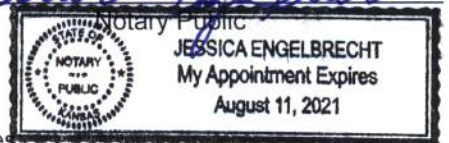
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 4/18/18

State of Kansas)
County of Hofford) SS

Acknowledged before me on 4/18/2018
by Cameron Conant

Signature: Jessica Engelbrecht
Notary Public



My commission expires: _____ (Notary Seal)

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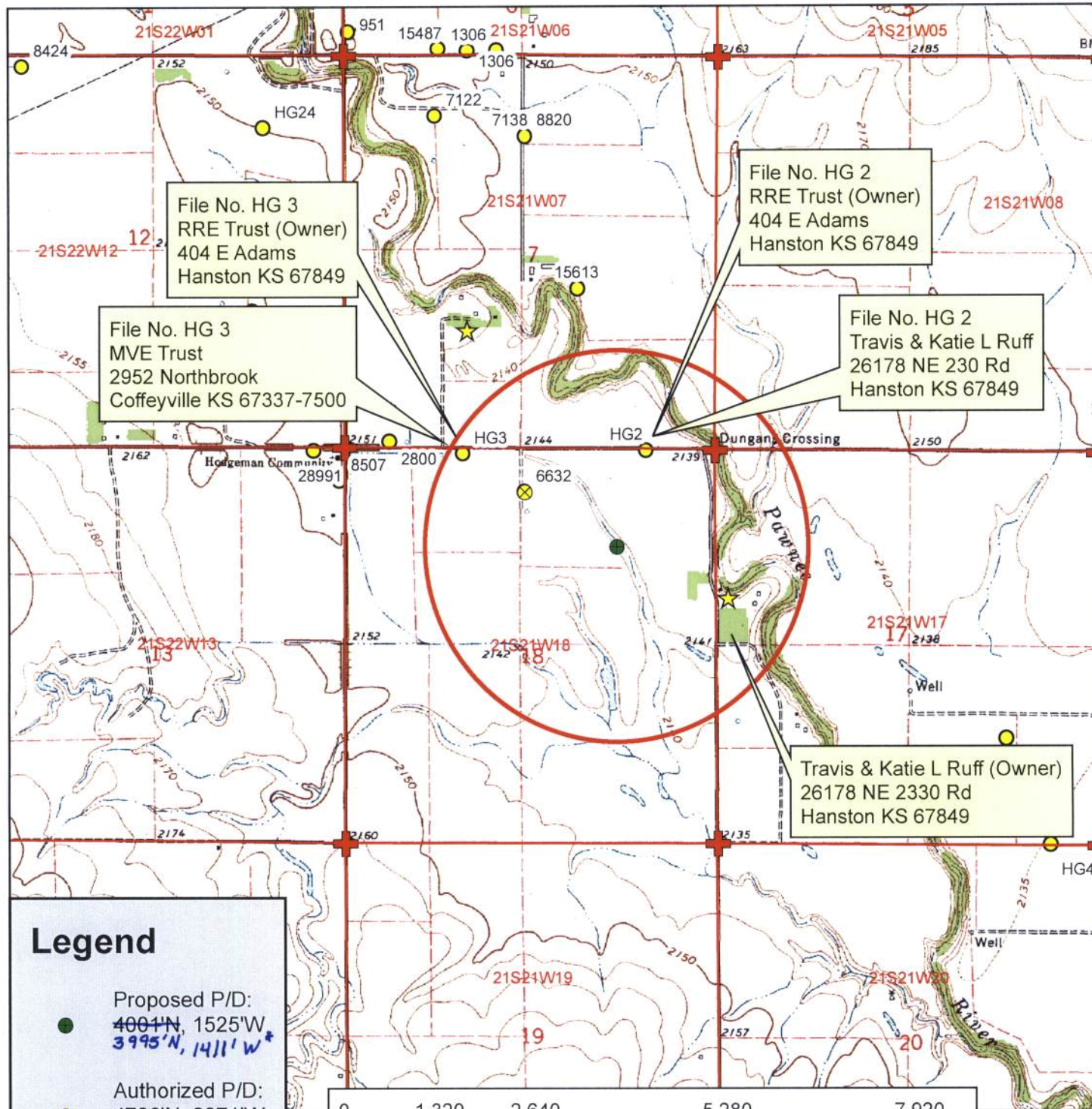
ADDITIONAL CONDITION TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in point of diversion.

10. a. That the completed well authorized by the application for change in point of diversion shall be located as authorized and will maintain the required spacing to any and all surrounding permitted or domestic wells.

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APR 05 2018



File No. HG 3
RRE Trust (Owner)
404 E Adams
Hanston KS 67849

File No. HG 3
MVE Trust
2952 Northbrook
Coffeyville KS 67337-7500

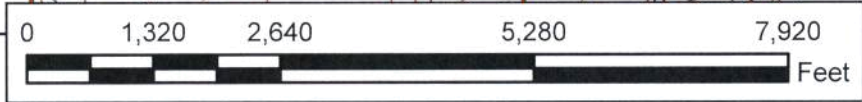
File No. HG 2
RRE Trust (Owner)
404 E Adams
Hanston KS 67849

File No. HG 2
Travis & Katie L Ruff
26178 NE 230 Rd
Hanston KS 67849

Travis & Katie L Ruff (Owner)
26178 NE 2330 Rd
Hanston KS 67849

Legend

- Proposed P/D:
4004'N, 1525'W
3995'N, 1411'W*
- ⊗ Authorized P/D:
4736'N, 2671'W
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ★ Domestic Well
- ▭ 1/2 Mile Buffer



Water Right, File No. 6,632
Change in Point of Diversion, Application Map
18-21S-21W // Hodgeman County



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

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APR 05 2018

Stafford Field Office

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521



PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

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

April 18, 2018

Brad Ruff
25588 SE 230 Rd
Hanston KS 67849

Re: Water Right, File No(s). 6632

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,

Jeff Lanterman
Water Commissioner

Enclosures
pc: Water Rights Section

CERTIFICATE OF SERVICE

On this **18th** day of **April, 2018**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **6632**, dated **April 18, 2018** was mailed via Certified U.S. mail to the following:

Brad Ruff
25588 SE 230Rd
Hanston KS 67849



Staff

Property Details for PID: 0420141700000002010

QuickRef ID : R302508

Owner Name : RUFF, TRAVIS & KATIE L

Location: 00000 CO RD, Hanston, KS 67849

Abbreviated Boundary Description: S17, T21, R21, ACRES 153.3 NW/4 LESSBEG 25'E SW COR, TH E441.7',N466.7',W441.7', S466', TO POB & LESS R/W

Owner Information:

Owner RUFF, TRAVIS & KATIE L

Mailing Address 26178 NE 230 RD HANSTON, KS 67849

Property Information:

Type Agricultural Use

Status Active

Taxing Unit MARENA-005

Neighborhood Code 555

Market Land Details:

Actual Width: 0

Eff. Width 0

Eff. Depth 0

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STAFFORD FIELD OFFICE
300 S. MAIN STREET
STAFFORD, KS 67578-1521



PHONE: (620) 234-5311
FAX: (620) 234-6900
www.agriculture.ks.gov

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

April 12, 2018

MVE Trust
Mike V Ewy
2952 Northbrook
Coffeyville, KS 67337-7500

RE: Water Right, File No(s). 6632

Dear Mr. Ewy,

This is to advise you that Brad Ruff, on behalf of the RRE Trust and Travis & Katie Ruff, has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

A handwritten signature in black ink that reads "Cameron R. Conant".

Cameron R. Conant
Assistant Water Commissioner
cameron.conant@ks.gov

pc:

Saryerwinnie, Tyler [KDA]

From: Conant, Cameron [KDA]
Sent: Monday, April 16, 2018 2:11 PM
To: Saryerwinnie, Tyler [KDA]
Subject: FW: Ruff P/D changes

Follow Up Flag: Follow up
Flag Status: Flagged

Travis Ruff is a part owner of Ruff Feeders LLC and was also speaking on behalf of that entity. As such, all 3 parties notified by letter have responded and indicated they have no issues with the changes moving forward.

Cameron

From: Conant, Cameron [KDA]
Sent: Monday, April 16, 2018 11:40 AM
To: Saryerwinnie, Tyler [KDA] <Tyler.Saryerwinnie@ks.gov>
Subject: Ruff P/D changes

Tyler, I have received a phone call from Travis Ruff and Mike Ewy. They have both received the letters I sent last week notifying them of the proposed changes under the respective files. Both said they are aware of and are ok with the proposed changes. Both requested we continue processing the applications providing the other nearby wells are good with it.

Cameron R. Conant
Assistant Water Commissioner
Kansas Department of Agriculture-DWR
Stafford Field Office
(620) 234-5311