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.

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Phone Number: (620) 225-3960 Email address: travis@wfyllc.com  3. The presently authorized place of use is:																			
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feet but within 2,640 feet of 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

3b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion:)

14. If the proposed groundwater point of diversion is 300 or f	ewer feet from the	ne existing point of diversion, co	omplete the following:
(a) Does the undersigned represent all owners of the cuarries and the cuarries are the cuarries and the cuarries are the cuar	urrently authorize	ed place(s) of use identified in the	nis application?
(b) Will the ownership interest of any owner of the cur	rently authorized	I place(s) of use identified in th	nis application be adversely
affected if this application is approved as requested:  Yes No (If yes, all owners must s	sign this applicati	on.)	hoalth or safety?
(c) If this application is not approved expeditiously, will  Yes No (If no, all owners must si	gn uns application	)	
If the application proposes a surface water change in point o or a change in place of use, the application must be signed be agent (attach notarized statement authorizing representation	by all owners or t	oundwater change in point of di the currently authorized place c	version greater than 300 leet, if use, or their duly authorized
I hereby verify, being first duly sworn upon my oad age and the owner, the spouse of the owner, or a contained in this application are true, correct and contained in the	ich this applic complete.	cation pertains. I further v	erify that the statements
Dated at,	Kansas, this	day of	, 20
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(Owner)		(GP3.	,
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State of Kansas } SS	A KE	BLIC - State of Kansas ELLY DOWNEY	
County of Ford  I hereby certify that the foregoing application was	signed in m	Exp. U/25/2028  y presence and sworn to be	pefore me this 3/sF day
of <u>October</u> , 20 24	olg.iou iii ii		
		Kelly Driving	Public
My Commission Expires <u>4/25/20 28</u>			
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To accurate information; maps, if necessary, must be included; signathe appropriate fee must be paid.	be complete, all of tures of all the app	f the applicable portions of the appl propriate owners' must be affixed to	ication form must be completed wit the application and notarized; and
	FEE SCHEDUL	<u>.E</u>	N. Carlos act
Each application to change the place of use or the point of forth in the schedule below: Make checks payable to: Ka  (1) Application to change a point of diversion 300  (2) Application to change a point of diversion more  (3) Application to change the place of use	feet or less		\$100 \$200
		NOV 0 4 2024	
DWR 1-121 (Revised 09/11/2019)	Page 3	Stafford Field Office Division of Water Resource	File No. <u>20159-D2</u>
		DIVISION OF THE	

## 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. 20,159-D2 November 4, 2024 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. 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 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 radius of the authorized point(s) of diversion. 

Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable feet from the previously The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.  $\square$  Applicable  $\boxtimes$  Not Applicable 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2025, 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 Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_ 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 The completed well log shall be submitted with the required notice. ☐ Applicable 10. 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 \(\sigma\) Not Applicable ☐ Yes ⋈ No 12. 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. 11. Additional Conditions are attached. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer 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. - Kansas Department of Agriculture (Print Name): Division of Water Resources File any request with Kansas Department of Agriculture, Date of Issuance: 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. State of Kansas SS For Use by Register of Deeds County of Acknowledged before me on RECEIVED NOV 0 4 2024 Signature: Notary Public Stafford Field Office
Division of Water Resources My commission expires: (Notary Seal) ATE O **FAITH CURTIS** No. <u>20159-D2</u> WATON My Appointment Expires File

OLIBLIA

April 29, 2927



Stafford Field Office 300 S. Main Street Stafford, KS 67578-1521 Phone: 620-234-5311 Fax: 620-234-6900 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

December 20, 2024

Bowman Enterprises LLC Attn: Wilroads Feed Yard 11449 Lariat Way Dodge City, KS 67801-6694

Re: Water Right, File No(s). 19521-D1, 19521-D2, 20159-D1, 20159-D2

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the 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 <a href="Certified Water Flowmeters">Certified Water Flowmeters</a> as well as <a href="http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters">http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters</a>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced in formation.

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

Groundwater Management District No. 3

## CERTIFICATE OF SERVICE

On this **20th** day of **December**, **2024**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **19521-D1**, **19521-D2**, **20159-D1**, **20159-D2**, dated **December 20**, **2024** was mailed via First Class U.S. mail to the following:

Bowman enterprises LLC Attn: Wilroads Feed Yard 11449 Lariat Way Dodge City, KS 67801-6694

A copy of the letter was sent via electronic mail to the following:

GMD 3

Forth Curtie
Staff