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



STATE OF KANSAS

WATER METER REQUIRED

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.

than	graph N 100 feet version a	, or if pl	ace of	use w	st be d	omple hange	e ted. d, inclu	Comp ıde a te	lete a l opogra	II othe aphic m	r appl nap or	icable detaile	portic ed plat	ons. I showii	f changing the	ge in p author	ized a	EPro	sion is greater posed point(s)
		7				F	File No	. <u>39,2</u> 0	06									2 5 2	
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both): Stafford Field Office Division of Water Resources Point of Diversion									Office Resources									
	under the		-		s the s		of this Ground		ation i			e with ce wat		ndition	s desc	ribed l	oelow.		
Name and address of Applicant: <u>Luke McClure</u> 22548 SW Adams Rd, Douglass, KS 67039-8661																			
Phone Number: (316) 258-5571 Email address: mcclurebros@hotmail.com																			
Name and address of Water Use Correspondent: <u>John D McClure Living Trust</u> 2548 SW Adams Rd, Douglass, KS 67039-8661																			
						0703	9-000		Fmail	addre	ss. ma	clureh	oros@ł	notmai	l com				
Phone Number: (316) 258-5571 Email address: mcclurebros@hotmail.com 3. The presently authorized place of use is:																			
Owner of Land NAME: McClure Brothers Farms LLC ADDRESS: 10947 SW 230 th St, Douglass, KS 67039																			
	(If there is	more th	nan one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
			NE1/4				NW¼				SW¼			SE1/4			TOTAL		
Sec	. Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
31	29	4E	24.0	40.0	40.0	40.0	33.0	2.0	13.0	40.0	34.0	4.0		4.0	30.0	40.0	11.0	2.0	357.0
												-							
	f this ap Owner o	f Land -	NA	AME:	* McC	lure Br	others	Farms	s LLC			\\ ** Jo	ohn D	& Virgi	nia D l	<u>McClu</u>		· · · · · · · · · · · · · · · · · · ·	
	If there is										- 1	11 2	548 SV	V Adai	ms Ra	, Doug	ilass, r	(5 670	39-8661
	ii tilere is	inore u	lan one			tacii su	ppieme			ileces:	Sary.)				1				
Sec	. Twp.	Range	NE½ NE½ SW½ SE½				NW¼ NE¼ NW¼ SW¼ SE¼				SW¼ NE¼ NW¼ SW¼ SE¼			SE¼ NE¼ NW¼ SW¼ SE¼				TOTAL ACRES	
*31		4E	24.0		40.0	40.0	33.0	2.0	13.0	40.0	34.0	4.0	30074	4.0	30.0	40.0	11.0	2.0	357.0
*31		4E	24.0	40.0	40.0	40.0	00.0	2.0	10.0	40.0	04.0	7.0		4.0	00.0	15.0	15.0	2.0	30.0
**6		4E	Lot 4 25.5		32.0	32.0	2.0			2.0						10.0	10.0		119.0
For Office Use Only Code (Old Foo & 2 (V) TD# Bookint Date Check# () (07 (1076												

5.	Presently authorized point of diversion:				
	One in the SE Quarter of the	NE	Quarter of the _	SE	_ Quarter
	of Section, Township				
	in Butler County, Kansas, 1680 fe				section.
	Authorized Rate Authorized Quantity				
	(DWR use only: Computer ID No. 1 GPS _				
	☐This point will not be changed ☐This point will be changed as				
	Proposed point of diversion: (Complete only if change is				
	One in theQuarter of the				
	of Section, Township		South, Range _		(E/W),
	infe				
	Proposed Rate Proposed Quantity				·
l	This point is: Additional Well Geo Center List other	r water rig l	hts that will use this poi	nt	<u> </u>
6.	Presently authorized point of diversion:				
	One in theQuarter of the		Quarter of the _		_ Quarter
,	of Section, Township		South, Range _		 (E/W),
	in County, Kansas, fe	et North _	feet West o	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				
	Proposed point of diversion: (Complete only if change is				
	One in the Quarter of the				
	of Section, Township				
	infe	et North _	feet West o	of Southeast corner of	section.
	Proposed Rate Proposed Quantity				·
l	This point is: Additional Well Geo Center List other	r water rigi	hts that will use this poi	nt	<u> </u>
7.	The changes herein are desired for the following reasons?				
۲٠	(please be specific) Applicant desires to create a complete		No	rth	
	place of use overlap between File Nos. 31,206 and	300) 200 100 (1 100 200	300
	41,617	Е			Ē
8.	If a well, is the test hole log attached? Yes No		- + + -		1
0.	The Wolf, to the test hole log attached.	200	-1/+1+1-	+ + -	200
9.	The change(s) (was)(will be) completed by?		-/	\	<u>.</u>
	as soon as approved	100	$I_{1} + 1 + 1 = I_{2}$		100
					1
10.	If the point of diversion is a well:	I			=
	(a) What are you going to do with the old well?	West 0	#1 111 1111 1111 1111 111 1	@ 1	11 0 East
	N/A	£ .		<u> </u>	1
	<u>N/A</u>	100	1 + 1 + 1	- + +	100
	(b) When will this be done? N/A	E	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		3
					=
11.	Groundwater Management District recommendation attached?	200	-141+1-		200
	☐ Yes No			-/-	킄
12	Assisted by JNE // SFFO	[교
		300) 100 200 uth Scale: 1 hashmark=10	300 oft
13a	a. If the proposed point of diversion will be relocated <u>more than 300</u> feet but within 2,640 feet of the existing point of diversion, attach) 13b lf the	nronosed noint of dive	rsion will be relocated t	within a 300

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

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 fewer feet fr	om the 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 author affected if this application is approved as requested? Yes No (If yes, all owners must sign this app							
(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, or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, s of the currently authorized place of use, or their duly authorized						
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this apcontained in this application are true, correct and complete. Determine the state of the s	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements						
Dated at, Kansas, this	2321 day of September, 2024.						
1 1. 2. 11							
CRAIG J. MECLURE	(Spouse)						
(Please Print)	(Please Print)						
10 mg/0	(
(Owner)	(Spouse)						
(Owner)	(opodos)						
(Please Print)	(Please Print)						
(Please Pfint)	(Flease Frint)						
(Owner)	(Spouse)						
(Please Print)	(Please Print)						
State of Kansas)							
County of SS							
I hereby certify that the foregoing application was signed in of							
LARRY L. I	HOOVER Jany L. Hoove						
	Ate of Kansas Notary Public						
My Commission Expires	1-402						
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	ll of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and						
FEE SCHED	ULE						
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departn (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ler this section shall be accompanied by the application fee set nent of Agriculture \$100 et\$200						
	SEP 2 5 2024						

Stafford Field Office Division of Water Resources

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. 39,206 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 ______ foot 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 The point(s) of diversion authorized herein shall not actually be located more than ______ feet from the previously authorized point(s) of diversion.

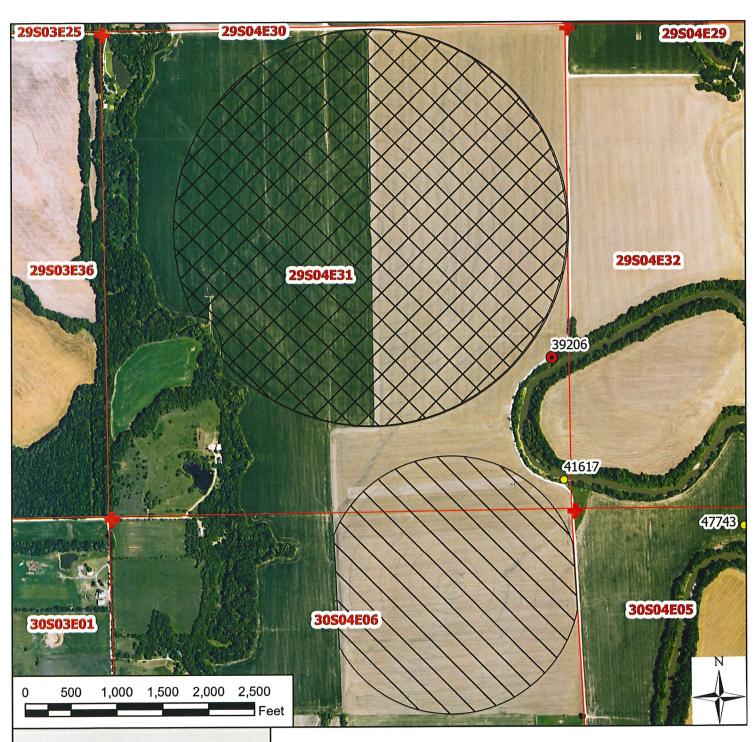
Applicable Not Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.

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, 2024, 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. ☐ Not Applicable Applicáble 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 ☐ Applicable Not Applicable The completed well log shall be submitted with the required notice. 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 🖾 Not Applicable 11. Additional Conditions are attached. ☐ 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND 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 **SUMMARY ORDER ISSUED** 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 Duly Authorized Designee of the Chief Engineer (Print Name): 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 Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 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 Signature: _____ SEP 2 5 2024 Notary Public My commission expires: _____ Stafford Field Office

(Notary Seal)

Division of Water Resources



Legend

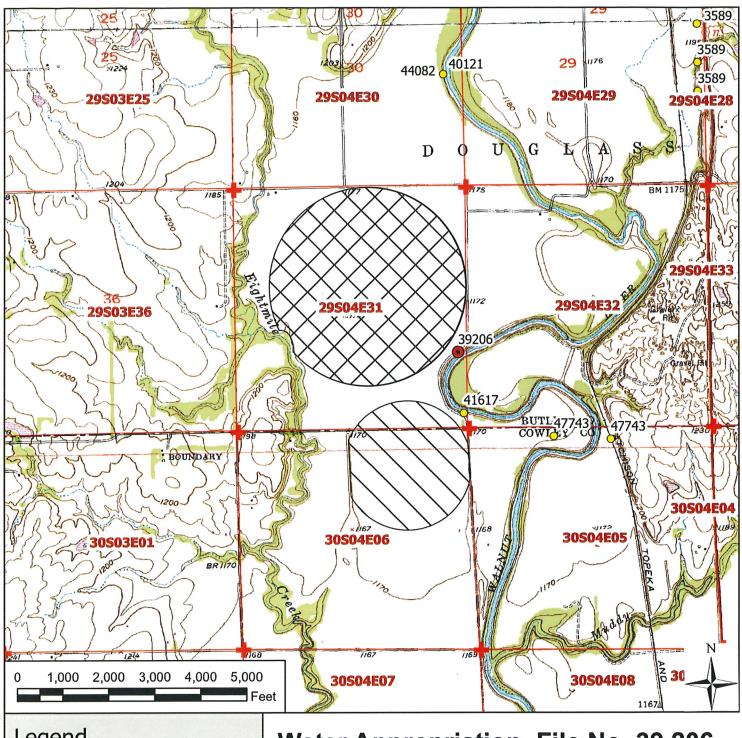
- Water Appropriations
- Authorized Point of Diversion
- Section Corner
- Section Line
- Proposed Place Of Use
- Authorized Place of Use

Water Appropriation, File No. 39,206

Change in Place of Use Map 31-29-4E // Butler County

RECEIVED

SEP 2 5 20024



Legend

- Water Appropriations
- **Authorized Point of Diversion**
- **Section Corner**
- Section Line
- Proposed Place Of Use
- Authorized Place of Use

Water Appropriation, File No. 39,206

Change in Place of Use Map 31-29-4E // Butler County

To the best of my knowledge, all landowners within one half mile up stream and downstream of the property encompassing the proposed place of use have been shown.

SEP 2 5 2024