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

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. WATER RESOURCES File No. 49766 Application is hereby made for approval of the Chief Engineer to change the (check one or both): KS Dept. of Agriculture ☐ Point of Diversion under the water right which is the subject of this application in accordance with the conditions described below. ☐ Surface water The source of supply is: Name and address of Applicant: Michael P. McGinn 1123 W. 4th Street, Sedgwick, KS 67135 Email address: mike@mcginnfarms.com Phone Number: (316) 727-7171 Name and address of Water Use Correspondent: McGinn Land Co., LLC 1123 W. 4th Street, Sedgwick, KS 67135 Email address: mike@mcginnfarms.com Phone Number: (316) 727-7171 The presently authorized place of use is: KAylene B.) Klaassen Family Farms, LLC Attn: Jeeh Groh Owner of Land ---- NAME: A.) McGinn Land Co., LLC B.) 2509 W. Chickadee Trail, Rockford, IL, 61107 ADDRESS: A.) 1123 W. 4th Street, Sedgwick, KS 67135 (If there is more than one landowner, attach supplemental sheets as necessary.) SW1/4 SE1/4 TOTAL NW1/4 NF1/ **ACRES** NE' NW' SW' SE' SW¼ SE¼ NW14 SW14 SE1/4 NE1/4 NW1/4 NE1/4 SE1/4 NW1/4 SW1/4 NE1/4 Twp. Range Sec. 16 9 7 245 1W A.) 9 97 18 29 19 31 245 1W B.) 9 Total = 113 4. If this application is for a change in place of use, it is proposed that the place of use be changed to: B.) Klaassen Family Farms, LLC Attn: John Groh Owner of Land ---- NAME: A.) McGinn Land Co., LLC ADDRESS: A.) 1123 W. 4th Street, Sedgwick, KS 67135 B.) 2509 W. Chickadee Trail, Rockford, IL, 671107 (If there is more than one landowner, attach supplemental sheets as necessary.) TOTAL SW1/4 NE1/4 NW1/4 ACRES NW14 SW14 SE1/4 NE1/4 NW¼ SW1/4 SW1/4 SE1/4 NE1/4 SW1/4 SE1/4 NE1/4 NW1/4 NW1/4 Range Sec. Twp. 7 17 10 1W A.) 9 **24S** 105 29 18 35 248 1W B.) 9 Total = 122

TR#

For Office Use Only: Code Cfu Fee \$ 200

Receipt Date 44644 Check # 1446

Presently author						_
				Quarter of the		
				South, Range		
				4400 feet West of		
				Depth of well		
(DWR use only:	Computer ID N	lo Gi	PS	feet North	feet We	est)
				☐ No change, point bette		
				ted or if existing point		
				Quarter of the _		
of Section		, Township		South, Range _		(E/W
in	Cour	nty, Kansas,	feet North	feet West of	of Southeast corne	er of section
Proposed Rate _		_ Proposed Quantity		Proposed well dep	th (feet)	
This point is:	Additional Well	☐ Geo Center List	other water ri	that will use this poi	nt	
Presently autho	rized point of d	iversion:				
				Quarter of the		Quart
of Section		Quarter of the		South, Range		(F/M
in Section	Cour	, Township	foot North	feet West of	of Southeast corne	er of section
Authorized Rate	0	_ Authorized Quantity	DC	Depth of well	foot M	ost\
(DWR use only:	Computer ID	10 G	PS	feet North	- described with CD	est)
				☐ No change, point better		
				ted or if existing point		
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of Section		, Township		South, Range _		(E/V
in	Cou	nty, Kansas,	feet North	feet West of	of Southeast corne	er of sectior
Proposed Rate _		Proposed Quantity		Proposed well dep	th (feet)	
This point is:	Additional Well	☐ Geo Center List	other water ri	ghts that will use this po	int	
(please be speci- acreage during pe If a well, is the tes	fic) Modifying the erfection period. st hole log attache	for the following reason by place of use to increased? Yes No	ease	00 200 100 (- Pro- Pro- Pro- Pro- Pro- Pro- Pro- Pro
The change(s) (w	as)(will be) comp	leted by?	200	-1+1+1		1 = 200
ASAP			_	<u> </u>		=
16.0			100		- 1 + 1 +	1 = 100
If the point of dive	ersion is a well:		100			1 = 100
(a) What are you	u going to do with	the old well?				
NA			West 0	[K 000 000 000 0	111 1 H 0 Eas
			_			3
(b) When will thi	s be done? NA		_	Ė		, =
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	Yes U No		200		_	200
A I to A love D. D.	onton OMDO		200	E ' ' ' ' '	= ' ' ' ']
Assisted by B. Ba	arton, GIVID2		-	F . T . T .		, 🖥
ia. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater			attach Iwater		0 100 200 outh Scale: 1 hashr	300
of the proposed addresses of the pames and addresses	I wells (including of point of diversion owners. For surdresses of the	domestic) within one-han and the names and makes and makes and makes sources, should be also and makes and	ow the diverse of the control of the	ne proposed point of diver the existing point of diver gram shown above in ersion. (PLEASE NOTE ove represents the version.)	ersion, indicate its relation to the endinger in the endinger in the endinger in the endinger in the end of th	location or existing poir nter of diac
				RECEIVED	UES	

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 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 affirms age and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriation are true, correct and complete.	zed agent of the owner(s) to make this application plication pertains. I further verify that the statemen	on					
Dated at, Kansas, this _	11 day of Sept , 2020	<u>_</u> .					
manne							
(Owner)	(Spouse)						
Michael P. McGinn for McGinn Land Co., LLC (Please Print)	(Please Print)						
(Owner) 8/5/2H Loch Groh for Klaassen Family Farms, LLC	(Spouse)						
(Please Print) Official Seal Kristen Paul	(Please Print)	_					
Notary Public State of Illinois (Owner My Commission Expires 9/21/2025)	(Spouse)	_					
(Please Print)	LYNELL L MISKIMINS						
State of Kansas)	NOTARY PUBLIC						
County of Harry	STATE OF KANSAS My Appt. Exp 4/9-28						
I hereby certify that the foregoing application was signed in my presence and sworn to before me this of september 1, 2024 by Michael P. Manne							
My Commission Expires 49-28	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 SCHED!	<u>JLE</u>						
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							
/c/bb	WATER RESOURCES RECEIVED						
DMR 1-121 (Revised 04/5/2018) Page 3	SEP 1 6 2024 File No. 49766						

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

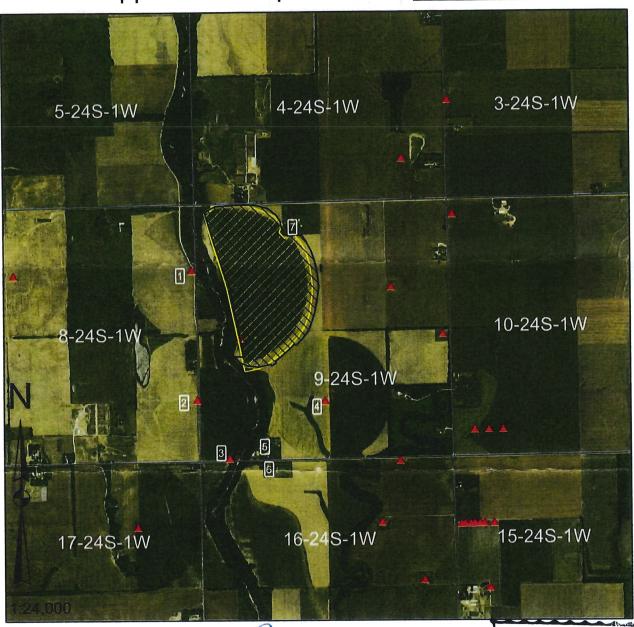
oro Wit	visions of the Kansas Water Appropriation Law KSA 82a-	8b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, n, this Summary Order does not change the terms, conditions and					
1.	A change application was received on <u>Opperhor 10</u> diversion authorized under the above-referenced file number	requesting that the place of use and / or point of per 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 foot radius of the authorized point(s) of diversion. Applicable						
4.	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						
5.	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						
6.	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 Vot Applicable						
7.	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. Y Applicable Not Applicable						
8.	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 ✓ Not Applicable						
9.	The completed well log shall be submitted with the requ	ired notice. ☐ Applicable ☑ Not Applicable					
10.	with an in-line automatic quick-closing check valve cana	foreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The in accordance with K.A.R. 5-3-5c. Applicable \(\square\) Not Applicable					
11.	Additional Conditions are attached. Yes No						
12.	water appropriated under the above-referenced file numl limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of use of oper are responsible for compliance with its terms, conditions and nmary Order, and with applicable provisions of the <i>Kansas Water</i> ulgated thereunder. Failure to comply with these provisions may nended, and/or the suspension or revocation and dismissal of the ons authorized by law.					
	Administrative Appeal and Effective Date of Order	APPLICATION APPROVED AND					
If y	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, umay request an evidentiary hearing before the Chief	SUMMARY ORDER ISSUED					
Én	gineer or request administrative review by the Secretary of	By: Duly Authorized Designee of the Chief Engineer					
file	riculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for						
adı	ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative	(Print Name): Division of Water Resources - Kansas Department of Agriculture					
rev	riew must state a basis for review pursuant to K.S.A. 77-527.	Date of Issuance:					
Le	gal Division, 1320 Research Park Drive, Manhattan, KS 502. Failure to timely request a hearing or review may	State of Kansas)) SS					
pre	For Use by Register of Deeds	County of					
	y or edd by register or bedde	Acknowledged before me on					
		by					
		Cianatura					
		Signature:Notary Public					
		My commission expires:					
		WATER RESOURCES (Notary Seal)					
		RECEIVED					

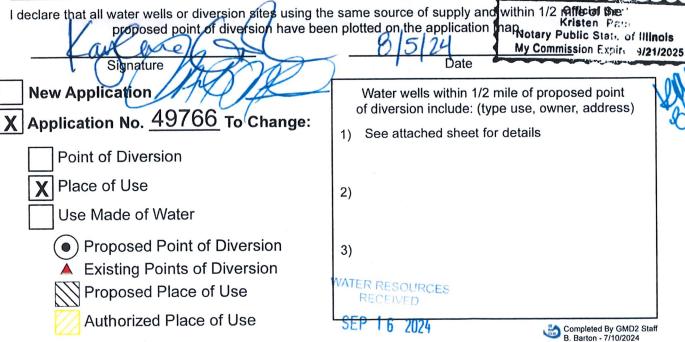
FOR OFFICE USE ONLY

SEP 16 2024

File No. <u>49766</u>

Application Map - File No. 49766





KS Dent of A --

Well owners within 1/2 mile

- Irrigation Well Water Right No. 43672
 Weber Land, LLC
 247 Main St.
 Halstead, KS 67056
- 2) Irrigation Well Water Right No. 42889 Weber Land, LLC 247 Main St. Halstead, KS 67056
- Irrigation Well Water Right No. 47982 Applicant's McGinn Land Co., LLC 1123 W. 4th St. Sedgwick, KS 67135
- Irrigation Well Water Right No. 49131 Applicant's McGinn Land Co., LLC 1123 W. 4th St. Sedgwick, KS 67135
- Domestic Well Andrew B. & Christina T. Mayfield 6830 SW 60th St. Sedgwick, KS 67135-9024
- Domestic Well Joshua W. & Tarah A. Crosby 6827 SW 60th St. Sedgwick, KS 67135-9025
- Domestic Well Quintin S. Taylor c/o of Shawn Taylor 1505 W. 7th St. Newton, KS 67114-1605

WATER RESOURCES
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SEP 16 2024

KS Dept. of Agricult.

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

September 27, 2024

MICHAEL P MCGINN 1123 W 4TH ST SEDGWICK KS 67135

RE: File No(s). 49766

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at <u>agriculture.ks.gov/divisions-programs/dwr</u>. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen Baum

New Applications and Changes Supervisor

Water Appropriation Program

Krister a Baum