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 dive	ersion a	nd/or pl	ace of	use.			,		1 3				•		Ü			DE	CEIVED	
						F	File No	. <u>34,20</u>)7									(9:34am N 0 2 2025	
1. A	pplication	on is he	reby n	nade fo	or appr	oval o	of the C	hief E	nginee	er to ch	ange t	the (ch	eck or	ne or b	oth):			Staffo	rd Field Office	
	☐ Point of Diversion Under the water right which is the subject of this application in accordance with the conditions described be											Div	ision o	f Water Resour						
ur	nder the	e water	right w	hich is	the s	ubject	of this	applic	ation i	n acco	rdance	e with t	he cor	ndition	s desc	ribed k	elow.			
Tł	he sour	ce of su	apply is	3:		⊠ G	Ground	water	\		Surfac	ce wate	er							
2. Na	ame an	ıd addre	ess of A	Applica	ant: <u>R</u>	oger S	Stotts						1							
22	2259 18	33 Hwy,	Greer	nsburg	, KS 6	7054-4	4718							11						
Pl	Phone Number: (620) 723-2626 Email address: roger@morningstarfarms.net										 									
		ıd addre						t: Rog	er Sto	tts										
		33 Hwy,				7054-4	4718													
	Phone Number: (620) 723-2626 Email address: roger@morningstarfarms.net																			
	•	ently au					20 45-00													
O	wner of	f Land -																		
	e e						lwy, Gi					8							-	
(lf	there is	more th	an one	landow	ner, at	tach su	ıppleme	ntal sh	eets as	neces	sary.)									
	NE¼				NW¼				SW¼				SE¼			TOTAL				
Sec.	Twp.	Range	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	NE1/4	NW¼	SW1/4	SE¼	7.01.20	
19	26	14W													40.0	40.0	40.0	40.0	160.0	
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(11	there is	more th	an one	landov	ner, at	tach su	ıppieme	ental sh	eets as	neces	sary.) II				I					
				NE	1/4			NV	V¼ I	Ι			V¼				Ξ¼		TOTAL ACRES	
Sec.	Twp.	Range	NE¼	NW¼	SW1/4	SE¼	Lot 3	Lot 4	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼		
*29	26	14W					35.0	31.0	40.0	40.0								\vdash	146.0	
		4 43 64					Lot 6 4.0	Lot 6 5.0											9.0	
*29	26	14W					1				1				11	1	1			
	26 26	14VV													40.0	40.0	40.0	40.0	160.0	

5.	Presently authorized point of diversion:					
	One in the Quarte	r of the		Quarter of the	NC S2 N2 SE	_ Quarter
	of Section, Town	ship	26	South, Range	14	WEST,
	in <u>Pratt</u> County, Kansas	s,1640 fe	eet North	<u>1320</u> feet West o	of Southeast corner of	f section.
	Authorized Rate 965 GPM Authoriz	ed Quantity	195 AF	Depth of well	(feet)	
	(DWR use only: Computer ID No. 2	GPS _		feet North	feet West)	1
1	⊠This point will not be changed ☐ This point	will be changed as	s follows:	☐ No change, point bette	er described with GPS as	s follows:
	Proposed point of diversion: (Complete o	only if change is	<u>s requeste</u>	d or if existing point	is better described	by GPS)
	One in theQuarte	r of the		Quarter of the _		<u>Quarter</u>
	of Section, Town	ship		South, Range _		(E/W),
	inCounty, Kansae	s,f€	et North _	feet West (or Southeast corner o	r section.
	Proposed Rate Propose	d Quantity		Proposed well dep	eth (feet)	
	This point is: ☐ Additional Well ☐ Geo C	enter List othe	r water righ	nts that will use this po	int <u>2022/661-MF</u>	,
-						
6.	Presently authorized point of diversion:					0 .
	One in the Quarte	r of the		Quarter of the _		Quarter
	of Section, Towr	nship		South, Range _	-f C	(E/W),
- 1	in County, Kansad					section.
	Authorized Rate Authoriz					۸
	(DWR use only: Computer ID No.					
- 1	☐This point will not be changed ☐This point					
	Proposed point of diversion: (Complete of					
	One in the Quarte	r of the		Quarter of the _		Quarter
	of Section, Towr	nship		South, Range _	of Courth and and	f cootion
	in County, Kansa	s,ft	eet North _	teet VVest	th (fact)	n Sectio∏.
	Proposed Rate Propose					
l	This point is: Additional Well Geo C	enter List othe	water righ	ns mar will use this po	ant	 '.
7.	The changes herein are desired for the following	owing reasons?				
1.	(please be specific) To create a place of use of			No	orth	
	between File Nos. 7793, 10796, 34207 and 20		300		0 100 200	300 1119
					± '	=
8.	If a well, is the test hole log attached? Yes	; ⊠ No	E	- + + -	= - + 1 + 1	=======================================
J.	a man, to the took hold log attached:		200	-1/+1+1-	= + + + + /	200
9.	The change(s) (was)(will be) completed by?		E	-/		1
	As soon as approved		100	41+1+1-	= 1 + 1 + 1	100
						<u>#</u>
10.	. If the point of diversion is a well:			#4001 00 00 00 00 00	= Mantuulioitenliisi	HT 0 Fact
	(a) What are you going to do with the old well	1?	west 0 14	a doodootoodooloo	entodominito	Tees E
	N/A No new wells being drilled		Ħ		<u> </u>	7
			100	<i>+</i>	= 1 + 1 + 1	100
	(b) When will this be done? N/A		E		<u> </u>	/를
	Croundington Management District	dation attach = 40	300 E			200
11.	. Groundwater Management District recommendation	uation attached?	200	1 1 + 1 -		3
	2/6/25 No. 2/6/25		E		$\frac{1}{\overline{t}}$	
12	2. Assisted by JNE // SFFO			0 200 100	0 100 200	ш Д 300
	Ba. If the proposed point of diversion will be reloca		300		outh Scale: 1 hashmark=	
			1.1			

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

JAN 0 2 2025

File No. <u>34,207</u>

lines

14. If the proposed groundwater point of diversion is 300 or fewer t	eet from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently Yes No (If no, all owners must sign this	
 (b) Will the ownership interest of any owner of the currently affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign thing) 	authorized place(s) of use identified in this application be adversely sapplication.)
(c) If this application is not approved expeditiously, will there to Yes No (If no, all owners must sign this	pe-substantial damage to property, public health or safety? papplication.)
If the application proposes a surface water change in point of diversor a change in place of use, the application must be signed by all o agent (attach notarized statement authorizing representation).	sion, a groundwater change in point of diversion greater than 300 feet, wners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly at their behalf, in regards to the water right(s) to which the contained in this application are true, correct and compl	affirmation and under penalty of perjury, that I am of lawful uthorized agent of the owner(s) to make this application on is application pertains. I further verify that the statements lete. s, this x 23 day of x Decador , 20 24
x Olven Satte	X Reslie Stotts (Spouse)
Roger Stots (Please Print)	Leslie Stats (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Klow a	02
I hereby certify that the foregoing application was signed of December . 20 24 .	d in my presence and sworn to before me this $\frac{23}{}$ day
My Commission Expires 4.30.307	Chellulyn Butur Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be comp	lete, all of the applicable portions of the application form must be completed with all the appropriate owners' must be affixed to the application and notarized; and
FEE SO	CHEDULE
forth in the schedule below: Make checks payable to: Kansas De (1) Application to change a point of diversion 300 feet or I (2) Application to change a point of diversion more than 3	on under this section shall be accompanied by the application fee set spartment of Agriculture less \$100 section \$200 sect
KIMBERLYN BUTLER Notary Public - State of Kansee My Appt. Expires 4-30-2021	RECEIVED
DWR 1-121 (Revised 09/11/2019)	age 3 JAN 0 2 2025 File No. <u>34,207</u>

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. 34,207 change application was received on Zoros 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. A change application was received on On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on 2. 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 The point(s) of diversion authorized herein shall not actually be located more than ___ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable feet from the previously 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 ☐ Applicable K.A.R. 5-6-13. 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. ☐ 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 Not 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 ☒ Not Applicable ⊠ No 11. Additional Conditions are attached. ☐ Yes 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, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer Cameron (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture**, Division of Water Resources - Kansas Department of Agriculture Date of Issuance: Hh 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 Signature: Notary Public JAN 0 2 2025 My commission expires: (Notary peal) Stafford Field Office Division of Water Resources **FAITH CURTIS** NOTARY My Appointment Expires

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DWR 1-121 (Revised 09/11/2019)

File

April 29, 2927

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34,207



Stafford Field Office 300 S. Main Street Stafford, KS 67578-1521

Mike Beam, Secretary

www.agriculture.ks.gov

Laura Kelly, Governor

Phone: 620-234-5311

Fax: 620-234-6900

February 22, 2025

Roger Stotts 22259 183 Hwy Greensburg, KS 67054-4718

Re: Water Right, File No(s). 7793, 10796 & 34207

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 <u>Certified Water Flowmeters</u> as well as 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 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. 5

CERTIFICATE OF SERVICE

On this 11th day of February, 2025, I hereby certify that the attached Change in Place of Use for Water Right, File No. 7793, 10796 & 34207, dated February 11, 2025 was mailed via First Class U.S. mail to the following:

Roger Stotts 22259 183 Hwy Greensburg, KS 67054-4718

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

GMD 5

Faith Curtin