

Kansas Department of Agriculture / Division of Water Resources  
Stockton Field Office

TO: HEADQUARTERS

RE  Vested Right;  Water Right;  Appropriation of Water;  Application

File No(s). 26279, 27322, 30999 + 31273 County PL + SM

Enclosed are the following checked items:

A \_\_\_\_\_ FIR  Full  Partial Inspection  Return to Field Office  
 Proposed Certificate to deliver to Certificate Unit

Meter Order:  GMD#4  
 Lower Smoky

A Compliance Check Inspection on \_\_\_\_\_  
 Other \_\_\_\_\_

Meter Install  New App  Chg App  Other \_\_\_\_\_

In Compliance  Not in Compliance, why \_\_\_\_\_

Modify Point of Diversion  No  Yes, document attached

Indicate all overlapping p/d files \_\_\_\_\_

An application and judgment sheet with recommendation.

A memorandum dated \_\_\_\_\_

A request for an extension of time to perfect or complete.

A verified report.

A closure request.

A field investigation report.

Notice of Non-Compliance \_\_\_\_\_

Violation

Date

An ownership change (name(s) and address(es) below).

A water use report for \_\_\_\_\_

A letter dated \_\_\_\_\_


A copy of an Approval to Change the  place of use and/or  point of diversion,

Filing Fee attached.

An Advanced copy of a change application and the filing fee, to be processed at the field office.

An original field office change application and the filing fee needing headquarters office review and further processing.

Other: ADVANCE COPY + \$ ALREADY SENT

  
Assistant Water Commissioner

7/26/16  
Date

# CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 26,279

Field Office No. 3

GMD No. \_\_\_\_\_

1. **Plugging agreement obtained for GMD?** Yes  No  Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes  No  **Address Change?** YES  
If applicable, list Place of Use Overlap File Nos. 27322, 30999, 31273, Kirwin Irrigation District
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
Name of Former WUC \_\_\_\_\_ Name of New WUC \_\_\_\_\_
4. a. **Point of diversion computer ID No(s).** n/a **for point(s) being changed.**
- b. **Show feet distances from the \_\_\_\_\_ corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
NO CHG									

- c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**
- | Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-------------|-----------------|-----------------|---------------------|---------------------|
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
| _____       | _____ gpm/cfs   | _____ gpm/cfs   | _____ af/mgy        | _____ af/mgy        |
- d. **Name of Drainage Basin** \_\_\_\_\_ **Is this correctly shown in WRIS?**  Yes  No
- e. **Formation Name & No.** \_\_\_\_\_ **Special Use Area** \_\_\_\_\_

5. **Distances from the previous/original p/d:** \_\_\_\_\_ ' N / S \_\_\_\_\_ ' E / W

**6. WATER RIGHT ACTION TRAIL COMMENTS**

07/22/2016 Change Application Received (date accepted for priority)

07/26/2016 Change Approved  
Notice and Proof by \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_ Completion Requirement Removed (Change No. C\_\_\_\_)

**7. METER ACTION TRAIL COMMENTS**

\_\_\_\_/\_\_\_\_/\_\_\_\_ DWR Meter Required by \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_ Anti-Reverse Meter Required by \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_/\_\_\_\_/\_\_\_\_ Meter Seal Required by \_\_\_\_/\_\_\_\_/\_\_\_\_

8. Base Acres \_\_\_\_\_ Year \_\_\_\_\_ Minimum Reasonable Quantity \_\_\_\_\_

Date Created **7/26/16** by **M. Billinger**  
Date Entered \_\_\_\_\_ by \_\_\_\_\_

**CHECK SHEET ATTACHMENT**

9. Changes to the place of use will be:

File Number 26,279

Action	Owner Person ID	Place Use ID #	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		
ENT	23542	new	30	04S	15W	Acres Authorized											10	17				27	
						New Acres															10	17	
ENT	23542	new	31	04S	15W	Acres Authorized					8	6		33	28							75	
						New Acres					8	6		33	28								
MOD	23542	12957	25	04S	16W	Acres Authorized											33.5	34	30.5	30.5	36	29	193.5
						New Acres															33.5	34	30.5
MOD	23542	3836	35	04S	16W	Acres Authorized																	27
						New Acres																	
MOD	23542	36578	36	04S	16W	Acres Authorized	28	35	39	36	40		35	40	16.5	6.5					37	33	347
						New Acres	28	35	39	36	40		35	40	16.5	6.5							37

Names and Address:

1. Person ID # <u>23542</u> <u>WYRILL FARMING INC</u> <u>PO BOX 166</u> <u>KIRWIN, KS 67644</u>	2. Person ID # _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____
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**GENERAL INSTRUCTIONS**

- |  |  |  |
|--|--|--|
| 1. Give to Applicant: <ul style="list-style-type: none"> <li>a. <u>Original</u> application/approval</li> <li>b. Original receipt (one for <u>each</u> application)</li> <li>c. Information packet containing:                         <ul style="list-style-type: none"> <li>● Notice and Proof form</li> <li>● Water Meter Specifications</li> <li>● Acceptable Meter list</li> <li>● Water level measurement tube specifications</li> <li>● Check Valve specifications</li> <li>● Pink Sheet - K.S.A. 82a-728 letter</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>● Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)</li> </ul> 2. Send to headquarters: <ul style="list-style-type: none"> <li>a. Good, <b>scannable</b> copy of application and/or approval and this check sheet</li> <li>b. Original check and copy of receipt</li> <li>c. Test hole log</li> <li>d. GMD recommendation, if any</li> <li>e. Map or aerial photograph, if any</li> </ul> | 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> <p align="center"><u>CONDITIONS</u></p> <ul style="list-style-type: none"> <li>1. Insert notice and proof date.</li> <li>2. Type or print applicant's/owner's name on line.</li> <li>3. Complete notary statement.</li> <li>4. Date stamp received and approved.</li> <li>5. Complete ownership and WUC change information.</li> </ul> <p><u>ADDITIONAL PHOTOCOPIES</u></p> <hr/> |
|--|--|--|

CHECK SHEET SUPPLEMENTAL PAGE

9. Changes to the place of use will be:

File Number 26,279

Action	Owner Person ID	Place Use ID #	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		
MOD	NEW1	55558	35	04S	16W	Acres Authorized									36	6.5	6	37					85.5
						New Acres									36	6.5	6	37					85.5
MOD	NEW1	14758	36	04S	16W	Acres Authorized					38								33			32.5	103.5
						New Acres					38								33			32.5	103.5
MOD	NEW2	51242	35	04S	16W	Acres Authorized													2	16	17		35
						New Acres													2	16	17		35
ENT	37217	NEW	31	04S	15W	Acres Authorized							36.5										36.5
						New Acres											36.5						
DEL	51696	34488	36	04S	16W	Acres Authorized					28												28
						New Acres					28												
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>NEW1</u> WYRILL FAMILY LIMITED PARTNERSHIP PO BOX 166 KIRWIN, KS 67644	2. Person ID # <u>NEW2</u> DAVID W WYRILL LIVING TRUST; SARAH C WYRILL LIVING TRUST PO BOX 166 KIRWIN, KS 67644	3. Person ID # <u>37217</u> CIRCLE III RANCH PO BOX 166 KIRWIN, KS 67644
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**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Stockton Field Office  
820 S. Walnut  
Stockton, Kansas 67669-0192  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Kelly Stewart, Water Commissioner

Phone: (785) 425-6787  
Fax: (785) 425-6842  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

July 26, 2016

Wyrill Farming INC.  
John B. Wyrill  
P.O. Box 166  
Kirwin, KS 67644

Re: Water Rights, File Nos. 26,279; 27,322; 30,999; and 31,273

Dear Mr. Wyrill:

Enclosed are four (4) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change.

Since these orders modify the original certificates, they should be recorded with the Register of Deeds as other instruments affecting real estate.

**These documents are summary orders by this agency regarding these matters.** These orders shall become final if requests for hearings are not filed with the Chief Engineer within 15 days of the date of service of these orders.

If 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,



Mark Billinger  
Assistant Water Commissioner

MB:rh  
Enclosures

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**

APPLICATION COMPLETE

7/22/14

Reviewer MB

**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**

File No. 26,279

JUL 22 2014

10:55 AM

Stockton 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: John B Wyrill

PO Box 166, Kirwin, KS 67644

Phone Number: (785)543-7612

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: John B & Norva Jean Wyrill

PO Box 166, Kirwin, KS 67644

Phone Number: (785)543-7612

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land --- NAME: Wyrill Farming Inc (see also attached)

ADDRESS: PO Box 166, Kirwin, KS 67644

(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		
25	04	16w										19	27			32	32	35	32	177
35	04	16w				20														20
36	04	16w	15	13	33		36		37	40	19	9		2			38	34		276

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: Wyrill Farming Inc

ADDRESS: PO Box 166, Kirwin, KS 67644

(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		
30	04	15w										10	17							27
31	04	15w					8	6		33	28									75
25	04	16w										33.5	34			30.5	30.5	36	29	193.5
35	04	16w				27														27
36	04	16w	28	35	39	36	40		35	40	16.5	6.5		1			37	33		347

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_

5. **Presently authorized point of diversion:** No change in P/D

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ WEST, 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:

**Proposed point of diversion: (Complete only if change is requested)**

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ WEST, 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 \_\_\_\_\_

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

One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ WEST, 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:

**Proposed point of diversion: (Complete only if change is requested)**

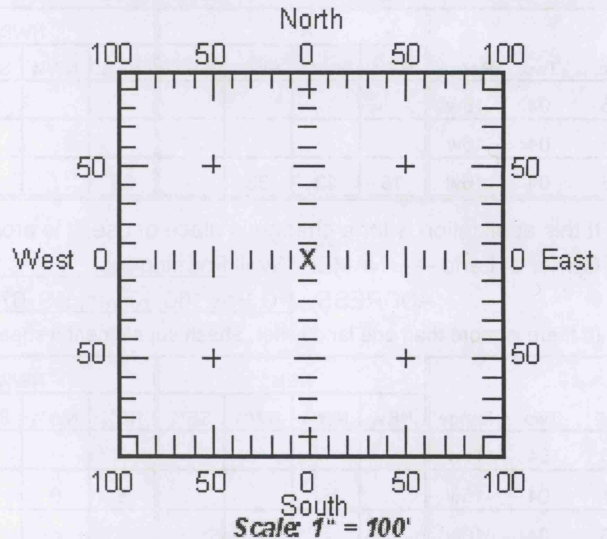
One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ WEST, in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. Why do you need a new point of diversion? n/a

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.)

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



9. When do you propose to complete the new point of diversion?  
n/a

10. If the point of diversion is a well:

(a) What are you going to do with the old well?  
n/a

(b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by jkb Stock FO

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.

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 26,279**  
MAKE ADDITIONAL COPIES AS NECESSARY

**RECEIVED**

**JUL 22 2016**

Stockton Field Office  
Division of Water Resources

3. *Continued:* The presently authorized place of use is:  
Owner of Land ---- NAME: John Wyrill Family Trust  
ADDRESS: PO Box 166, Kirwin, KS 67644

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	
35	04	16w									34	6	8	38					86
36	04	16w				35									36			28	99

Owner of Land ---- NAME: David & Sarah Wyrill  
ADDRESS: PO Box 166, Kirwin, KS 67644

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	
35	04	16w													2	14	17		33

Owner of Land ---- NAME: John B III & David Wyrill  
ADDRESS: PO Box 166, Kirwin, KS, 67644

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	
36	04	16w						28											28

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	

4. *Continued:* 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: Wyrill Family Limited Partnership *New 1*  
ADDRESS: PO Box 166, Kirwin, KS 67644

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	
35	04	16w									36	6.5	6	37					85.5
36	04	16w						38							33			32.5	103.5

Owner of Land ---- NAME: David W Wyrill Living Trust; Sarah C Wyrill Living Trust *New 2*  
ADDRESS: PO Box 166, Kirwin, KS 67644

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	
35	04	16w													2	16	17		35

Owner of Land ---- NAME: Circle III Ranch Inc *37217*  
ADDRESS: PO Box 166, Kirwin, KS 67644

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	
31	04	15w								36.5									36.5



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).

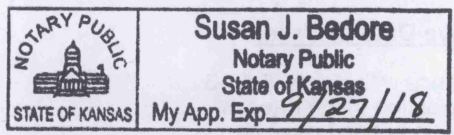
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at July 2 10:00 am, Kansas, this 20<sup>th</sup> day of July, 2016.

[Signature]  
 (Owner)  
John B Wyrill  
 (Please Print)  
David Wyrill  
 (Owner)  
David Wyrill  
 (Please Print)  
 \_\_\_\_\_  
 (Owner)  
 \_\_\_\_\_  
 (Please Print)

[Signature]  
 (Spouse)  
Katherine K. Wyrill  
 (Please Print)  
S Wyrill  
 (Spouse)  
S Wyrill  
 (Please Print)  
 \_\_\_\_\_  
 (Spouse)  
 \_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of Phillips } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20<sup>th</sup> day of July, 2016.

[Signature]  
 Notary Public

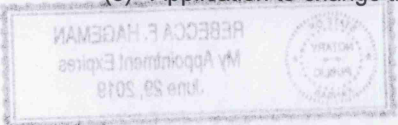
My Commission Expires 9/27/18.

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



RECEIVED

JUL 22 2016

**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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 26,279.

1. A change application was received on 7-22-16 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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, 20\_\_\_\_, 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, 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
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**

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502**, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15<sup>th</sup> day after the date shown on the Certificate of Service.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND  
 SUMMARY ORDER ISSUED**

By: *Mark Billinger*  
 Duly Authorized Designee of the Chief Engineer  
 (Print Name): MARK BILLINGER  
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 7-26-16

State of Kansas )  
 ) SS  
 County of Roooks )

Acknowledged before me on 7-26-16  
 by Mark Billinger

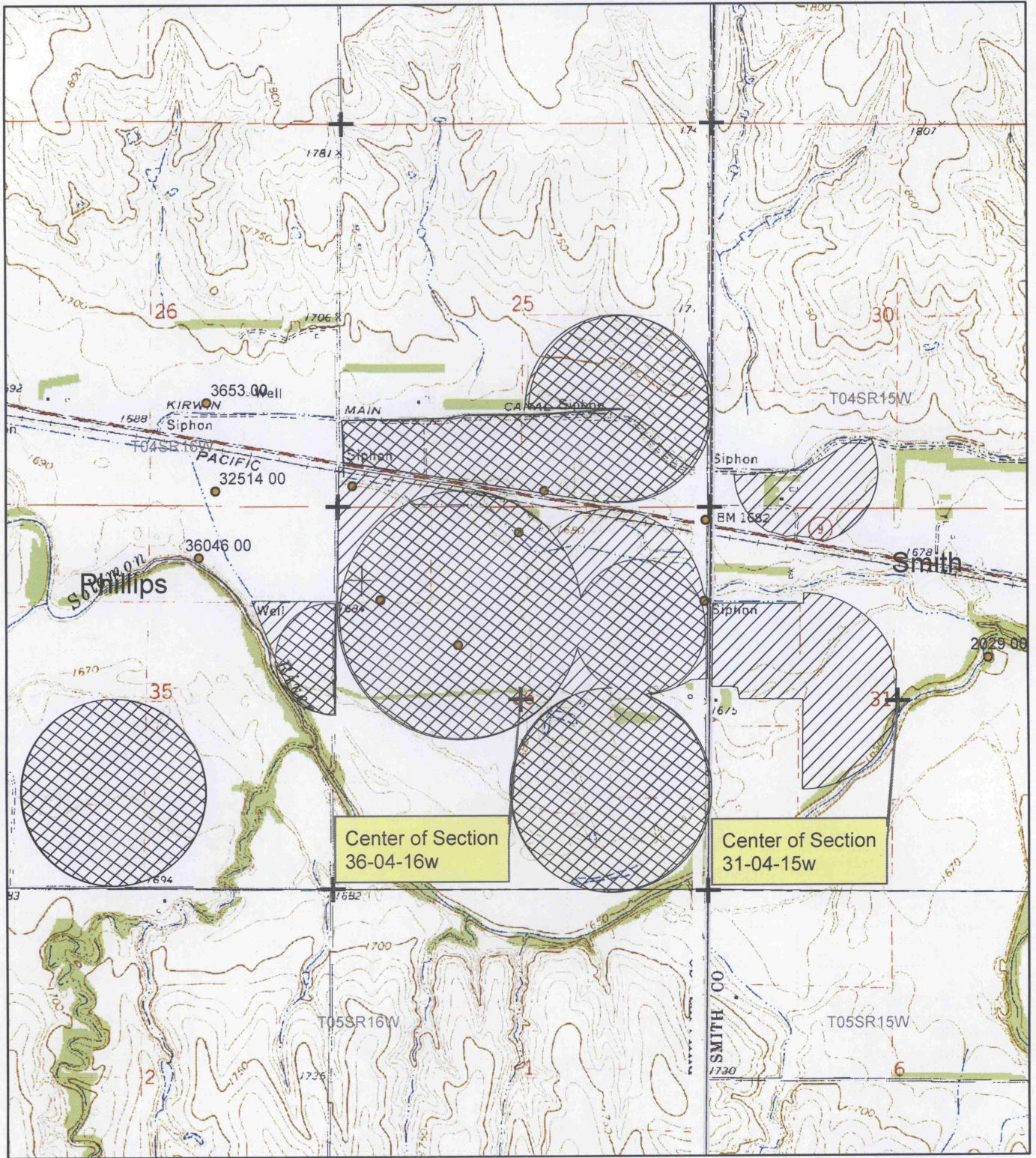
Signature: *Rebecca Hageman*  
 Notary Public



My commission expires: 6-29-19  
 (Notary Seal)

Division of Water Resources  
 Stockton Field Office

Application for Change in Place of Use,  
Water Right, File No. 26,279; 27,322; 30,999 & 31,273



Authorized Place of Use



Proposed Place of Use

1:24,000



Map reviewed and approved by:

**RECEIVED**

**JUL 22 2016**

Stockton Field Office  
Division of Water Resources

Signature

Date