## Kansas Department of Agriculture / Division of Water Resources <u>Stockton</u> Field Office

TO: <u>HEADQUARTERS</u>	
RE Vested Right; Water Right;	Appropriation of Water;
File No(s). 11, 118-01	County GH
Enclosed are the following checked items:	
A FIR	Partial Inspection Return to Field Office icate Unit
	Meter Order: ☐ GMD#4 ☐ Lower Smoky
☐ A Compliance Check Inspection on Meter Install ☐ New App ☐ Chg App ☐ In Compliance ☐ Not in Compliance, Modify Point of Diversion ☐ No ☐ Yes Indicate all overlapping p/d files	Other why , document attached
☐ An application and judgment sheet with record ☐ 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(	
A water use report for  A letter dated	
☐ A copy of an <u>Approval</u> to Change the ☐ place ☐ Filing Fee attached.	
An Advanced copy of a change application office. # 3955	and the filing fee, to be processed at the field
	and the filing fee needing headquarters office
Other:	
·	
Alpa	
Marketten	5-2-17
Assistant Water Commissioner	Date

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.

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point	t(s) of di	version	and/o	r place	of use	e.												F	RECEIVED
							File N	o. <u>11,1</u>	18-D1					_				AF	PR 28 2017
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29	6	25W					17	2	11.5	25.5			15	15					86
F	or Offic	e Use	Only:	Code		_ Fee	e \$		_ TR	#		Re	ceipt	Date _			Chec	k#	

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

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STATE OF KANSAS

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Fee Schedule is on the third page of this application form.

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point(s	s) of div	ersion	and/or	place	of use													F	RECEIVED
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F	or Offic	ce Use	Only:	Code		Fe	e \$		TR	#		Re	eceipt	Date _			Chec	:k#	

	Presently authorized	point of diversion:					
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		, Township					
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		, Township					
		County, Kansas,					
	Proposed Rate	Proposed Quantity		Propos	sed well depth (f	eet)	
		onal Well Geo Center List					
_	Presently authorized	noint of diversion:					
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_		onal Well Geo Center List		- I G			
		point of diversion? n/a	-	feet of the exist the diagram bel (PLEASE NOT represents pre	ow in relation to E: The "X"	the existing center	ng point of diversion of diagram b
•			_		Nort		
	If a well, is the test hole	log attached?  Yes  No		100	50 0	50	100
				P.	111111111111111111111111111111111111111	11111	
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	diversion?			50 -	+ =	+	<del>-</del> 150
	n/a		-	=			7
	If the point of diversion is	s a well:		E	=		
	(a) What are you going			West 0 - I	11 1111 <u>X</u> 1	11111	0 East
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,	1110		-	50 —	+ -	+	<del></del> 50
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	(b) Which will this be do	He: 11/a	-	E.	1 1 1 1 1 1 <del>1</del> 1	milio	=
	Groundwater Manage attached? Yes		ation	100	50 0 Sout	50	100
					Scale: 1	= 100'	
	Assisted by DLM		13b.	If the proposed 100 feet but v	within 1320 fee	et from th	relocated more le existing poi aerial photog

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

#### FILE NO. 11,118-D1

MAKE ADDITIONAL COPIES AS NECESSARY

### RECEIVED

APR 28 2017

Stockton Field Office

		/	ADDRI	ESS:															
				NE	=1/4			NV	V1/4			SV	V1/4			SE	Ξ1/4		TOTAL
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14. If the proposed groundwater point of diversion is 300 or fewer feet for	rom existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auti	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested?</li> <li>Yes</li> <li>No</li> <li>(If yes, all owners must sign this approved)</li> </ul>	
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this appl	
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 owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly autho their behalf, in regard to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on
Dated at Hill City, Kansas, this	2) day of April , 20 17.
	Melissa Lindenman (Spouse)  Melissa Lindenman
(Öwner)	(Spouse)
Shawn Lindenman	Melissa Lindenman (Please Print)
(Please Print)	(Please Fillit)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of SS	
hereby certify that the foregoing application was signed in m	ny presence and sworn to before me this 2 day of
My Commission Expires JENNIFER WILLIAMS  NOTARY PUBLIC  STATE OF KANSAS  My Appl. Exp. 4	Servifil Williams
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	l 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 Departm  (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 ment of Agriculture \$100 et
	DECENTED.

RECEIVED

APR 28 2017

14. ##	te proposed groundwater point of diversion	i is 300 or fewer feet from	existing point of diversion,	complete the following:
(a)	Does the undersigned represent all owner Yes No (If no, all owner)	ers of the currently authori ers must sign this applica		ed in this application?
(b)	Will the ownership interest of any owner affected if this application is approved as	of the currently authorize requested?	ed place(s) of use identified	d in this application be adversely
		ners must sign this applica		
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or a cha	plication proposes a surface water change inge in place of use, the application must t attach notarized statement authorizing repr	be signed by all owners of		
age and	y verify, being first duly sworn upo d the owner, the spouse of the own ehalf, in regard to the water right(s ned in this application are true, corr	er, or a duly authorize  i) to which this applic	ed agent of the owner(s	s) to make this application on
Dated at	1	, Kansas, this	day of	, 20
13	Plake A Schamberger (Please Print)		Heidi	Sehan berge
	(Owner)	enti-regilioneres de Paradolphish a desendad	(Sp	oouse)
	(Please Print)	Rydaydrostasinint cashirina orangan dan	(Plea	se Print)
	(Owner)			ouse)
State of		Notary P	souri, Jackson County	se Print)
County	of Jackson SS	Countries	15, 2010 A	
I here	by certify that the foregoing application	on was signed in my	presence and sworn to	before me this 11th day of
	<i>p.</i>			
My Com	mission Expires OBINIZOIS		Notal	y Public
accurate i	OMPLETE APPLICATIONS WILL BE PROCES information; maps, if necessary, must be includ priate fee must be paid.	SED. To be complete, all of ed; signatures of all the appr	the applicable portions of the a opriate owners' must be affixed	pplication form must be completed with to the application and notarized; and
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14. If the proposed groundwater point of diversion is 300 or fewer fee	t from existing point of diversion, complete the following:
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(b) Will the ownership interest of any owner of the currently au affected if this application is approved as requested?  Yes No (If yes, all owners must sign this a	thorized place(s) of use identified in this application be adversely application.)
(c) If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this approved expeditiously, will there be	
If the application proposes a surface water change in point of diversio or a change in place of use, the application must be signed by all own agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affi age and the owner, the spouse of the owner, or a duly auth	orized agent of the owner(s) to make this application on
their behalf, in regard to the water right(s) to which this a contained in this application are true, correct and complete	application pertains. I further verify that the statements
Dated at Ladvile Colorade, Kansas, to	111 10
Lance Schamberger	phill Sel
Lance Schamberger	Michelle Schamber sel
(Please Print)	AGLAND (Please Print)
ALISON M HO NOTARY IN NOTARY IN STATE OF CO. STATE OF CO. NOTARY ID.	OLORADO (Spouse)
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ALISON M HOAGPIAND ALISON M TO NOT ARY IN TARE OF CONTACT AND TARE OF CONTACT AND TARE OF COMMISSION EX	OLORADO OLORADO OLO14834 20114014834 Poires March 30, 2019 (Please Print)
ALISON M HOAGENAND ALISON MY COmmission Expression Expr	. (Spouse)
(Please Print) State of Kennas	(Please Print)
County of SS	
I hereby certify that the foregoing application was signed in	my presence and sworn to before me this day of
	Alvany House
My Commission Expires 3.30.2019.	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	, all of the applicable portions of the application form must be completed with e appropriate owners' must be affixed to the application and notarized; and
FEE SCHI	EDULE
Each application to change the place of use or the point of diversion use forth in the schedule below: Make checks payable to: Kansas Depart (1) Application to change a point of diversion 300 feet or less	rtment of Agriculture \$100
<ul><li>(2) Application to change a point of diversion more than 300</li><li>(3) Application to change the place of use</li></ul>	feet
	RECEIVED

APR 28 2017

14. If the proposed groundwater point of diversion			
(a) Does the undersigned represent all owned  ☐ Yes ☐ No (If no, all owned)	ers of the currently authorize ers must sign this applicatio		in this application?
(b) Will the ownership interest of any owner affected if this application is approved as ☐ Yes ☐ No (If yes, all own			in this application be adversely
(c) If this application is not approved expedit  ☐ Yes ☐ No (If no, all owner)	iously, will there be substan		ublic health or safety?
If the application proposes a surface water change or a change in place of use, the application must be agent (attach notarized statement authorizing repr	be signed by all owners of the		
I hereby verify, being first duly sworn upo age and the owner, the spouse of the own their behalf, in regard to the water right(s contained in this application are true, corr	er, or a duly authorized s) to which this applica	agent of the owner(s)	to make this application on
Dated at	, Kansas, this	day of	, 20
(Owner)		(Spo	ouse)
(Please Print)		(Pleas	e Print)
(Owner)	•	(Spo	puse)
(Please Print)	-	(Pleas	e Print)
(Owner)		(Spo	ouse)
(Please Print)		(Pleas	e Print)
State of Kaneas County of			
I hereby certify that the foregoing applicating, 20	ion was signed in my pi	esence and sworn to b	efore me this day of
My Commission Expires	<u>L</u> . –	Notary	Public
ONLY COMPLETE APPLICATIONS WILL BE PROCES accurate information; maps, if necessary, must be include the appropriate fee must be paid.	SED. To be complete, all of th	e applicable portions of the appriate owners' must be affixed	plication form must be completed with to the application and notarized; and
	FEE SCHEDULE		
Each application to change the place of use or the forth in the schedule below: Make checks payable (1) Application to change a point of diver (2) Application to change a point of diver (3) Application to change the place of us	e to: Kansas Department rsion 300 feet or less rsion more than 300 feet	of Agriculture	\$100 \$200
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APR 28 2017

#### 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. 11,118-D1 A change application was received on \_\_\_\_\_ 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 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. 

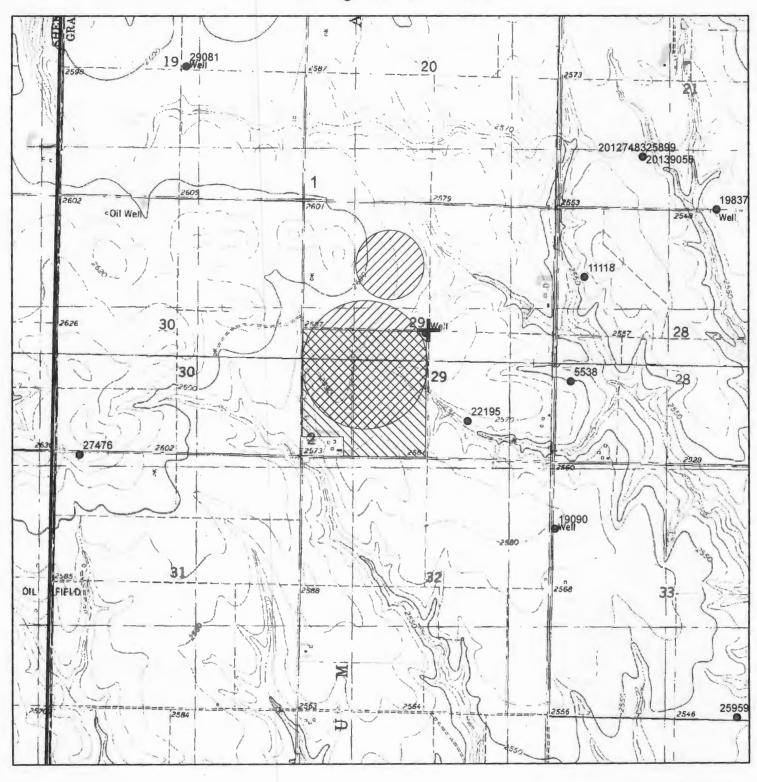
Applicable Not Applicable The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_ \_\_\_\_ feet from the previously authorized point(s) of diversion. ☐ Not Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons 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, 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 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 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 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND 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 SUMMARY ORDER ISSUED By: \_\_ Duly Authorized Designee of the Chief Engineer is not requested in accordance with K.A.R. 5-14-3, this Summary (Print Name): Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: \_\_ For Use by Register of Deeds State of Kansas ) SS County of \_\_\_\_ Acknowledged before me on \_\_\_\_\_ Signature: \_\_\_\_ Notary Public My commission expires: (Notary Seal)

### Application to Change the Place of Use For Water Right File No. 11,118.D1





Authorized Place of Use

Proposed Place of Use

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APR 28 2017

1:24,000

Stockton Field Office 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 Sam Brownback. Governor

April 28, 2017

GROUNDWATER MANAGEMENT DISTRICT NO 4 PO BOX 905 **COLBY KS 67701** 

> Water Right, File No. 11,118-D1 Re:

Dear Ladies and Gentlemen:

Reference is made to the application referred to above which appears to be in proper form.

We are delaying any further action until May 12, 2017 to allow you time to submit your recommendation concerning this application.

Please submit your recommendation within the allotted time or any authorized extension of time thereof. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Kelly C. Stewart

Water Commissioner

KCS:rfh Enclosures