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; Application
File No(s). 40.373 County NT
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
A Compliance Check Inspection on Other 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 copy of an <u>Approval</u> to Change the place of use and/or point of diversion, Filing Fee attached. #1604 100.00 An Advanced <u>copy</u> of a change application and the filing fee, to be processed at the field office.
An original field office change <u>application</u> and the filing fee needing headquarters office review and further processing.
Other:
Whih Balance 6-16-17

Assistant Water Commissioner

Date

CHECK SHEET Short Change

		Fi	le No. <u>40,373</u>	3	Fi	eld Office	e No. <u>3</u>		GMD	lo
1.	Plugging	agreement	obtained fo	or GMD?	Yes 🗌] No		Non Applica	able 🛛	
2.	Is Lando	wner correc	t as current	ly shown	in WRIS	S? Ye	s 🛛	No 🗋	Ad	Idress Change? <u>NO</u>
	If applicat	ole, list Place	e of Use Ove	rlap File I	Nos.					
			pondent coi						o 🗌 🛛 Ad	ldress Change? <u>NO</u>
4.	a. Point	of diversio	n computer	ID No(s)	1,	2	for point	t(s) being c	hanged.	
										nt(s) of diversion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	۴N	۴W	County	Qualifiers
	DEL	26689	YES	01	01S	21W	3400	713	NT	NC SE NE
	ENT	NEW1	YES	01	01S	21W	3408	705	NT	NC SE NE
	DEL	10685	NO	01	01S	21W	3500	725	NT	NC SE NE
	ENT	NEW2	NO	01	01S	21W	3515	710	NT	NC SE NE
	_			gpm/cfs gpm/cfs		gpi	m/cfs m/cfs		af/mgy af/mgy	af/mgy af/mgy af/mgy
			e & No. <u>OGA</u>							RIS? 🛛 Yes 🗌 No
5.	Distance	s from the	previous/ori	ginal p/d		8	,	N	8	
6.	WATER	RIGHT ACT	ION TRAIL	OMMEN	TS		•			
	06/16/201					je Applica	tion Rece	ived (date a	accepted for price	ority)
	<u>06/16/201</u>	17				and Proc		1/2017		
	/	/			Comp	letion Rec	quirement	Removed (Change No. C_	
			AIL COMME	NTS						
	<u>06/16/201</u>	17			DWR	Meter Red	quired by	<u>12/31/2017</u>		
8.	Base Acro	es		Ye	ar		Min	imum Reas	onable Quantity	/
							0	Date Create	d 6/16/17 b	y BILLINGER
							5	Date Entere	d b	у

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 40,373

	0	Dises lies					1	NE	1/4			NV	V1/4			SV	V1/4		1	SE	1/4		TOTAL
Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range		NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE ¹ / ₄	NW1/4	SW1/4	SE1/4	NE ¹ / ₄	NW1/4	SW1/4	SE1/4	ACRES
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NO CHG		_			-	New Acres																	
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						New Acres																	
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			-			New Acres																	
						Acres Authorized																	
	-					New Acres													-				

Names and Address:

1.	Person ID #	2.	Person ID #	3.	Person ID #	

- 1. Give to Applicant:
 - a. Original application/approval
 - b. Original receipt (one for each application)
 - c. Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)

- **GENERAL INSTRUCTIONS**
- 2. Send to headquarters:
- a. Good, <u>microfilmable</u> copy of application and/or approval and this check sheet
- b. Original check and copy of receipt
- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any
- 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

CONDITIONS

- 1. Insert notice and proof date.
- 2. Type or print applicant's/owner's name on line.
- 3. Complete notary statement.

- 4. Date stamp received and approved.
- 5. Complete ownership and WUC change information.

ADDITIONAL PHOTOCOPIES



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

Departmen Division of

Stockton, Kansas 67669-0192 Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Kelly Stewart, Water Commissioner

Stockton Field Office

820 S. Walnut

June 16, 2017

UPLAND PORKS % STEVEN COX 504 W 1500 RD LONG ISLAND KS 67647

Re: Water Right, File No. 40,373

Dear Mr. Cox:

Enclosed is the order executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the terms, conditions, and limitations specified in this approval for change. Also, the approval of the order requires the installation of a water flow meter(s) on the point(s) of diversion authorized under the above referenced file number by **December 31, 2017**. Please complete and return the enclosed Notice of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters are found in K.A.R. 5-1-4 through K.A.R. 5-1-12 along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address: http://agriculture.ks.gov/meters

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water 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 (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: http://kdheks.gov/waterwell

Since this order modifies the original certificate, it should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

This document is a summary order by this agency regarding this matter. This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely

Mark^billinger Assistant Water Commissioner

MB:rfh Enclosures

CERTIFICATE OF SERVICE

On this 16th day of June, 2017, I hereby certify that the attached <u>SUMMARY ORDER</u> <u>APPROVING APPLICATION FOR CHANGE in POINT OF DIVERSION</u> for water right, File No. 40,373, dated on the 16th day of June, 2017, was mailed postage prepaid, first class, U.S. mail, to the following:

UPLAND PORKS % STEVEN COX 504 W 1500 RD LONG ISLAND KS 67647

Becca Hayernan

Kansa Divisio Field Call for S	as Depa on of W Office for opeka- tafford tockton arden (leted ap artment ater Re or your a ass: - (785) - (620) - (785 City - (f ciculture	of Agri source area. 296-57 234-57) 425-6 520) 27	culture s 733 311 5787 76-290			то		TIO NG	N FO	HE P	APP PLAC THE		DF		ST	AP		ANSAS ION COMPLETE
			F	iling									2a-708			ended.		viewer	
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	For Office Use Only: Code	e Fee \$	TR #	Receipt Date	Check #
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		, Township				
		ounty, Kansas, <u>3400</u>				
		Authonized Quantity				
		No. <u>1</u> Gi			feet W	est)
		iged 🛛 This point wi	-			
Proposed poir	t of diversion:	(Complete only if chan	nge is reque	sted)		
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		, Township				
		ounty, Kansas, 3408				
Proposed Rate	80 gpm	Proposed Quantity	27.37 mg	y Proposed well dep	oth (feet)	n/a
This point is:	Additional We	II Geo Center List	other water r	ights that will use this po	int none	<u>.</u>
Presently auth	orized point of	diversion: *Batt. 1 of	2 wells.	and the state of the		
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		, Township				
in Norton	Co	ounty, Kansas, <u>3500</u>	feet North	725 feet West	of Southeast com	er of section
Authorized Rat		Authonized Quantity		Denth of well	(fo	et)
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		iged 🛛 This point wi			1001 10	
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		Quarter of the				
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		ounty, Kansas, <u>3515</u>				
		Proposed Quantity				
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	······			1		
If a well, is the t	est hole log attac	hed? 🗌 Yes 🛛 No		100 50	0 50	100
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	propose to c	omplete the new point	of	F	- :	-
diversion?				50 - +	- + -	50
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15 Ab	in a la contra de la			F	TR)	-
If the point of div				West 0 - III III		O East
(a) What are y	ou going to do wi	th the old well?		E		1
plug/cap it.				E		
			-	50 E +	- + -	50
(b) When will t	nis be done? asa	p	_	Ē		
				100 50		100
Groundwater attached?	Management Yes X No	District recommenda	ition	100 50 Scal	0 50 South er 1" = 100"	100
Annisted by DU			13b. I	f the proposed point of di	version will be relo	cated more than
Assisted by DL	0	RECEIVED	– 1 C F V V	00 feet but within 1320 liversion, attach a topog for groundwater sources, within one-half mile of the names and mailing addre vater sources, show the andowner(s) one-half mi	D feet from the e raphic map or ae show all wells (inc proposed point of o esses of the owner e names and ad	existing point o rial photograph luding domestic liversion and the rs. For surface dresses of the
				ipstream from your proper	ty lines.	
		111N 1 4 201/		han amit nativ lan bieber	.,	
R 1-121 (Revised (6/16/2014)	JUN 18 2017	Page 2			No. 40.373

Stockton Field Office Division of Water Resources

- 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?
 - (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?

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.

Steven Gx (Owner) (Spouse) (Please Print) (Please Print) (Owner) (Spouse) (Dease Print) (Please Print) State of Kansas (Please Print) (Please Print) (Please Print) State of Kansas (Spouse) (Dunty of) SS Lbereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day	Dated at Long Island	Kansas, this 13 day of June . 2017.
(Please Print) (Owner) (Please Print) (Please Print) (Plea	Steven Cox	
(Please Print) (Owner) (Please Print) (Please Print) (Plea	(Owner)	(Spouse)
(Please Print) (Owner) (Please Print) (Please Print) (Plea	Steven Cox	
(Please Print) (Owner) (Please Print) (Please Print) (Plea	(Please Print)	(Please Print)
(Owner) (Spouse) (Please Print) State of Kansas County of Phillos SS Lbereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day State of Kansas EMILY VALUN My Appt. Exp. 4-30-20 Lbereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day State of Kansas County of Phillos State of Kansas EMILY VALUN My Appt. Exp. 4-30-20 State of Kansas EMILY VALUN State of Kansas State of Kansas EMILY VALUN State of Kansas State of Kan	(Owner)	(Spouse)
(Please Print) State of Kansas County of Phillips SS Libereby certify that the foregoing application was signed in my presence and sworn to before me this 13 day Sunce	(Please Print)	(Please Print)
State of Kansas County of <u>Phillips</u> SS Libereby certify that the foregoing application was signed in my presence and sworn to before me this <u>13</u> day Sunce	(Owner)	(Spouse)
County of <u>Phillips</u> ss <u>EMILY VALLIN 20</u> Libereby certify that the foregoing application was signed in my presence and sworn to before me this <u>13</u> day <u>Sunc</u> , 20/17.	(Please Print)	
County of <u>Phillips</u> with a point of the foregoing application was signed in my presence and sworn to before me this <u>13</u> day <u>Sunc</u> , 20/17.	State of Kansas	EMILY VALLIN
Sure 2011 - Emily Vally	County of Phillips ss	My Appt. Exp. 4-30-20
Emily Valler	L bereby certify that the foregoing application	was signed in my presence and sworn to before me this 13 day of
My Commission Expires 4-30-20 Notary Public		Sida Valla
	My Commission Expires 4-30-20	- 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 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

Page 3

(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
		\$200

RECEIVED

JUN 16 2017

File No. 40,373

Stockton 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. 5-14-3 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. <u>40,373</u>

1.	A change application was received on	6-1	-			requesting	that the	place o	of use and /	or point	of
	diversion authorized under the above-referenced fi	le nu	mb	er	r be changed a	as described	I in the ap	plication	n.		

- 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 <u>40</u> foot radius of the 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 17, 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.
- 7. Installation of the works for diversion of water shall be completed on or before December 31, 20 1/7, or within any authorized extension of time. By March 1, 20 1/8 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.
 PApplicable
- 8. The completed well log shall be submitted with the required notice.

 Applicable

 Mot 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 IN Not Applicable
- 10. Additional Conditions are attached. Yes You
- 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 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

By:
Division of Water Resources - Kansas Department of Agriculture Date of Issuance: 6-16-17
State of Kansas) County of <u>RookS</u>) SS
Acknowledged before me on <u>6-16-17</u>
by Mark Billinger Signature: Rebecca Kayumu
REBECCA F. HAGEMAN My Appointment Expires June 29, 2010
My commission expires:(Notary Seal)

FOR OFFICE USE ONLY

APPLICATION APPROVED AND

SUMMARY ORDER ISSUED

RECEIVED

JUN 16 2017

Stockton Field Office Division of Water Resources

File No. 40,373

11.5

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. <u>40373</u> MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

JUN 16 2017

Continued:	The presently authorized place of use is:	

Stockton Field Office Division of Water Resources

Owner of Land — NAME: ADDRESS:

3.

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		NE¼			NW¼				SW1⁄4			SE¼			TOTAL			
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Ownor	of Land	N													-			-
Owner	UI Lanu	ADDR	ESS:															
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Sec. Twr	. Range	NE%	1	SW1/4	SE1/4	NE%	1	SW1/4	SE1/4	NE1/	1	SW1/4	SE1/4	NE%	NW1/4	1	SE14	ACRES
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RECEIVED

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. <u>40,373</u>

JUN 16 2017

Stockton	Field	Office
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Procently authorized pain	t of diversion: *Batt. 1 of	2 walla	and the second	Division at	er Resources
One in the NC	Quarter of the	SE	Quarter of the	NE	Quarter
of Section 1	, Township County, Kansas,3300	1	South, Range	21	WEST,
In Norton	County, Kansas, 3300	feet North	700 feet West of	Southeast corner	of section.
Authonzed Rate	Authorized Quantity or ID No. 7 Gi		Depth of well	(feet)	
(DWR use only: Compute	Gir ID No. 7 Gi	PS	feet North	feet Wes	t)
This point will not be c	hanged 🗌 This point wi	ill be changed	as follows:		
Proposed point of diversi	on: (Complete only if chan	nae is requeste	d)		
					Questas
of Castien	Quarter of the		Quarter of the		Quarter
or Section	, iownsnip	C- I MI- II-	South, Range	0 11 1	(E/VV),
in	County, Kansas,	feet North	feet West of	Southeast corner	of section.
Proposed Rate	Proposed Quantity		Proposed well dept	n (feet)	*
of Section in Proposed Rate This point is: D Additional	Well Geo Center List	other water righ	its that will use this point		
Presently authorized poin	t of diversion:				
			Questos of the		Quarter
of Section	Quarter of the		Quarter of the	·····	Guarter
or Section	, Township County, Kansas,	foot Month	South, Range	Cauthanat comos	(E/VV),
In Authorized Data	County, Kansas,	teet North	Teet west of	Southeast corner	or section.
Authonized Rate	Authorized Quantity	00	Depth of well	(Teet)	
DWR use only: Compute	GI GI	PS	Teet North	Teet wes	T)
I his point will not be c	hanged 🗌 This point wi	ill be changed	as follows:		
Proposed point of diversi	on: (Complete only if chan	ae is requeste	d)		
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One in the	Quarter of the		Quarter of the		Quarter
of Section	, Township County, Kansas,	6 1. N.L. 11	South, Range	0 11 1	(E/VV),
in	County, Kansas,	feet North	feet vvest of	Southeast corner	of section.
Proposed Rate	Proposed Quantity Well Geo Center List		Proposed well dept	n (feet)	********
This point is: Additional	Well Geo Center List	other water righ	its that will use this point		
		······	an a		
Presently authorized poin	t of diversion:				
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