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

TO: HEADQUARTERS
RE 🗌 Vested Right; 🗌 Water Right; 🔀 Appropriation of Water; 🔲 Application
File No(s). 48,885 & 48,887 County RA
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 Image: An ownership change (name(s) and address(es) below). Date Image: A water use report for
A copy of an <u>Approval</u> to Change the place of use and/or point of diversion, Filing Fee attached.
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:
Ulab 1211-17

Assistant Water Commissioner

ę

Date

CHECK SHEET Short Change

		F	ile No. <u>4888</u>	7	Fie	eld Office	No. <u>3</u>		GN	ID No	
2. Is	Landov	wner correc	obtained fo t as current e of Use Ove	ly shown	in WRIS	S? Ye	s 🗋	Non Applica No 🖂		Address	Change? <u>YES</u>
3. Is Water Use Correspondent correct as convert Name of Former WUC											
	 a. Point of diversion computer ID No(s) b. Show feet distances from the 									point(s) o	of diversion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	۴W	Coun	ty	Qualifiers
	-										
										_	
-											
d	-			gpm/cfs gpm/cfs gpm/cfs		gpr gpr gpr	af/mgy af/mgy af/mgy		af/mgy af/mgy af/mgy		
е	Form	ation Name	e & No		Special Use Area						
5. C	istances	s from the	previous/ori	ginal p/d:			3	N/S		3	E/W
	-1		ION TRAIL	COMMEN							
	9/01/201 9/01/201				0	je Applica je Approve		ived (date a	ccepted for	priority)	
					Notice	and Proo	f by	_//			
					Comp	letion Req	uirement	Removed (Change No.	. C)	
			AIL COMME	<u>NTS</u>	DWR	Meter Rec	uired by	/	_/		
8. E	ase Acre	es		Yea	ar		Min	imum Reas	onable Qua	ntity	
							ſ	Date Create	d 9/1/17	by Bill i	nger
							I	Date Entered	t	by	

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 48887

	-	Diana I las					-	NE	=1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL	
Action		Place Use ID #	1	Sec.	Twp.	wp. Range		NE ¹ / ₄	NW1/4	SW1/4	SE1/4	NE ¹ / ₄	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
MOD	NEMA	65404	13	025	35W	Acres Authorized					37	14	15.5	32.5									99	
MOD	NEW1	65401	13	025	3374	New Acres																		
		65402	13	020	25144	Acres Authorized	1	5.5	3.5														9	
MOD	NEW2	65402	13	02S	35W	New Acres																		
			40	000	0.5144	Acres Authorized									30	36.5	18	13					97.5	
MOD	NEW3	NEW	13	025	35W	New Acres																		
						Acres Authorized																		
						New Acres																		

Names and Address:

1. Person ID # <u>NEW1</u>	_ 2.	Person ID # <u>NEW2</u>	3.	Person ID # <u>NEW3</u>				
A. MARTIN & MARILYN KOPRIVA	JULIA K	OPRIVA	MARILY	N KOPRIVA				
9359 ROAD 12	301 N 4T	H ST APT B	9359 RO	9359 ROAD 12				
ATWOOD, KS 67730-3250	ATWOO	D, KS 67730	ATWOOI	D, KS 67730-3250				

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

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

September 1, 2017

JIM KOPRIVA 9359 ROAD 12 ATWOOD KS 67730

Re: Appropriations of Water, File Nos. 48,885 & 48,887

Dear Mr. Kopriva:

Enclosed are two (2) 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

CERTIFICATE OF SERVICE

On this 1st day of September, 2017, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE</u> for appropriations of water, File Nos. 48,885 & 48,887, dated on the 1st day of Septmeber, 2017, were mailed postage prepaid, first class, U.S. mail, to the following:

JIM KOPRIVA 9359 ROAD 12 ATWOOD KS 67730

eua Kagunan Staff

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

A DATEA PER ATTAC
- ARTE

STATE OF KANSAS

91117

Reviewer MS

APPLICATION COMPLETE

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.

						F	ile No	. <u>4888</u>	7									P 01	
1. A	pplicati	on is he	reby n	nade fe	or appr		f the C lace o		nginee		Point			ne or b	oth):	Di	Stock	ton Fie	eld Office r Resources
u	nder th	e water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed b	below.		
		rce of su				-	round			_	Surfac								
		nd addre				m Kop	riva												
		ad 12							F	1.1.									
		umber: nd addre					andan				ss:								
		ad 12				onesp	onden	t: <u>Jim</u>	Nopin	a						*			
-		umber:							Email	addree	SS:								
		ently au				se is:			Linan	audies					<u></u>				
		f Land -					arilyn k	Copriva		В	Julia K	opriva				C. Mar	ilvn Ko	priva	
	where o				9359 R									d KS 6					S. 67730-3250
(1	f there is	more th																	
					=1/4				V1/4			SV	V1/4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE ¹ /4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE ¹ /4	NW1/4	SW1/4	SE1/4	ACRES
A. 13		35 W					12	1	12	40									65
B. 13	2	35 W	1	12	40	12													65
C. 13		35 W									40	14	1	11					66
		plicatior f Land -	NA	ME:	A. Mart	in & M	arilyn K	Copriva		Β.	Julia K	opriva				C. Mar	ilyn Ko		(0.07700.005
(1	f there is	more th										St. Apt.	B Atwoo	od, KS (37730	9359 F	load 12	Atwood I	<u>(S. 67730-3250</u>
(1					=1/4	cuon su			V1/4	necco		SV	V1/4			SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4		SE1/4	NE ¹ / ₄	NW1/4		SE1/4	NE ¹ / ₄	NW1/4		SE1/4	NE ¹ / ₄	NW1/4	1	SE1/4	ACRES
A. 13		35 W					37	14	15.5	32.5									99
B. 13		35 W		5.5	3.5														9
C. 13		35 W		0.0							30	36.5	18	13					97.5
0.10	-	00.11			-							00.0	1		L		1.	المحصول	

For Office Use Only: Code _____ Fee \$____ TR # _____ Receipt Date _____ Check # _____

One in the	Quarter of the		Quarter of the	Quarter		
of Section	, Township		South, Range	(E/W)		
			feet West of Southeast corner of s			
	Authorized Qua					
(DWR use only: Con	nputer ID No.	GPS	feet North	feet West)		
This point will not be	changed This point will be	changed as follows:	No change, point better des	scribed with GPS as follows:		
	changed This point will be version: (Complete only if					
Proposed point of di		change is requested	or if existing point is b	etter described by GPS)		
Proposed point of di One in the	version: (Complete only if	change is requested	l or if existing point is b Quarter of the	etter described by GPS) Quarter		
Proposed point of di One in the of Section	version: (Complete only if Quarter of the	change is requested	or if existing point is b Quarter of the South, Range	etter described by GPS) Quarter (E/W),		
Proposed point of di One in the of Section in	version: (Complete only if Quarter of the , Township	change is requested	d or if existing point is b Quarter of the South, Range feet West of So	etter described by GPS) Quarter (E/W), putheast corner of section.		

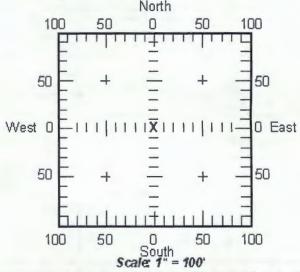
Presently authorized	point of diversion:							
One in the	Quarter of the		Quarter of the	Quarter				
of Section	, Township	1	South, Range	(E/W),				
in	County, Kansas,	feet North	feet West of So	outheast corner of section.				
Authorized Rate	Authorized Quan	tity	Depth of well	(feet)				
(DWR use only: Computer ID No GPS feet North feet West)								
This point will not be	changed This point will be ch	anged as follows:	No change, point better des	cribed with GPS as follows:				
Proposed point of di	version: (Complete only if ch	nange is requested	d or if existing point is b	etter described by GPS)				
One in the	Quarter of the		Quarter of the	Quarter				
of Section	, Township		South, Range	(E/W),				
in	County, Kansas,	feet North	feet West of So	outheast corner of section.				
Proposed Rate	Proposed Quanti	ty	Proposed well depth (for	eet)				
This point is: Addit	ional Well 🔲 Geo Center L	ist other water right	ts that will use this point _					

No No

7. The changes herein are desired for the following reasons?

(please be specific) 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.)



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.

10. If the point of diversion is a well:

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

If a well, is the test hole log attached?
Yes

The change(s) (was)(will be) completed by?

n/a

n/a

8.

9

(b) When will this be done? n/a

Management 11. Groundwater District recommendation Yes No attached?

12. Assisted by DLM

- 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.)

 - (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 regards 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	Ashy	, Kansas, this	6 day of	Ang	, 20 17
Ar	>la-				
1.	(Owner)			(Spouse)	
1 m	(Please Print)		1 1	(Please Print)	٢
	(Owner)		Marily	(Spouse)	niva
Martin	Kopriva		Maril,	(Please Print)	priva
aulia	(Please Print)	-		(Please Pfint)	
, i, s	(Owner)			(Spouse)	
	(Please Print)			(Please Print)	
State of Kansas County of Ros	sting SS	NOTAR STATE O	SABATKA Y PUBLIC DF KANSAS		
I hereby certify	that the foregoing application	My Appt. Exp. was signed in my pro-	esence and sw	vorn to before me th	is 16 day of
			Juni	Attaled .	
My Commission E	xpires 6-21-18	_		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

(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

We for internet we

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. <u>48887</u>

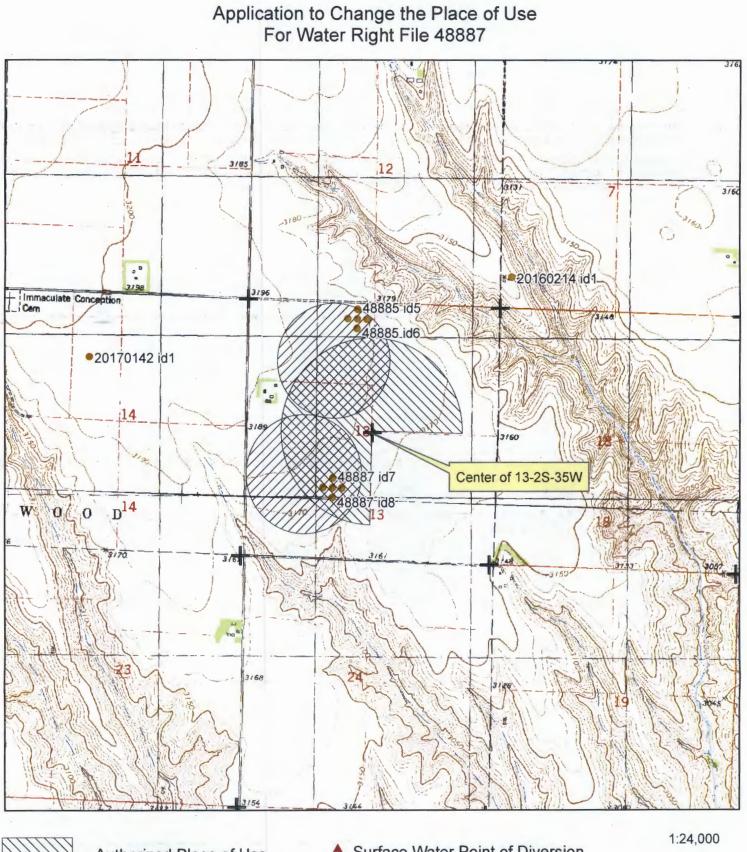
- A change application was received on <u>M-17</u> requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
- 2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable
- 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 authorized herein shall not actually be located more than _______ feet from the previously authorized point(s) of diversion. 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 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.
- 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
- 8. The completed well log shall be submitted with the required notice.
 Applicable
- 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

If you are aggneved by this order, pursuant to K.S.A. 82a-1901, 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 review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, 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.

For Use by Register of Deeds

FOR	OFFICE USE ONLY
APPLICAT	ION APPROVED AND
SIMMA	RY ORDER ISSUED
By: Mailes	
Buly Authorized	Designee of the Chief Engineer
(Print Name):	AMKBUINON
	arces - Kansas Department of Agriculture
Date of Issuance: 9-	1-17
State of Kansas)) SS
County of ROOKS) 33
Acknowledged before me	on 9-1-17
by Mark Billi	
Signature: Blun	F. Hageman
(Notav Public
Mu commission evpires:	REBECCA F. HAGEMAN My Appointment Expires June 29, 2019
My commission expires:	(Notary Seal)
Page 4 6-29-17	File No. <u>48887</u>





Authorized Place of Use

Surface Water Point of Diversion



Proposed Place of Use

Groundwater Point of Diversion

All wells within 1/2 mile of proposed well location are