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). 11504	County SH · ·
Enclosed are the following checked items:	
A FIR Full Proposed Certificate to deliver to Ce	☐ Partial Inspection ☐ Return to Field Office ertificate Unit
	Meter Order: ☐ GMD#4 ☐ Lower Smoky
☐ A Compliance Check Inspection on ☐ Meter Install ☐ New App ☐ Check Inspection on ☐ Meter Install ☐ New App ☐ Check In Compliance ☐ Not in Compliance ☐ Not ☐ No	Other App Other nce, why Yes, document attached
☐ An application and judgment sheet with re☐ A memorandum dated	
A request for an extension of time to perfe	ect or complete.
A verified report.	_
A closure request.	·
☐ A field investigation report. ————————————————————————————————————	·
Violation .	Date
An ownership change (name(s) and addre	
A water use report for	
•	•
A copy of an Approval to Change the Filing Fee attached. \$\frac{1}{3}\colon 2cc.co	place of use and/or point of diversion,
An Advanced copy of a change application office.	ation and the filing fee, to be processed at the
An original field office change applicate review and further processing.	<u>tion</u> and the filing fee needing headquarters of
Other:	
11/10-11	
	9-17-18
Acastant Water Commissioner	Date

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192



Phone: (785) 425-6787 Fax: (785) 425-6842 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

September 19, 2018

DEAN TOPLIFF 6244 ROAD 17 GOODLAND KS 67735-9043

Re: Water Right, File No. 11,504

Dear Mr. Topliff:

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 <u>December 31, 2018</u>. 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 pc: G.M.D.4

CERTIFICATE OF SERVICE

On this 19th day of September, 2018, I hereby certify that the attached <u>SUMMARY ORDER</u> <u>APPROVING APPLICATION</u> FOR CHANGE in POINT OF DIVERSION for water right, File No. 11,504, dated on the 19th day of September, 2018, was mailed postage prepaid, first class, U.S. mail, to the following:

DEAN TOPLIFF 6244 ROAD 17 GOODLAND KS 67735-9043

Blen Yayeuna

A copy of the Change Approval was sent to the following:

Groundwater Management District No. 4 P.O. Box 905 Colby, KS 67701

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

9/17 18 Privinge MB

WATER METER REQUIRED

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.

than	100 feet	t, or if	olace o	of use	will be	e char	e ted . (nged, i	Compl include	l ete al e a top	l other	r appli hic ma	cable ip or c	portion detailed	ns. It d plat	f chang showir	ge in p ng the	oint of autho	f divers rized a	ion is greater and proposed
poin	t(s) of div	ersion a	and/or	place	of use												R	ECE	VED
						F	ile No	. <u>11,5</u> 0	04								SE	P 16	2018
1.	Application	on is he	reby n	nade fo	or appr		f the Clace o		nginee		ange t			ie or b	oth):	Di	Stock) : 4 多 cton Fi	<mark>ረ</mark>
	under the	e water	right w	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	he cor	ndition	s desc	ribed l	oelow.		
	The sour		_			-	round				Surfac								
			-1-1-7																
2.	Name an	ıd addre	ess of	Applica	ant: <u>R</u>	andy 1	opliff												
	607 Kans	sas Ave	., Goo	dland,	KS 67	7735										-,-	-		
	Phone N	umber:	(785	5) 8 3	<u>!/~ </u>	212			Email	addres	ss:	rock	470	p58	<i>(</i>	clos	d.c	om	
	Name an	id addre	ess of	Water	Use C	orresp	onden	t: <u>Sar</u>	ne as a	applica	nt								
															,				
^	Phone N								Email	addres	ss:								
3.	The presently authorized place of use is: Owner of Land NAME: Topliff Rev. Trust																		
	Owner or	r Land -	, DDDI	AIVIE.	607	Rev.	i rust_	A.	- (Canad	1/200	K	·	677	25				
	(If there is	more th	an one	landov	vner, at	tach su	inoleme	ental sh	eets as	neces	sarv.)	,	3	0,,	<u></u>				
	(1. 1.1.2.2								N1/4		,	SV	V1/4			Si	E1⁄4		TOTAL
Se	c. Twp.	Range	NE1/4	NW1/4	5W1/4	SE1/4	NE1/4			SE1/4	NE1/4		SW1/4	SE1/4	NE1/4	NW1/4		SE1/4	ACRES
	J. 111p.	Truings	112/-	1,,,,,	0/.	527			0,	1		1,,,,,		<u>-,-,-</u>		,			
4.	If this ap	nlicatio	n is for	a cha	nae in	nlace	of use	itis	ropose	ed that	the pl	ace of	use be	e chan	aed to	:	L		
••	Owner o																		
	(If there is	more th	an one	landov	vner, at	ttach su	ippleme	ental sh	eets as	neces	sary.)								
				NE	 E¼			N\	N1/4			SV	N¹⁄4			s	E¼		TOTAL
Se	c. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	ACRES
																	<u> </u>		
															<u></u>				
																			
	For Offic	ce Use	Only:	Code		Fe	e \$		TR	#		Re	eceipt	Date .			Chec	k#	

Presently autho	rized point of d	liversion:				
		Quarter of the	NW	Quarter of the	sw	Quarter
of Section	34	, Township	8	South, Range	40	W
		nty, Kansas, 2630				
		Authorized Quantity				
		No GP				
		☐ This point will be change				
•	_	Complete only if chang				
		Quarter of the				
		, Township				
in Sherman	Cou	nty, Kansas, 2500	feet North	5250 feet West	of Southeast corner	of section.
Proposed Rate _	1235 gpm	_ Proposed Quantity _	560 AF	Proposed well dep	oth (feet)	<u>.</u>
This point is:	Additional Well	☐ Geo Center List o	ther water righ	nts that will use this po	int N/A	
Presently autho	rized point of c	liversion:				
One in the		Quarter of the		Quarter of the		Quarter
		, Township				
		nty, Kansas,				
		_ Authorized Quantity				
		No GP				
☐This point will n	ot be changed [☐This point will be change	ed as follows:	No change, point bette	r described with GPS	as follows:
Proposed point	of diversion: (Complete only if chang	ge is requeste	ed or if existing point	is better describe	d by GPS)
One in the		Quarter of the		Quarter of the		Quarter
		, Township				
		nty, Kansas,				
		_ Proposed Quantity _				
This point is:	Additional Well	☐ Geo Center List o	ther water righ	nts that will use this po	int	
The changes her	ein are desired	for the following reason	167			
		Tor the following reason	13:	No	orth	
Öld well is not per	forming		300	200 100	0 100 200	300
			<u>, </u>		<u></u> ±''''' ''' '''	11111
If a well is the tes	t hole log attach	ed? ⊠ Yes □ No		and the second s	-	
ii a well, is the tes	t note log attach	ed! A res 100	200	-1+1+1-	- 1 + 1 +	200
The change(s) (w	as)(will be) comp	eleted by?		der pythodolider Manuscaph pag	-	3
Upon approval			100	-1 + 1 + 1 -		1 = 100
Орон арргочаг			100			100
. If the point of dive	rsion is a well:		Ē		and Alberton Auditoria	킄
(a) What are you	going to do with	the old well?	West 0	#4444 malandandandandandandandandandandandandanda	X undum hudum hu	UIII O East
			E			=
Cap it			100	-1 + 1 + 1 -		1 = 100
(b) When will this	be done? <u>Upon</u>	approval	100			100
			E	THE Williams Problems of		=
	Management	District recommendati	on 200 E	-1 + 1 + 1 -		200
attached?	∕es ☐ No			and the state of t	AAAA	3
Appleted to Ot	Ke	D 4	E		<u> </u>	<u></u>
. Assisted by Shan	non Kenyon, GM	U 4	300	200 100	0 100 200	300
a.If the proposed p	oint of diversion	will be relocated more t	than	So	uth Scale: 1 hashma	rk=10 ft

300 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 300 feet but within 2,640 feet of the existing point of diversion will be relocated within 300 feet but within 2,640 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion will be relocated within 300 feet but within 2,640 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion will be relocated within 300 feet but within 2,640 feet of the existing point of diversion will be relocated within 300 feet but within 300 fe 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

feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.) diversion.)

SEP 1 0 2018

14. If th	ne proposed groundwater point of diversion is 300 or fewer feet for	from the existing point of diversion, complete the following:	
(a)	Does the undersigned represent all owners of the currently auth Yes No (If no, all owners must sign this appl		
(b)	Will the ownership interest of any owner of the currently authoraffected if this application is approved as requested? Yes No (If yes, all owners must sign this app		sely
(c)	If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this appl		
or a cha	oplication proposes a surface water change in point of diversion, ange in place of use, the application must be signed by all owner attach notarized statement authorizing representation).		
age an	by verify, being first duly sworn upon my oath or affirmed the owner, the spouse of the owner, or a duly authoushalf, in regards to the water right(s) to which this agned in this application are true, correct and complete.	orized agent of the owner(s) to make this application pplication pertains. I further verify that the statement.	n on
Dated a	at <u>Coodland</u> , Kansas, this	is 6th day of September, 2018	<u></u> .
D. V.	liff Revocable Trust adu De Tarlill Trustee	·	
Top	Aff Revocable Trust	(Spouse)	
R	(Please Print)	(Please Print)	
	,	,	
	(Owner)	(Spouse)	
	(Please Print)	(Please Print)	
	(Owner)	(Spouse)	
	(Please Print)	(Please Print)	
State o	f Kansas of Sherman ss		
•	reby certify that the foregoing application was signed in	my presence and sworn to before me this	day
	NOTARY PUI	JBLIC - State of Kansas ETH STODOLA	ste
My Cor	mmission Expires 3/33/00 My Appt Exp	pires	
accurate	COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a information; maps, if necessary, must be included; signatures of all the opriate fee must be paid.	all of the applicable portions of the application form must be complete appropriate owners' must be affixed to the application and notarized;	d wit
Each a forth in	pplication to change the place of use or the point of diversion und the schedule below: Make checks payable to: Kansas Departr (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feed (3) Application to change the place of use	inder this section shall be accompanied by the application fee statement of Agriculture \$100 eet	set

SEP 1 0 2018

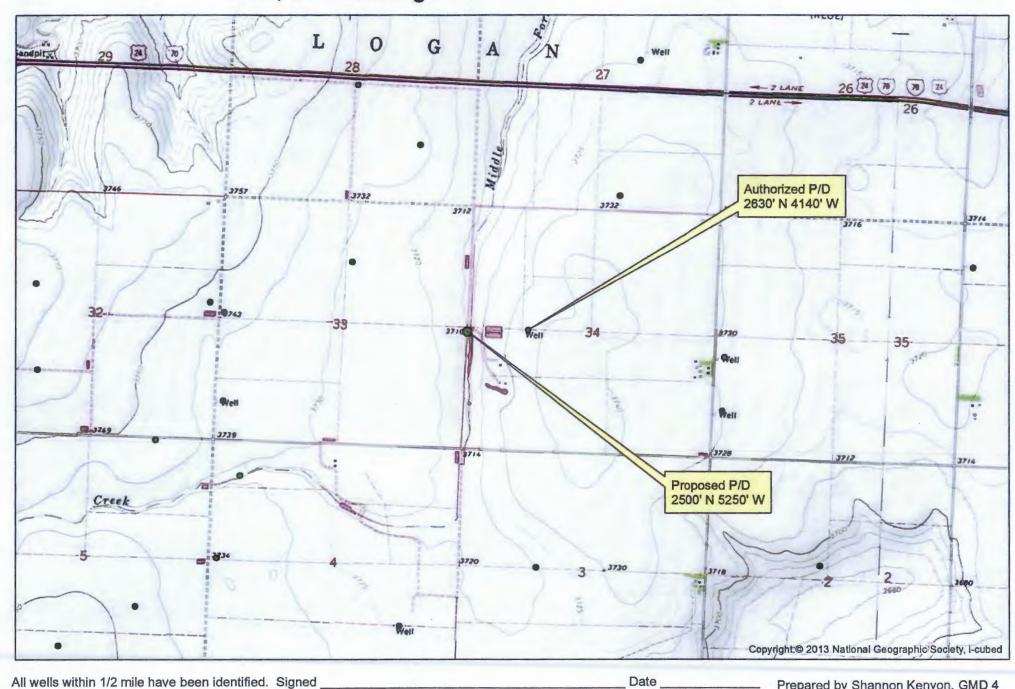
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	visions of the Kansas Water Appropriation Law. K.S.A. 82a-	8b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 701 et. seq., and rules and regulations promulgated thereunder, ein, this Summary Order does not change the terms, conditions
1.	A change application was received on $9-/0-18$ diversion authorized under the above-referenced file numbers.	requesting that the place of use and / or point of per be changed as described in the application.
2.	On and after the effective date of this summary order, the a on the topographic map accompanying the application to o	uthorized place(s) of use shall be located substantially as shown change the place of use. Applicable Vot Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	nts and shall be limited to the same source or sources of water as by this summary order shall be located within afoot le Not Applicable
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurately described using the Global . Applicable Not Applicable
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.	be located more than feet from the previously ot Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level accordance with K.A.R. 5-6-13.	a well with a diversion rate of 100 gallons per minute or more, a measurements shall be installed, operated and maintained in lot Applicable
7.	December 31, 20_1% , or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-	operly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, 4 through 5-1-12. As required by K.S.A. 82a-732, as amended, report the reading of the water flow meter and the total quantity of following the end of each calendar year.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20_19_ the works for diversion has been completed, on the form proved Applicable \(\bigcap \text{Not Applicable} \)	completed on or before December 31, 20 18, or within any applicant shall notify the Chief Engineer that construction of the ided by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the requ	ired notice. ☐ Applicable ☑ Not Applicable
10.	with an in-line, automatic, quick-closing check valve capa	foreign substance will be injected into the water shall be equipped ble of preventing pollution of the source of the water supply. The ined in accordance with K.A.R. 5-3-5c. Applicable \(\Bar{\text{N}}\) Not
11.	Additional Conditions are attached. Yes Yo	
12.	water appropriated under the above-referenced file numl limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations promu	A.R. 5-5-14, all of the owners of the authorized place(s) of use of ber are responsible for compliance with its terms, conditions and mmary Order, and with applicable provisions of the <i>Kansas Water</i> algated thereunder. Failure to comply with these provisions may needed, and/or the suspension or revocation and dismissal of the ons authorized by law.
4	Administrative Appeal and Effective Date of Order	ESD SERVE USE ONLY
you Eng Agrifiled adm day revi File Leg 665	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, a may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be d within 15 days of service of this Order and a request for ministrative review by the Secretary must be filed within 30 ys pursuant to K.S.A. 77-531. Any request for administrative iew must state a basis for review pursuant to K.S.A. 77-527. Easy request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 502. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act. For Use by Register of Deeds	APPLICATION APPROVED AND SUMMARY ORDER ISSUED By: By: Puly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: State of Kansas) County of Rocks Acknowledged before me on 9-19-18 by Mar & Bilinger Signature: Signature: RECEIVED Notary Flublic My commission expires:
		SEP 1 0 2018 (Notary My Appointment Expires

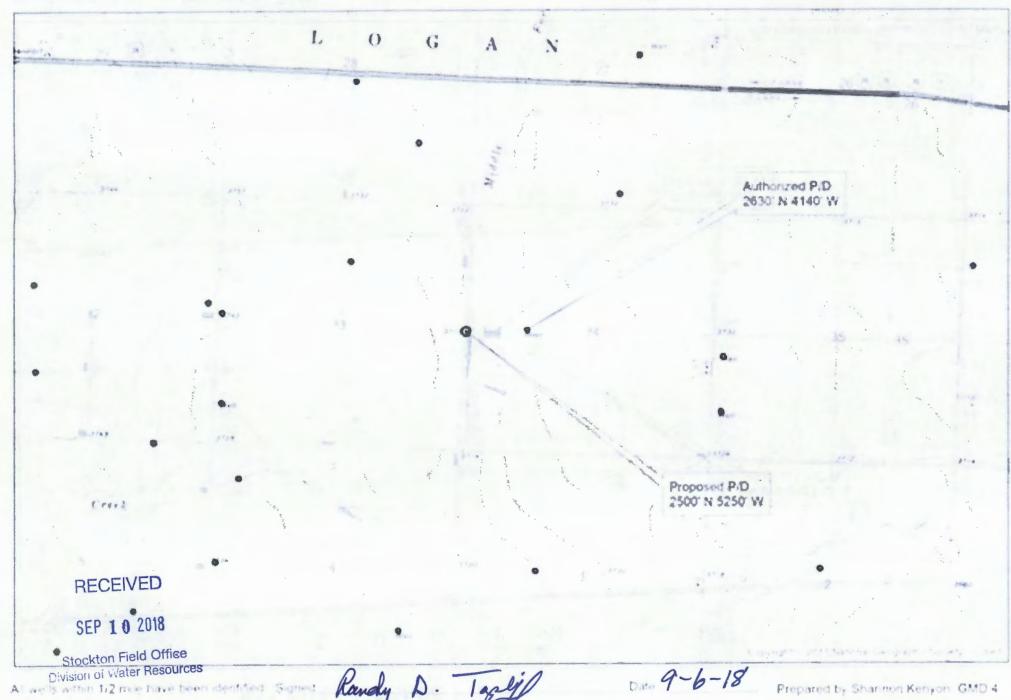
Stockton Field Office

File No. 17,504

#11,504 - Change P/D



Prepared by Shannon Kenyon, GMD 4



Date 9-6-18

Prepared by Shannon Kenyon, GMD 4

3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

Customer Name: Tool of Femily 7	Teust .	WO#: 14UX	Date: 8/31/18
Street Address: 1607 Kouses Av.		Test #: 4/	ELOG: Up b
City, State: Compilero ks (o	77.35	Driller: Davia F	Rizzell
County: Sheemen, Quarter: Sta	Section: 33	Township: 8-	. Range: 4/6
Location: Fern Test #3 . 72'//	GPS:	39.3141391	101.7824,045
Rig-#: /Cm3	Elevation: 3604	Static WL: 210	Estimated? (Ja)
The second secon		Proposed Well Depth	

%	From	Footage Pay	То	Description of Strata
/3	0	ray	12	The same with the same and the
	The second second		44	3 2 30
	2	-	167	Steering Committee council
Nai -	124		1.4	Sand for the wind comes could be form growing
	1-4	-	80	Sand Printer of rate on of the grand (sol on 6 20)
-+-	80		102	Pour of bre been
-	102	1	1117	Soud Cor bear for come Con the wolcas I have the
THE RESIDENCE AND PROPERTY.	1117	-	120	Come week chapter the backer
145 M. C. W.	139	-	Iller	The state of the s
Managed of S	140	8	177	Sound fire to small sure work
	1177		1.97	Care level of comment
- JA 11	1197	1	200	120 C/ (C)
	200		215	Brandley boreck
	215		221	Brow Secret Clan
17-66	221	29	250	Sand fuel - red races social - mes contenent + bours food
35%	250	12	262	San ly berg care sold and could branked
305	26-2	24	281	Sand free and come small for and court bounted to make
15%	286	4	592	Sar Special Consider in planes they close
17.	1995	Bringarde	298	Crain Can Lowert (Slutting Sant)
15%	298	8	304	Sax five to well
200	1961	12	19	IS not be so to small (feel to be in) de familie
567	1318	26	344	Sortinge to spell Clores in Jean Lew Volces
16-1/	344	14	358	San Silly to true (facility loops) they clay
	358	-	3/49	Granding ch
	31,0		362	Shelf any intle don
dan dan garantaga (Teoria) - A	382		395	Ishali
10 Madigardians with their				
Separation of the Separation o				"Test Rice
to a second				· Set un I sent
**************************************				-Pit to Carl
Mary addition parties of the same of the s				2500 Gel X
				3.60c.1
				G-Below Her
				- Desire Tiles
				1-Bpen
-	-			The second secon
, 	-		-	RECEIVE
				SEP 1 9 20

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192



Phone: (785) 425-6787 Fax: (785) 425-6842 www.agriculture.ks.gov



September 10, 2018

GROUNDWATER MANAGEMENT DISTRICT NO 4 PO BOX 905 COLBY KS 67701

Re: Water Right, File No. 11,504

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 <u>September 24, 2018</u> 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 1290 West 4th Street P.O. Box 905 Colby, Kansas 67701-0905

September 13, 2018

Kelly Stewart Stockton Field Office 820 South Walnut Stockton, Kansas 67669-0192

RE: Application: 11,504 Randy Topliff

Dear Kelly,

The Northwest Kansas Groundwater Management District has reviewed the above referenced application and based on our records and the information supplied by the applicant, we have determined that the following recommendation be made to the Chief Engineer: If you have any questions, please contact this office.

Approve application

Sincerely,

Ray Luhman Manager

RPL: jem

RECEIVED

SEP 13 2018

Stockton Field Office
Division of Water Resources