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

Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 29247	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved □ Den	ied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 4/4/18
8a. Applicant(s) New to system THE TERRY OAKLEAF F AGREEMENT 10030 DELMAR LN OVERLAND PARK, KS 6		10030		
8b. Landowner(s) New to system ⊠ ERICSON OAKLEAF FAI 5425 W 100 TH TER OVERLAND PARK, KS 6		421 S I	vstem □ LD W & KELLY BRIDGE ST UETTE, KS 674	
9. Documents and Enclosure(s):	VR Meter(s) Date to Comp	ly:	N & P Date	to Comply:
☐ Anti-Reverse Meter ☐ Meter☐ Conservation Plan Date Requir		□ N & P Form		Driller Copy
10. Use Made of Water From:		То:		
			Date Prepared: 4/25 Date Entered:	By: BILLINGER By:

File No. 29247	11. County	: MP	Bas	in: SMO	KY HILI	RIVE	R		S	tream:	SMO	KY HII	LL RI	VER			F	ormation C	ode:	Special Use:
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14. Limitation:																				
Limitation:																				
15. 5YR Allocation: Allocation 7																				
16. Place of Use CHK			NE:	/4		NV	N1/4			sv	V¹/4			S	E1/4		Total	Owner	Chg	? Overlap Files
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CHK 38739 27 17S 05V	V 5								39	40	23	38	11	35	38	36	260	NEW2	YES	9221, 26275, 29247, 36308
					+															
Base Acres: Year:	N	/linimum	Reason	nable Qu	uantity:															
Comments:																				

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

STATE OF KANSAS

AT A STATE OF THE ASSESSMENT O

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

April 25, 2018

Ericson-Oakleaf Farms LLC Shannon Ericson Mgr 5425 W. 100th Terr. Overland Park, KS 66207

Re: Water rights, File Nos. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308 Dear Sir or Madam:

Enclosed are eight (8) 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. Also, the approval of the orders does require the installation of a water flow meter(s) on the point(s) of diversion authorized under the above file numbers by <u>December 31, 2018</u>. Please complete and return the enclosed Notice(s) 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 is 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 these orders modify the original certificates, they 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.

These documents are summary orders by this agency regarding this matter. These orders 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.

PHONE: (785) 425-6787

www.agriculture.ks.gov

Fax: (785) 425-6842

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 4th day of April, 2018, I hereby certify that the attached <u>SUMMARY ORDERS</u>
<u>APPROVING APPLICATIONS FOR CHANGE in PLACE OF USE AND/OR POINT OF</u>
<u>DIVERSION</u> for water rights, File Nos. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308, dated on the 4th day of April, 2018, were mailed postage prepaid, first class, U.S. mail, to the following:

Ericson-Oakleaf Farms LLC Shannon Ericson Mgr 5425 W. 100th Terr. Overland Park, KS 66207

Bolewa Kageman

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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(b)		erest of any owner of th tion is approved as requ (If yes, all owners n	ested?		identified in this applie	cation be adversely
(c)	If this application is no ☐ Yes ☐ No	t approved expeditiously (If no, all owners m	/, will there be subst ust sign this applica		roperty, public health o	or safety?
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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. 29247 4-4-18 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. 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable

Not Applicable feet from the previously 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. Not Applicable Applicable Not Applicable 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 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 SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing MARIC BILLINGER 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 (Print Name): 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 K Acknowledged before me on 4-25-18 Signature: REBECCA F. HAGEMAN My Appointment Expires June 29, 2019 My commission expires:

6-29-19

(Notary Seal)

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

FILE NO. 29247
MAKE ADDITIONAL COPIES AS NECESSARY

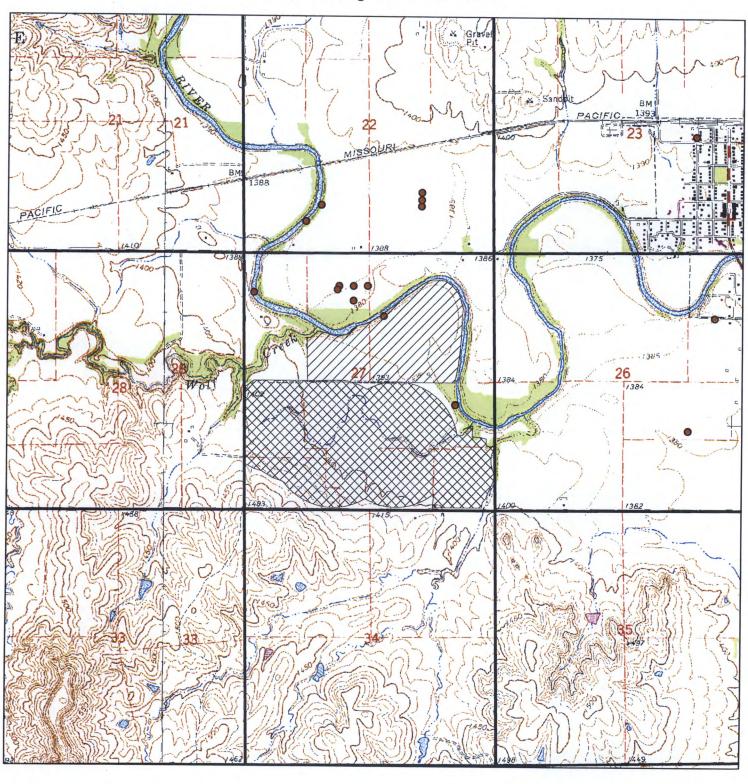
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Application to Change the Place of Use For Water Right File No. 29247





Authorized Place of Use

Proposed Place of Use

RECEIVED

APR 04 2018

Stockton Field Office Division of Water Resources 1:24,000



NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.