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

Assistant Water Commissioner	Date
	7-9-18
Other:	
An original field office change application a review and further processing.	nd the filing fee needing headquarters office
An Advanced <u>copy</u> of a change application a office.	and the filing fee, to be processed at the field
■ A copy of an Approval to Change the place Filing Fee attached. #2108	
A water use report for	
An ownership change (name(s) and address(es	s) below).
Notice of Non-Compliance Violation	Date .
A field investigation report.	-
A closure request.	
A request for an extension of time to perfect or A verified report.	complete.
A memorandum dated	
An application and judgment sheet with recomm	nendation.
Modify Point of Diversion No Yes, d Indicate all overlapping p/d files	locument attached
In Compliance Not in Compliance, w	Otherhy
A Compliance Check Inspection on	☐ Lower Smoky ☐ Other
Proposed Certificate to deliver to Certifica	Meter Order: 🔲 GMD#4
AFIR DFull DP	artial Inspection
Enclosed are the following checked items:	
File No(s). 35 498 + 35499	
TO: HEADQUARTERS RE Vested Right; Water Right; Approximately Approximat	propriation of Water;

Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:		5. GMD:
35,498			03	
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				7/9/18
8a. Applicant(s)	Person ID		• •	Person ID
New to system ⊠	Add Seq#	New to sy	stem 🗀	Add Seq#
DOUG GUENTHER PO BOX 77 DORRANCE, KS 67634				
8b. Landowner(s) New to system □ CITY OF DORRANCE PO BOX 132 DORRANCE, KS 67634	Person ID 21622 Add Seq#	8d. WUC New to sy	stem 🗆	Person IDAdd Seq#
9. Documents and Enclosure(s): DV	VR Meter(s) Date to Compl	y:	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter 3	Seal	□ N & P Form	☐ Water Tube ☐ D	riller Copy
☐ Conservation Plan Date Require	ed: Da	te Approved:	Date to	Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: 7/9/18 Date Entered:	ву: BILLINGER Ву:

File No. 35,498	11. County	y: RS	Ва	sin: SN	MOKY	HILL	RIVEF	₹		S	tream:							Fo	ormation C	ode:	Special Use:	
12. Points of Diversion CHK						·								Rate	and Q	uantity						
MOD DEL PDIV														A	Authori	zed		Α	dditional			
ENT Qualifier	S	Т	R	ID	•	N	'W		Com	ment	(AKA	Line)		Rate gpm		Quantit mgy	У	Rate gpm		antity ngy	Overlap PD Files	
ENT 18191 SW SE NV	V 7	148	11W	1	3	302	342	23	WELL	_ #2, l	BATT	1 OF	2								35499	
ENT 33021 NW SE NV	V 7	148	11W	2	3	347	357	75	WELI	_#1, E	BATT	1 OF	2								35499	
ENT NEW NW NW S	7	148	11W	NEW	3	343	352	20	GEO	CNTF	R BAT	T OF	2	100		4		100	0	4	35499	
13. Storage: Rate		NF	Qua	ntity					ac/ft	A	ddition	ıal Rat	e				NF	Addi	itional Qua	antity		_ ac/ft
14. Limitation:	af/yr	at				gpm (_				cfs) wl	hen co	mbine	d with	file n	umber	(s)						
Limitation:	af/yr	at				gpm (_				cfs) w	hen co	mbine	d with	file n	umber	(s)						
15. 5YR Allocation: Allocati	on Type	_ S	tart Yea	r		5 YR	Amou	nt		Amo	ount U	nit	_	Base	Acres		_ C	omment .				
16. Place of Use CHK			N	E¼			NV	V1/4			sv	V1/4			s	6E¼		Total	Owner	Chg?	? Overlap Files	
MOD DEL ENT PUSE S T	R ID	NE		SW ¼	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4			-		
CHK 31722 7 14S																			8b.	N	35,499	
							-															
Base Acres: Year		Minimu	ım Reas	sonable	Quar	ntity:								'								
Comments: BETTER DESCR						•	AUTH	H UNI	DER 3	5498 8	3549	9 INT	O BAT	гт оғ	2 WE	LLS WI	тн сс	MB RAT	E OF 200	GPM &	QTY OF 8 MGY	

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

July 9, 2018

CITY OF DORRANCE PO BOX 132 DORRANCE KS 67634

Re: Water Rights, File Nos. 35,498 & 35,499

Dear Sir or Madam:

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. 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 **December 31, 2018**. 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.

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

glecca Kayeman

On this 9th day of July, 2018, I hereby certify that the attached <u>SUMMARY ORDERS</u> <u>APPROVING APPLICATIONS FOR CHANGE in POINT OF DIVERSION</u> for water rights, File Nos. 35,498 & 35,499, dated on the 9th day of July, 2018, were mailed postage prepaid, first class, U.S. mail, to the following:

CITY OF DORRANCE PO BOX 132 DORRANCE KS 67634 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

ACOURED

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

APPLICATION COMPLEMS

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Reviewer MB

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							F	-ile No	. <u>35,49</u>	98							,	JUL (0 9 20	18
1.	Applic	cation is	here	eby m	nade fo	or appr	roval c	of the C	Chief E	nginee	er to ch	nange f	the (ch	eck or	ne or b	oth):		211	7014	Office
							□Р	lace o	f Use		\boxtimes	Point	of Dive	ersion						esources
	under	r the wa	ter ri	ght w	/hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with f	the cor	ndition					
	The s	source c	f sup	ply is	s:		⊠ G	round	water			Surfac	ce wate	er						
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	For C	Office U	se O	nly:	Code		Fe	e \$		<i>TR</i>	#		Re	ceipt	Date _			Chec	k#	

5. [Presently authorize	zed point of	diversion:	-			
			Quarter of the				
	of Section	07	, Township	14	South, Range	11	W,
			unty, Kansas, <u>3302</u>				
	Authorized Rate _	100 GPM	Authorized Quantity	4 MGY	Depth of well	(1	eet)
			No. 1 GP				
- 1							
			Complete only if chang				
			Quarter of the				
- 1	of Section	07	, Township	14	South, Range	11	W,
1			unty, Kansas, <u>3340</u>				
			Proposed Quantity _				
L	This point is: A	dditional Wel	Geo Center List o	ther water righ	nts that will use this p	oint 35499	<u> </u>
г							
6.	Presently authori				0 1 11		01
- 1			Quarter of the				
			, Township				
			unty, Kansas,				
	Authorized Rate _	Computor ID	Authorized Quantity No. 2 GF	2247	Depth of well	3575 foot \	Nest)
			This point will be chang				
	•		(Complete only if chang				
			Quarter of the				
- 1	of Section	07	, Township	14	Quarter or the	11	Quarter
	in RUSSELI	Co	unty, Kansas, <u>3347</u>	feet North	3575 feet Wes	of Southeast cor	ner of section
- 1			Proposed Quantity _				
			☐ Geo Center List of		•		
L					<u> </u>		
7.			for the following reason	ıs?			
	(please be specific)		T WELLS 3 & 35499 INTO A BATT	300) 200 100 ^N	lorth 0 100 20	00 300
			OF 8 MGY & 200 GPM	500) 200 100 1111111111111111111111111111111	400000000000000000000000000000000000000	Luuluud 200
							<u>'</u> =
8.	If a well, is the test	hole iog attacl	ned? 🗌 Yes 🛮 🖾 No	200	-1+1+1	= 1 + 1 -	- 1 = 200
9.	The change(s) (was	محمد النابان	unlated by 2			Ξ ', ' '	' =
ð.	The change(s) (was	• • • • • • • • • • • • • • • • • • • •	ipieted by ?			=	
	UPON APPROVAL			100	-1 + 1 + 1	= + 1 -	100
10.	If the point of divers	sion is a well:				= -	- 🖹
	(a) What are you	going to do wit	h the old well?	West 0	#dimfaufa @ i @ i	🌉 uduuluuluu	
		, ,				<u> </u>	_ =
	RETAIN			100	_ + _ + _ + _ + _ +	<u> </u>	100
	(b) When will this	be done? <u>UP(</u>	ON APPROVAL	100		= ' T ' -	100
							- =
11.		anagement	District recommendat	ion 200	-1 + 1 + !	= 1 + 1 -	├
	attached?	es 🗌 No				=	
12	Assisted by M. BILI	INGER		=	արախարակարկո	. I miladada	أسلسا
				300	200 100	0 100 20	00 300 hmark=10 ft
13a	.If the proposed po	int of diversio	n will be relocated more	than	•	224.0. 2 1/03	

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 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

14. If the proposed groundwater point of diversion is 30	0 or tewer teet tro	m the existing	point of diver	sion, complete	the following:
(a) Does the undersigned represent all owners of t ☐ Yes ☐ No (If no, all owners mu			of use identif	ied in this appl	ication?
(b) Will the ownership interest of any owner of the affected if this application is approved as reque ☐ Yes ☐ No (If yes, all owners means the content of the content	ested?		of use identifi	ed in this appl	ication be adversely
(c) If this application is not approved expeditiously ☐ Yes ☐ No (If no, all owners mu			ge to property,	, public health	or safety?
If the application proposes a surface water change in poor a change in place of use, the application must be sign agent (attach notarized statement authorizing representations)	ned by all owners	groundwater of the current	change in poil	nt of diversion place of use, o	greater than 300 feet, r their duly authorized
I hereby verify, being first duly sworn upon my age and the owner, the spouse of the owner, of their behalf, in regards to the water right(s) to contained in this application are true, correct a	r a duly authori which this app	zed agent o	f the owner	(s) to make t	this application on
Dated at 7-9-2018	•	7 d	ay of Ju	14	, 20 1% .
City of Worrance			(5	Spouse)	
Dovalos W. Guenth.	er		,	. ,	
(Please Print)			(Ple	ase Print)	
City of Dorrance (Owner) Douglas W. Guenth (Please Print) Operator - Board Men (Owner)	nher_		(5	Spouse)	
(Please Print)			(Ple	ease Print)	
(Owner)			(\$	Spouse)	
(Please Print)			(Ple	ease Print)	
State of Kansas) SS					
County of)					ath
hereby certify that the foregoing application was		-	and sworn to	before me	this day of
My Commission Expires 10-31-21	ANITA L. BAS NOTARY PI State of Kanz My Commission Exprises	UBLIC (mta	ary Public	ssler
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.	To be complete, all	of the applicable	e portions of the	application form	must be completed with
accurate information; maps, if necessary, must be included; significant the appropriate fee must be paid.					
	FEE SCHEDU				
Each application to change the place of use or the point forth in the schedule below: Make checks payable to: (1) Application to change a point of diversion 3 (2) Application to change a point of diversion m (3) Application to change the place of use	Kansas Departme 00 feet or less nore than 300 feet	ent of Agricu	ture		\$100 \$200

JUL 09 2018

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	visions of the Kansas Water Appropriation Law. K.S.A. 82	708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable a-701 et. seq., and rules and regulations promulgated thereunder, erein, this Summary Order does not change the terms, conditions
1.	A change application was received on 7-97-78 diversion authorized under the above-referenced file nur	requesting that the place of use and / or point of mber be changed as described in the application.
2.	On and after the effective date of this summary order, the on the topographic map accompanying the application to	authorized place(s) of use shall be located substantially as shown o change the place of use. Applicable Not Applicable
3.	The change in point of diversion shall not impair existing ripreviously authorized. The point of diversion authorized radius of the authorized point(s) of diversion. ☐ Application	ghts and shall be limited to the same source or sources of water as by this summary order shall be located within a 50 foot able Not Applicable
4.	The point(s) of diversion described herein is administrati Positioning System (GPS), as described in the application	ively corrected to be more accurately described using the Global on. \boxtimes Applicable \square Not Applicable
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion. ☐ Applicable ☒	ly be located more than feet from the previously Not Applicable
6.	As required by K.A.R. 5-3-5d, if the works for diversion is	s a well with a diversion rate of 100 gallons per minute or more, a Il measurements shall be installed, operated and maintained in
7.	December 31, 2018, or before the first use of water, operated and maintained in accordance with K.A.R. 5-	properly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, 1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, d report the reading of the water flow meter and the total quantity of 1 following the end of each calendar year.
8.		be completed on or before December 31, 2018 , or within any plicant shall notify the Chief Engineer that construction of the works by the Chief Engineer, as required by K.A.R. 5-8-4e.
9.	The completed well log shall be submitted with the rec	quired notice. Applicable Not Applicable
10.	with an in-line, automatic, quick-closing check valve car	er foreign substance will be injected into the water shall be equipped pable of preventing pollution of the source of the water supply. The tained in accordance with K.A.R. 5-3-5c. Applicable Not
11.	Additional Conditions are attached. ☐ Yes ☐ No	
12.	water appropriated under the above-referenced file null limitations, as amended and/or supplemented by this S Appropriation Law and the Rules and Regulations pror	C.A.R. 5-5-14, all of the owners of the authorized place(s) of use of mber are responsible for compliance with its terms, conditions and ummary Order, and with applicable provisions of the <i>Kansas Water</i> mulgated thereunder. Failure to comply with these provisions may amended, and/or the suspension or revocation and dismissal of the ctions authorized by law.
	Administrative Appeal and Effective Date of Order	
you Eng Agr filed adr day rev 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 riculture. A request for hearing by the Chief Engineer must be diviting with the divition of the secretary of the divition of the secretary must be filled within 30 yes 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. The second s	By: Portion Approved And Summary Order Issued
pie	For Use by Register of Deeds	State of Kansas) County of RockS)
		Acknowledged before me on 7-9-18
		by Mark Billinger
		Signature: Black F. Kagunan Notary Public
		My commission expires: REBECCA F. HAGEMAN NOTARY My Appointment Expires

DWR 1-121 (Revised 04/5/2018)

RECEIVED

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

FILE NO. 35,498

JUL 09 2018

	naint of discouriess			Stockton Field Office
Presently authorized	point or diversion:		0	Division of Water Resources Quarter
One in the	Quarter of the		Quarter of the _	Quarter
or Section	, TOWNSHIP		South, Range	(⊏/VV),
	County, Kansas,			
	Authorized Quantity			
	puter ID No G			
	hanged			
	version: (Complete only if cha			
				SE Quarter
				W,
	County, Kansas, <u>3343</u>			
Proposed Rate100	O GPM Proposed Quantity	4 MGY	Proposed well dep	th (feet)
This point is: Additi	onal Well	tother water righ	nts that will use this poi	int <u>35,499</u>
Presently authorized				
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	of Southeast corner of section.
Authorized Rate	Authorized Quantit	y	Depth of well	(feet)
(DWR use only: Com	puter ID No	SPS	feet North	feet West)
	changed This point will be chan			
•	version: (Complete only if cha	-		
				Quarter
				(E/W),
	County, Kansas,			
				th (feet)
				int
The point is: 17 todata	onar vvoir coe corner	tourer water rigi	100 tillat 11 000 tilla po	The second secon
Presently authorized	point of diversion:			
			Quarter of the	Quarter
One in the	Quarter of the		Quarter of the _	Quarter (E/W),
One in the of Section	Quarter of the , Township		South, Range _	(E/W),
One in the of Section in	Quarter of the , Township County, Kansas,	feet North _	South, Range _ feet West o	of Southeast corner of section.
One in the of Section in Authorized Rate	Quarter of the, Township County, Kansas, Authorized Quantit	feet North _	South, Range _ feet West (Depth of well	of Southeast corner of section. (feet)
One in the of Section in Authorized Rate (DWR use only: Com	Quarter of the , Township County, Kansas, Authorized Quantit	feet North _ y GPS	South, Range _ feet West (Depth of well feet North	of Southeast corner of section. (feet) feet West)
One in the of Section in Authorized Rate (DWR use only: Com	Quarter of the , Township , Township County, Kansas, Authorized Quantit iputer ID No Changed ☐This point will be char	feet North _ y GPS nged as follows: [South, Range feet West of well feet North No change, point bette	(E/W), of Southeast corner of section. (feet) feet West) er described with GPS as follows:
One in the of Section in Authorized Rate (DWR use only: Com This point will not be of Proposed point of div	Quarter of the, Township, Township, Township, County, Kansas, Authorized Quantit puter ID No Changed This point will be charversion: (Complete only if char	feet North _ y BPS nged as follows: [nge is requeste	South, Range feet West of well feet North No change, point bette	of Southeast corner of section. (feet) feet West) r described with GPS as follows: is better described by GPS)
One in the	Quarter of the, Township, Township, Township, County, Kansas,, Authorized Quantit puter ID No Changed	feet North _ y BPS nged as follows: [nge is requeste	South, Range feet West of Depth of well feet North No change, point bette d or if existing point Quarter of the	(E/W), of Southeast corner of section(feet)feet West) er described with GPS as follows: is better described by GPS)Quarter
One in the	Quarter of the, Township, Township, County, Kansas, Authorized Quantit puter ID No Changed	feet North _ y SPS nged as follows: [nge is requeste	South, Rangefeet West of the set of	(E/W), of Southeast corner of section. (feet) feet West) or described with GPS as follows: is better described by GPS) Quarter (E/W),
One in the	Quarter of the, Township, Township, Township, Authorized Quantit inputer ID No Changed	feet North _ y GPS nged as follows: [nge is requeste feet North _	South, Range feet West of the line	(E/W), of Southeast corner of section. (feet)(feet) er described with GPS as follows: is better described by GPS)Quarter(E/W), of Southeast corner of section.
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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.