Submit To: CHIEF ENGINEER Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, Kansas 66502 http://agriculture.ks.gov/dwr

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1.	Application is hereby made for approval of the Chief Engineer to change the	WATER RESOURCES RECEIVED
	Place of Use	FEB 0 3 2025
	(Check one or more) 🛛 Point of Diversion	FED V J 2020
	Use Made of Water	KS DEPT OF AGRICULTURE
		4:53 PM
	File No. <u>24002</u>	
2.	Name of applicant: BRADY EAKES	
	Address: 2063 ROAD O	
	City, State and Zip: PLAINS KS 67869	
	Phone Number: () E-mail address:	
	What is your relationship to the water right; over the o	If other, please explain
	Name of water use correspondent: <u>NO CHANGE</u>	
	Address:	
	City, State and Zip:	
	Phone Number: () E-mail address:	
3.	The change(s) proposed herein are desired for the following reasons (please be	specific): TO MOVE AN EXISTING
	OPERATING LOW YEILDING WELL TO AN EXISTING OLD INACTIVE WELL TO SA	VE ON COST OF DRILLING
	THIS WILL ALSO EXPEDITE ON PLANNING FOR SPRING CROP PRODUCTION	
	the change(s) (was) (will be) completed by <u>SPRING 2025</u>	2/17/2025
	(Date)	LMoody
F.	or Office Use Only: 0. <u>4</u> GMD <u>3</u> Meets K.A.R. 5-5-1 (YES) NO) Use IRR ode <u>CHT</u> Fee \$ <u>100</u> TR # Receipt Date <u>4</u>	SW By KJN Date 2/7/25

Assisted by: MM/DWR

WATER RESOURCES RECEIVED

FEB 03 2025

File No. 24002

4. The presently authorized place of use is:

KS DEPT OF AGRICULTURE

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List any other water rights that cover this place of use.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. CAP IT

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARYD

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WATER RESOURCES RECEIVED

FEB 03 2025

File No. 24002

purposes.

12.	The presently authorized use of water is for IRRIGATION	KS DEPT	OF AGRICUL	purposes.
	It is proposed that the use he changed to NA			

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

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	(Please show any calculations here.)	生物化性的 计通知转移 网络小叶花 化合正式加速度
14.	It is requested that the maximum annual quantity of water be reduced to	(acre-feet or million gallons).
15.	It is requested that the maximum rate of diversion of water be reduced to	gallons per minute (c.f.s.).

- 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
 - a. If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
- 17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGE IN SOURCE OF SUPPLY OR LOCAL SOURCE OF SUPPLY

CURRENT WELL ON SECTION 26 IS 470 FEET DEEP, PROPOSED OLD WELL IS 360 FEET DEEP

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

REQUEST WAIVER OF KAR 5-23-3 to be allowed to move over one half mile to original well location within the same water

right's local source of supply. this saves on cost of drilling another well, and improves the aquifer concentration of wells.

this request also includes consideration of limited well spacing to our current well under this same water right priority. well spacing does not meet by 80 feet...

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executor, executor, it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

_, Kansas, this	day of Sanary	, 20 25
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	(Please Print)	
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	(Spouse)	
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of Kansas	Sten	
1.0.1.20	Notary Public	
	signed in my presenc	(Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) signed in my presence and sworn to before me th RAIRE-DELEON of Kansas Added

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

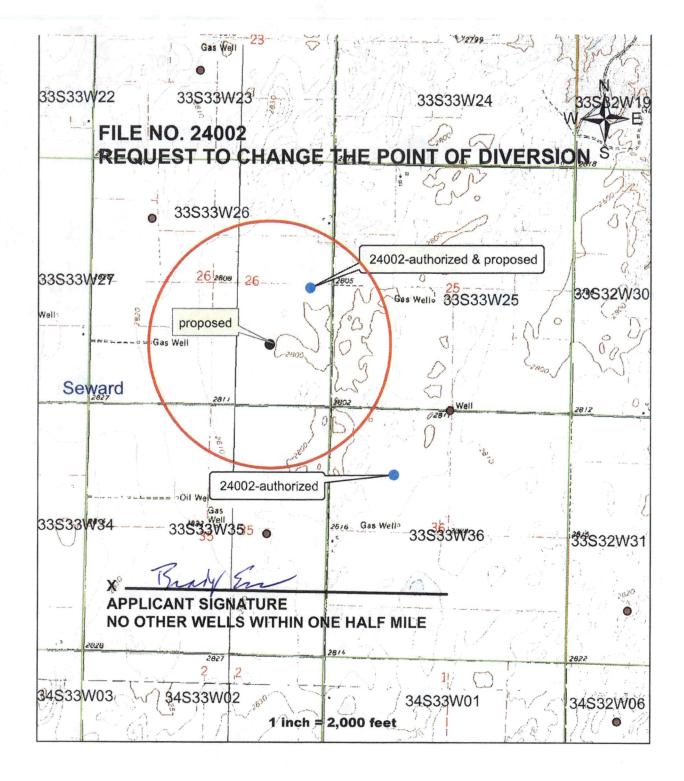
(1)	Application to change a point of diversion 300 feet or less
(2)	Application to change a point of diversion more than 300 feet
$\langle 4 \rangle$	Application to change a point of diversion 300 feet or less \$100 Application to change a point of diversion more than 300 feet \$200 Application to change the place of use \$200 Application to change the place of use \$200 Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

FEB 0 3 2025

WATER RESOURCES

KS DEPT OF AGRICULTURE



WATER RESOURCES RECEIVED

FEB 03 2025

KS DEPT OF AGRICULTURE

1320 Research Park Drive Manhattan, KS 66502 785-564-6700 www. agriculture.ks.gov

Mike Beam, Secretary



900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Laura Kelly, Governor

February 14, 2025

BRADY EAKES 2063 ROAD O PLAINS KS 67869

RE: File No(s). 24002

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at <u>agriculture.ks.gov/divisions-</u> <u>programs/dwr</u>. If you have any other questions, please contact our office at 785-564-6640 or your local Garden City Field Office at 620-276-2901. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

KristendBaum

Kristen Baum New Applications and Changes Supervisor Water Appropriation Program