

17190 Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

Document Signature _____

1. File Number: 17190	2. Status Change Date: 9/19/2017	3. Change Num: C3	4. Field Office: 02	5. GMD:
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 27-JUL-2017
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8a. Applicant(s) New to system <input type="checkbox"/> BRIT SCHROEDER 26032 SW L JETMORE KS 67854	Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> W RICHARD SCHROEDER 27733 SW L RD JETMORE KS 67854-5570 No change	Person ID 15909 Add Seq# 1	8d. WUC New to system <input type="checkbox"/> NO CHANGE 8B	Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/17** N & P Date to Comply: **12/31/17**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **09/11/17** By: **RAK**
 Date Entered: **9/25/2017** By: **UM**

File No. **17190** 11. County: **HG** Basin: **BUCKNER CREEK** Stream: _____ Formation Code: **113**
no change Special Use: _____

12. Points of Diversion										Rate and Quantity						
MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD			29838	NWNESE	10	23	24W	5	2289	1161		180 g.p.m.	<u>35 AF</u>	180 g.p.m.	<u>35 AF</u>	NO
KEEP PD COMMENT REVERTED BACK TO PREVIOUS POINT OF DIVERSION																
MOD			50616	NENWSE	10	23	24W	4	<u>2329</u>	<u>1774</u>		50 g.p.m.	<u>28 AF</u>	50 g.p.m.	<u>28 AF</u>	NO

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files				
	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
MOD DEL ENT	PUSE	S	T	R	ID																			
NO CHANGES TO PU																								

Comments: _____

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: September 11, 2017

FROM: Richelle A. Krueger

RE: Water Right
File No. 17,190

Brit Schroeder, and Richard W. Schroeder et al, filed an application for approval to change the authorized point of diversion for the referenced file number, authorized groundwater for irrigation use in the Buckner Creek drainage basin.

The water right does not appear to be abandoned as per K.S.A. 82a-718.

The referenced application is authorized two wells with assigned rates and quantities for irrigation of 55 acres located Section 10, Township 23 South, Range 24 West, Hodgeman County, Kansas. There are no current overlaps in the authorized points of diversion or place of use. The applicant proposes to transfer 14 acre feet (and no rate) from the "East" well to the "West" well so that a total of 28 acre-feet @ 50 gallons per minute will be authorized at the "West" well (2,329 feet North and 1,774 West of the Southeast corner of Section 10) and 35 acre-feet @ 180 gallons per minute will be authorized at the "East" well (2,289 feet North and 1,161 feet West of the Southeast corner of Section 10). The proposed move involves a distance of approximately 614 feet between existing wells authorized by the same file number.

The proposed change will not meet the 1,320 feet well spacing requirements of K.A.R. 5-4-4 *Well spacing* to each other since the authorized/ proposed wells are approximately 614 feet apart. However, it appears that the spacing between wells is sufficient to prevent direct impairment between the wells located in a common source of supply or hydraulically connected sources of supply as per K.A.R. 5-4-4(a).

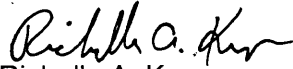
The proposed change in point of diversion does not appear to comply with K.A.R. 5-5-13 *Relocation of alluvial wells*. However, as indicated in an August 28, 2017 e-mail from Cameron Conant, Assistant Water Commissioner of the Stafford Field Office, field office staff reviewed the application when it was filed. The proposal does not move more quantity closer than 10 percent to Buckner Creek but it does move it closer to Spring Creek, a solid blue line tributary to Buckner Creek. A reservoir is located upstream on this same tributary so the relatively small quantity and diversion rate (28 AF and 50 g.p.m.) should have little to no impact on whatever water is flowing in the tributary.

No other wells were identified in WRIS or the application map within one-half mile of the proposed existing well.

No well log was submitted with the application. However, it appears that the same local source of supply will not change, which has been previously determined to Main Stem Alluvium (113). The west well will be better described with g.p.s. feet distances as shown on the application and in WRIS.

In an e-mail dated September 11, 2017, Jeff Lanterman, Water Commissioner of the Stafford Field Office, indicated that he has no objections to approval of the referenced application with a waiver of K.A.R 5-5-13.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.


Richelle A. Krueger
Environmental Scientist

Kansas Department of Agriculture
 Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: 17,190

FO: 2

GMD:

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
IRR	07/27/17	57	Statewide	Change Approval	Location of Alluvial Wells
Rule Number	Date Granted	Date Denied	Justification:	Approval of the proposed change for File No. 17,190 will result in no difference in hydrologic effect on the stream channel.	
K.A.R. 5-5-13	9/19/2017				

WAIVER RULE:

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive

Date Prepared 09/11/17 By RAK

Date Entered 9/25/2017 By UM

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 26, 2017

RICHARD W AND JULIE A SCHROEDER
RICHARD AND ELIZABETH SCHROEDER
27733 SW L RD
JETMORE KS 67854-5570

FILE COPY

RE: Water Right, File No. 17,190

Dear Mr. and Mrs. Schroeder:

Enclosed is the order executed by the 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 enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the order for the referenced file number modifies the original document referred to above it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, R.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Stafford Field Office
Brit Schroeder



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN
POINT OF DIVERSION
WATER RIGHT
FILE NO. 17,190**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Brit Schroeder, 26032 Southwest L Road, Jetmore, Kansas, 67854, Richard and Elizabeth Schroeder, and Richard W. and Julie A. Schroeder, 27733 Southwest L Road, Jetmore, Kansas, 67854-5570, received in this office on July 27, 2017, for approval of a change in the location of the point of diversion under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer dated October 23, 1991, June 13, 2012 and December 5, 2012, approving applications to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized locations of the points of diversion shall be:

one (1) well located in the Northeast Quarter of the Northwest Quarter of the Southeast Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, more particularly described as being near a point 2,329 feet North and 1,774 feet West of the Southeast corner of said section, at a diversion rate not in excess of 50 gallons per minute (0.11 c.f.s.) and in a quantity not to exceed 28 acre-feet of water per calendar year, and

one (1) well located in the Northwest Quarter of the Northeast Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, more particularly described as being near a point 2,289 feet North and 1,161 feet West of the Southeast corner of said section, at a diversion rate not in excess of 180 gallons per minute (0.40 c.f.s.) and in a quantity not to exceed 35 acre-feet of water per calendar year,

both in Township 23 South, Range 24 West, Hodgeman County, Kansas,

located substantially as shown on the map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 17,190, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated May 10, 1983, as modified and amended by the aforementioned orders.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

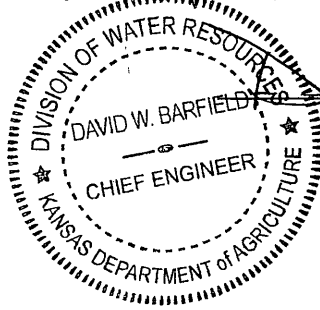
To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 19th day of September, 2017, in Topeka, Shawnee County, Kansas.



David W. Barfield
David W. Barfield P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 19th day of September, 2017, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

CERTIFICATE OF SERVICE

On this 19th day of September, 2017, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. 17,190, dated September 19th was mailed postage prepaid, first class, US mail to the following:

RICHARD W AND JULIE A SCHROEDER
RICHARD AND ELIZABETH SCHROEDER
27733 SW L RD
JETMORE KS 67854-5570

With photocopies to:

BRIT SCHROEDER
26032 SW L RD
JETMORE KS 67854

Stafford Field Office

Danielle Wilson
Division of Water Resources

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

WAIVER OF REGULATION
K.A.R. 5-5-13 Relocation of alluvial wells

Date: 9/19/2017

RE: Water Right, File No. 17,190

1. That K.A.R. 5-5-13 states in part: "If an authorized point of diversion is a well that has its source of supply an alluvium in a reach of a basin that is fully appropriated or closed to new appropriations, the approval of a change in point of diversion, and any subsequent approvals of changes in points of diversion, shall not authorize the distance between the well and the centerline of the stream to be decreased by more than 10 percent as measured from the following: (1) The authorized well location when the basin became fully appropriated or was closed to new appropriations; and (2) the centerline of the stream when the change application was filed."
2. Water Right, File No. 17,190, located in the Buckner Creek drainage basin, is in an area in which the groundwater has been determined to be fully appropriated. File No. 17,190 is authorized irrigation use from two wells with assigned diversion rates and quantities located in Section 10, Township 23 South, Range 24 West, Hodgeman County, Kansas. There are no present overlaps in the authorized points of diversion or places of use.
3. That the application to change the point of diversion for Water Right, File No. 17,190 was received in the office of the Chief Engineer on July 27, 2017. The applicant proposes to transfer 14 acre feet (and no rate) from the "East" well to the "West" well so that a total of 28 acre-feet @ 50 gallons per minute will be authorized at the "West" well (2,329 feet North and 1,774 West of the Southeast corner of Section 10) and 35 acre-feet @ 180 gallons per minute will be authorized at the "East" well (2,289 feet North and 1,161 feet West of the Southeast corner of Section 10). The proposal does not appear to comply with K.A.R. 5-5-13 *Relocation of alluvial wells* since the proposal appears to decrease the distance between the currently authorized well, and the centerline of the stream by more than 10 percent.
4. The application should be approved with a waiver of K.A.R. 5-5-13. The proposed move is not closer to Buckner Creek but to a tributary to Buckner Creek, Spring Creek. A reservoir is located upstream on this tributary, and the relatively small quantity and diversion rates proposed for the existing wells should have little or no impact on streamflow.
5. That a waiver of K.A.R. 5-5-13 will neither prejudicially nor unreasonably affect the public interest and it will not impair an existing water right.

Comments:

David W. Barfield, P.E.

Chief Engineer

Division of Water Resources
Kansas Department of Agriculture

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**



State of Kansas

*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

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

WATER RESOURCES
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JUL 27 2017

10:02

KS DEPT OF AGRICULTURE

File No. 17190

2. Name of applicant: Brit Schroeder

Address: 26032 SW L Rd

City, State and Zip: Jetmore, KS 67854

Phone Number: (620)357-5156

E-mail address: britschroeder@msn.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Richard W Schroeder

Address: 27733 SW L Rd

City, State and Zip: Jetmore KS 67854-5570

Phone Number: (620)357-4295

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): The proposed change will move quantity from the east well to the west well authorized by File No. 17190. In addition, the location of the west well will be better described based on GPS coordinates. There will not be a new well proposed under the change application.

The change(s) (will be) completed by upon approval of application

(Date)

For Office Use Only:

F.O. 2 GMD 3 Meets K.A.R. 5-5-1 (YES/NO) Use FR Source G/S County HG By AW Date 7/27/17
Code CGT Fee \$ 200 TR # _____ Receipt Date 7/27/17 Check # 1250

APPLICATION COMPLETE

9/8/17
Reviewer RAIK

Assisted by: TJS -SFFO

SCANNED

7/28/17 DW

4. The presently authorized place of use is:

Owner of Land — NAME: Richard W Schroeder

ADDRESS: 27733 SW L Road, Jetmore KS 67854-5570

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10	23S	24W													11	36	8		55

List any other water rights that cover this place of use. None

Owner of Land — NAME: ---

ADDRESS: ---

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: No Change

ADDRESS: ---

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

Owner of Land — NAME: ---

ADDRESS: ---

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

WATER RESOURCES RECEIVED
JUL 27 2017

KS DEPT OF AGRICULTURE

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion are two well with diversion works
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) no change
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NW Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2340 feet North 1640 feet West of Southeast corner of section. Authorized Rate 50 GPM Authorized Quantity 14 AF
 (DWR use only: Computer ID No. 4 GPS 2329 feet North 1774 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NE Quarter of the NW Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2329 feet North 1774 feet West of Southeast corner of section. Proposed Rate 50 GPM Proposed Quantity 28 AF
 This point is: Additional Well Geo Center List other water rights that will use this point None

9. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2289 feet North 1161 feet West of Southeast corner of section. Authorized Rate 180 GPM Authorized Quantity 49 AF
 (DWR use only: Computer ID No. 5 GPS 2289 feet North 1161 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2289 feet North 1161 feet West of Southeast corner of section. Proposed Rate 180 GPM Proposed Quantity 35 AF
 This point is: Additional Well Geo Center List other water rights that will use this point None

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

WATER RESOURCES RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for Irrigation purposes.

It is proposed that the use be changed to No Change purposes.

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

N/A

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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:

- 1) 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.

Both wells are authorized by File No. 17190 and produce out of the same local source of supply. While quantity is being moved closer to the nearby stream, the quantity being moved is small and the rate of diversion is not being increased.

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.

The proposed quantity move will likely decrease the distance between the alluvial well and the centerline of the stream by more than 10 percent. However, this well is part of the same place of use and is owned and operated by the applicant. A waiver of K.A.R. 5-5-13 is requested.

WATER RESOURCES
RECEIVED

JUL 27 2017

KS DEPT OF AGRICULTURE

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water before 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, executrix, conservator), 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.

Dated at Wichita, Kansas, this 21 day of July, 2017.

Richard Schroeder
(Owner)
Richard Schroeder
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

Elizabeth Schroeder
(Spouse)
Elizabeth Schroeder
(Please Print)

(Spouse)

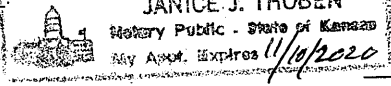
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Wichita } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21st day of July, 2017.



Janice J. Thoben
Notary Public

My Commission Expires 11/10/2020

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 \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES
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JUL 27 2017

KS DEPT OF AGRICULTURE

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Stafford Field Office
300 S. Main Street
Stafford, Kansas 67578-1521

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311
Fax: (620) 234-6900
www.agriculture.ks.gov
Sam Brownback, Governor

July 14, 2017

WATER RESOURCES
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JUL 27 2017

KS DEPT OF AGRICULTURE

Brit Schroeder
26032 SW L RD
Jetmore KS 67854

RE: Water Right, File No(s). 17,190

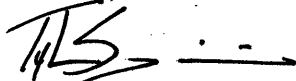
Dear Mr. Schroeder,

You will find enclosed with this letter an application for approval to change the place of use under Water Right, File No(s). 17,190. The application was written with the intent of moving 14 AF from the east well to the west well authorized by File No. 17,190.

Please review the application and associated maps carefully and make any corrections as needed. Once you are satisfied everything is correct, an authorized representative of all owners and spouses of record must sign the application and have their signatures notarized. In addition, all domestic wells within one-half mile of the authorized well locations need to be noted on the map. If there are any wells not shown, please add them and then sign the map.

The fee for filing the enclosed application is \$200. Please return the signed application to the Manhattan Office and include a check made payable to the Kansas Department of Agriculture for the total amount. If I can be of any further assistance, or if you have any questions regarding the enclosed application, contact our office at (620)234-5311.

Sincerely,



Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

Enclosures Change Application

SCANNED

Good Morning Mr. Schroeder,

I am reviewing the above referenced application to change the point of diversion for Water Right, File No. 17,190 received in the office of the Chief Engineer in Manhattan KS on July 27, 2017. The application proposes to transfer 14 acre-feet of water between the authorized wells.

The regulations require that all owners and spouses of the authorized place of use must sign the application in the presence of a notary public. Our records show Richard William Schroeder and Julie A Schroeder as owners. Richard and Elizabeth Schroeder signed the application, however it appears we also need the original notarized signature of Julie A. Schroeder and spouse(if applicable). Attached is a copy of the application and a blank signature page.

I will need the original notarized signatures of Julie A. Schroeder and spouse(if applicable) before I can further process the application. Please return the original notarized signatures to my attention at the following address:

Kansas Department of Agriculture

Division of Water Resources

ATTN Richelle Krueger

1320 Research Park Dr.

Manhattan, KS 66502

If the ownership information is not correct, please send a copy of the recorded deed showing the correct ownership so that our records may be updated. If you have any questions or need further assistance, feel free to call me at (785) 564-6635 or my supervisor, Brent Turney, Change Application Unit Supervisor at (785) 564-6645.

Thanks,

Richelle Krueger

WATER RESOURCES
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SEP 08 2017

KS DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water before 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. 62a-72B(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, executrix, conservator), 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 filling 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.

Dated at Seamore, Kansas, this 31 day of Aug, 2017

Richard W Schroeder
(Owner)

Julie A Schroeder
(Spouse)

Richard W Schroeder
(Please Print)

Julie A Schroeder
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas
County of Hodgeman SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31st day of August, 2017

JANICE J. THOBEN
Notary Public - State of Kansas
My Comm. Expires 11/10/2020

Janice J Thoben
Notary Public

My Commission Expires 11-10-2020

FFF 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	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200
(4) Application to change the use made of the water	\$300

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES
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KS DEPT OF AGRICULTURE

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**



State of Kansas

*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 for place of use must accompany this application.

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JUL 27 2017

10:02

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1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

File No. 17190

2. Name of applicant: Brit Schroeder

Address: 26032 SW L Rd

City, State and Zip: Jetmore, KS 67854

Phone Number: (620)357-5156

E-mail address: britschroeder@msn.com

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Richard W Schroeder

Address: 27733 SW L Rd

City, State and Zip: Jetmore KS 67854-5570

Phone Number: (620)357-4295

E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): The proposed change will move quantity from the east well to the west well authorized by File No. 17190. In addition, the location of the west well will be better described based on GPS coordinates. There will not be a new well proposed under the change application.

The change(s) (will be) completed by upon approval of application _____

(Date)

For Office Use Only:

F.O. 2 GMD 3 Meets K.A.R. 5-5-1 YES NO Use FR Source Q/S County HS By DW Date 7/27/17
 Code CE Fee \$ 250 TR # _____ Receipt Date 7/27/17 Check # 7250

DWR 1-120 (Revised 06/16/2014)

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Assisted by: LIS-SFFO

SCANNED

SEP 08 2017

7/28/17 DW

KS DEPT OF AGRICULTURE

4. The presently authorized place of use is:

Owner of Land — NAME: Richard W Schroeder

ADDRESS: 27733 SW L Road, Jelmore KS 67854-5570

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					
10	23S	24W																	11	36	8		55

List any other water rights that cover this place of use. None

Owner of Land — NAME: ---

ADDRESS: ---

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

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

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: No Change

ADDRESS: ---

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

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

Owner of Land — NAME: ---

ADDRESS: ---

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES				
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼					

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

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY
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- 6. The presently authorized point(s) of diversion are two well with diversion works
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) no change
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NE Quarter of the NW Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2340 feet North 1640 feet West of Southeast corner of section.
 Authorized Rate 50 GPM Authorized Quantity 14 AF
 (DWR use only: Computer ID No. 4 GPS 2329 feet North 1774 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NE Quarter of the NW Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2329 feet North 1774 feet West of Southeast corner of section.
 Proposed Rate 50 GPM Proposed Quantity 26 AF
 This point is: Additional Well Geo Center List other water rights that will use this point None

9. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2289 feet North 1161 feet West of Southeast corner of section.
 Authorized Rate 180 GPM Authorized Quantity 49 AF
 (DWR use only: Computer ID No. 5 GPS 2289 feet North 1161 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 10, Township 23 South, Range 24 W, in Hodgeman County, Kansas, 2289 feet North 1161 feet West of Southeast corner of section.
 Proposed Rate 180 GPM Proposed Quantity 35 AF
 This point is: Additional Well Geo Center List other water rights that will use this point None

10. **Presently authorized point of diversion:**
 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 Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 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 Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

- 11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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12. The presently authorized use of water is for irrigation purposes.
It is proposed that the use be changed to No Change purposes.

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

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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:
 - 1) 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 1/2 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 1/2 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) 1/2 mile downstream and 1/2 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.

Both wells are authorized by File No. 17190 and produce out of the same local source of supply. While quantity is being moved closer to the nearby stream, the quantity being moved is small and the rate of diversion is not being increased.

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.

The proposed quantity move will likely decrease the distance between the alluvial well and the centerline of the stream by more than 10 percent. However, this well is part of the same place of use and is owned and operated by the applicant. A waiver of K.A.R. 5-5-13 is requested.

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Any use of water that is not as authorized by the water right or permit to authorize water before 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.

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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, executrix, conservator), 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.

Dated at Wichita, Kansas, this 21 day of July, 2017

Richard Schroeder
(Owner)

Elizabeth Schroeder
(Spouse)

Richard Schroeder
(Please Print)

Elizabeth Schroeder
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Wichita } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 21st day of July, 2017

JANICE J. THOMSEN
Notary Public - State of Kansas
My Comm. Expires 11/10/2020

Janice J. Thomsen
Notary Public

My Commission Expires 11/10/2020

FEE SCHEDULE

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(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200
(4) Application to change the use made of the water	\$300

Make check payable to Kansas Department of Agriculture.

WATER RESOURCES RECEIVED

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KS DEPT OF AGRICULTURE

WATER RESOURCES RECEIVED

JUL 27 2017

KS DEPT OF AGRICULTURE

SCANNED

Krueger, Richelle

From: Lanterman, Jeff
Sent: Monday, September 11, 2017 9:39 AM
To: Krueger, Richelle
Cc: Conant, Cameron; Saryerwinnie, Tyler
Subject: RE: Request for Recommendation Change in PD File No. 17190 Brit Schroeder etal

Richelle;

I am aware of the application as filed when we were filling it out. Already been through the mill here.

I don't have a problem with approval of this app with the waiver.

Jeff

From: Krueger, Richelle
Sent: Friday, September 8, 2017 2:23 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Saryerwinnie, Tyler <Tyler.Saryerwinnie@ks.gov>
Subject: Request for Recommendation Change in PD File No. 17190 Brit Schroeder etal

Hi Jeff,

Attached is a draft memo for the referenced change in pd, do you recommend approval with a waiver of K.A.R. 5-5-13?

Thanks,
Richelle

Krueger, Richelle

From: Krueger, Richelle
Sent: Wednesday, August 30, 2017 9:09 AM
To: 'britschroeder@msn.com'
Subject: Application to Change the Point of Diversion, Water Right File No. 17,190 Hodgeman County
Attachments: FILENO17190.pdf

Good Morning Mr. Schroeder,

I am reviewing the above referenced application to change the point of diversion for Water Right, File No. 17,190 received in the office of the Chief Engineer in Manhattan KS on July 27, 2017. The application proposes to transfer 14 acre-feet of water between the authorized wells.

The regulations require that all owners and spouses of the authorized place of use must sign the application in the presence of a notary public. Our records show Richard William Schroeder and Julie A Schroeder as owners. Richard and Elizabeth Schroeder signed the application, however it appears we also need the original notarized signature of Julie A. Schroeder and spouse(if applicable). Attached is a copy of the application and a blank signature page.

I will need the original notarized signatures of Julie A. Schroeder and spouse(if applicable) before I can further process the application. Please return the original notarized signatures to my attention at the following address:

Kansas Department of Agriculture
Division of Water Resources
ATTN Richelle Krueger
1320 Research Park Dr.
Manhattan, KS 66502

If the ownership information is not correct, please send a copy of the recorded deed showing the correct ownership so that our records may be updated. If you have any questions or need further assistance, feel free to call me at (785) 564-6635 or my supervisor, Brent Turney, Change Application Unit Supervisor at (785) 564-6645.

Thanks,

Richelle Krueger

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@ks.gov (please note e-mail address change)
www.ksda.gov/dwr

Krueger, Richelle

From: Krueger, Richelle
Sent: Monday, August 28, 2017 5:09 PM
To: Lanterman, Jeff
Cc: Conant, Cameron; Turney, Brent; Saryerwinnie, Tyler
Subject: RE: Change in PD File No. 17190 Richard W Schroeder/

Thanks everybody for your help! I will see what I can find out on the ownership!

From: Lanterman, Jeff
Sent: Monday, August 28, 2017 5:07 PM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>; Saryerwinnie, Tyler <Tyler.Saryerwinnie@ks.gov>
Subject: RE: Change in PD File No. 17190 Richard W Schroeder/

I don't think I have an objection to the waiver. They are still quite a ways from the stream and we were surprised it was a blue line stream to tell the truth.

No clue on the ownership there.

From: Krueger, Richelle
Sent: Monday, August 28, 2017 3:43 PM
To: Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>; Saryerwinnie, Tyler <Tyler.Saryerwinnie@ks.gov>
Subject: Change in PD File No. 17190 Richard W Schroeder/

Hi Jeff and all,

I have begun reviewing the referenced change in pd and asked Brent to take a quick look too. They propose to move 14 acre-feet of water (no rate) between two existing wells both authorized by File No. 17190. They have requested a waiver of K.A.R. 5-5-13 since they will move quantity closer than 10% to the channel, do you have any objections to a waiver?

Also, it appears Richard and Elizabeth Schroeder have signed the application, however, Julie A Schroeder and Richard William Schroeder are shown as owners of the SE¼ of 10-23-24W in the Hodgeman Co parcel search, anyone know the details on the ownership?

Thanks for your help and thoughts on this application!

Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@ks.gov (please note e-mail address change)
www.ksda.gov/dwr

Krueger, Richelle

From: Conant, Cameron
Sent: Monday, August 28, 2017 4:26 PM
To: Saryerwinnie, Tyler; Krueger, Richelle; Lanterman, Jeff
Cc: Turney, Brent
Subject: RE: Change in PD File No. 17190 Richard W Schroeder/

I have nothing regarding ownership.

As to the 10% closer to the channel. Jeff, Tyler and I looked this over pretty in depth when it was filed. I don't think any of us have any issue with this change and waiving 5-5-13. It meets spacing to Buckner Creek with no issues. It is moving 14AF (@ like 50gpm) closer to what is a solid blue line tributary to Buckner Creek, Spring Creek. It surprised us all that this was even a blue line designated stream. Jetmore City Lake is located on this tributary and is upstream of these GW wells. I can think of no issues at all with waiving 5-5-13 in this case. The limited rate and quantity should have little to no impact on whatever water is flowing in that tributary.

Cameron

From: Saryerwinnie, Tyler
Sent: Monday, August 28, 2017 4:00 PM
To: Krueger, Richelle <Richelle.Krueger@ks.gov>; Lanterman, Jeff <Jeff.Lanterman@ks.gov>
Cc: Conant, Cameron <Cameron.Conant@ks.gov>; Turney, Brent <Brent.Turney@ks.gov>
Subject: RE: Change in PD File No. 17190 Richard W Schroeder/

Richelle,

I do not have any other information regarding the ownership. Sorry I couldn't help...

Tyler

Tyler Saryerwinnie, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources
Stafford Field Office
Phone: (620)234-5311

From: Krueger, Richelle
Sent: Monday, August 28, 2017 3:43 PM
To: Lanterman, Jeff
Cc: Conant, Cameron; Turney, Brent; Saryerwinnie, Tyler
Subject: Change in PD File No. 17190 Richard W Schroeder/

Hi Jeff and all,

I have begun reviewing the referenced change in pd and asked Brent to take a quick look too. They propose to move 14 acre-feet of water (no rate) between two existing wells both authorized by File No. 17190. They have requested a waiver of K.A.R. 5-5-13 since they will move quantity closer than 10% to the channel, do you have any objections to a waiver?

Also, it appears Richard and Elizabeth Schroeder have signed the application, however, Julie A Schroeder and Richard William Schroeder are shown as owners of the SE¼ of 10-23-24W in the Hodgeman Co parcel search, anyone know the details on the ownership?

Thanks for your help and thoughts on this application!

Richelle

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@ks.gov (please note e-mail address change)
www.ksda.gov/dwr

Subject Property: 0421621000000004000

QuickRef ID :	R2547	Click here to locate on Map
Owner Name :	SCHROEDER, RICHARD WILLIAM SCHROEDER, JULIE A	No property photo available
Location :	00000 CO RD, Jetmore, KS 67854.	
Legal Desc :	S10 , T23 , R24 , ACRES 153.0 , SE/4 LESS R/W.	

The legal description displayed above is not adequate for use in legal documents

Owner Information

Owner :	Mailing Address :
SCHROEDER, RICHARD WILLIAM SCHROEDER, JULIE A	22164 NE 219 RD/PO BOX 623 JETMORE, KS 67854-0623

Property Details

Property Type :	Property Status :	Taxing Unit :	Neighborhood Code :
Agricultural Use	Active	CENTER-030	556

Market Land Details

Actual Width :	Eff Width :	Eff Depth :	Acres :	Square Feet :
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Permit Details

Number :	Date :	Amount :	Purpose :
A 17190		\$0	

Value Details

Current Final Value (Agricultural) :	Year :	2017
	Land :	\$22,630
	Building :	\$0
	Total :	\$22,630

Deed Book/Page

Book / Page List and Misc Legal Description Info :
Book/Page 50/ 77 91/ P22 24/ 337 38/ 171

No Sale Details found. (Please log in to view this data.)



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

BRIT SCHROEDER
26032 SW L RD
JETMORE, KS 67854

7/28/2017

FILE COPY

RE: File No 17190

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

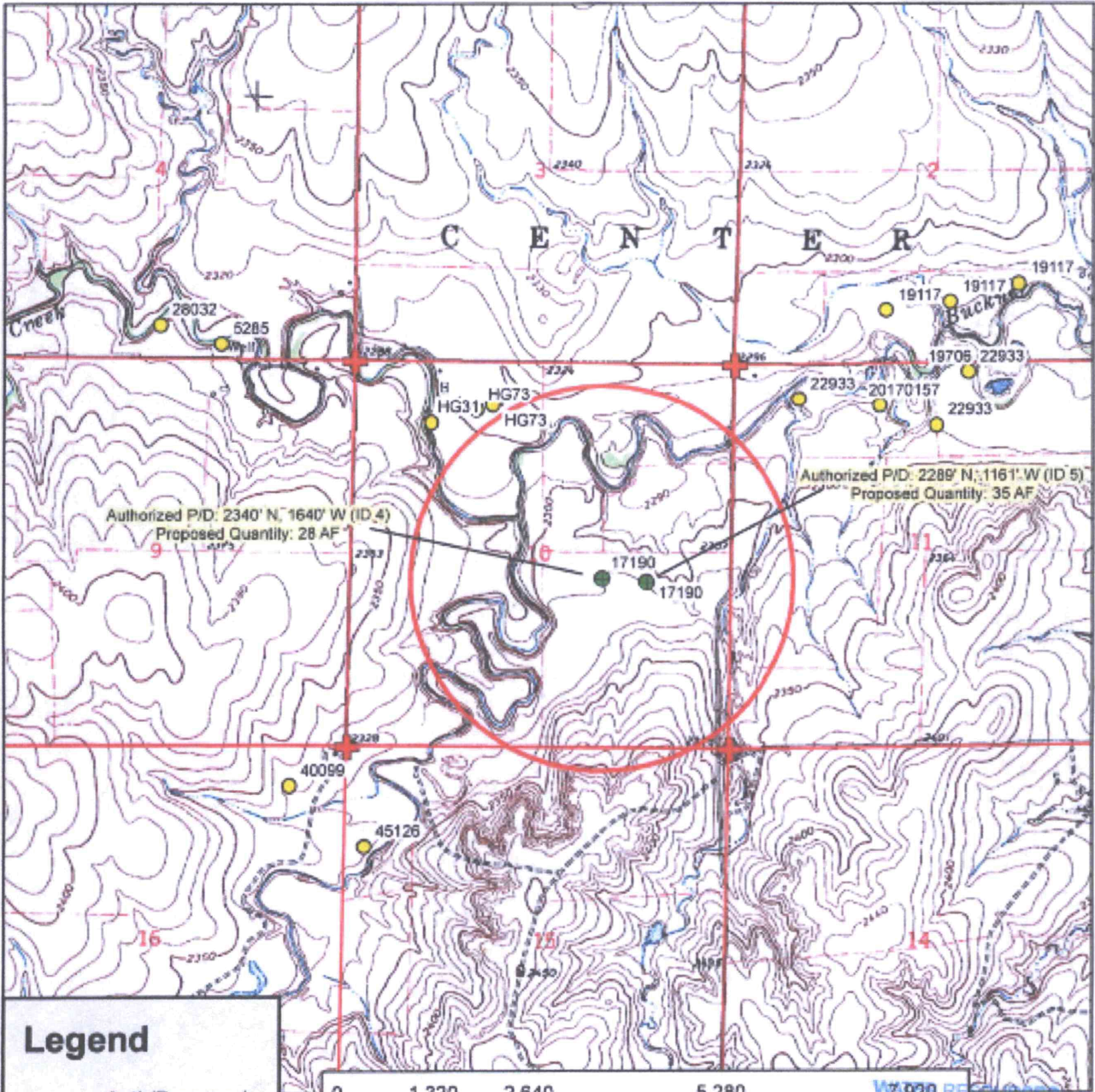
A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

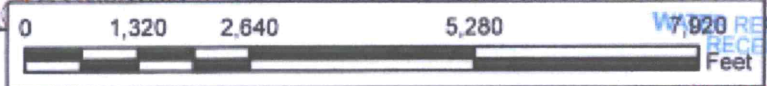
Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STAFFORD Field Office GMD



Legend

- Auth/Proposed P/D
- Water Appropriations
- ⊕ Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer



Water Right, File No. 17,190

Change in Point of Diversion Application Map
 Moving Quantity Only

10-23S-24W // Hodgeman County

To the best of my knowledge, all water wells including domestic, within 1/2 mile of the proposed point of diversion have been shown.

Richard Schaefer
 Signature

JUL 27 2017

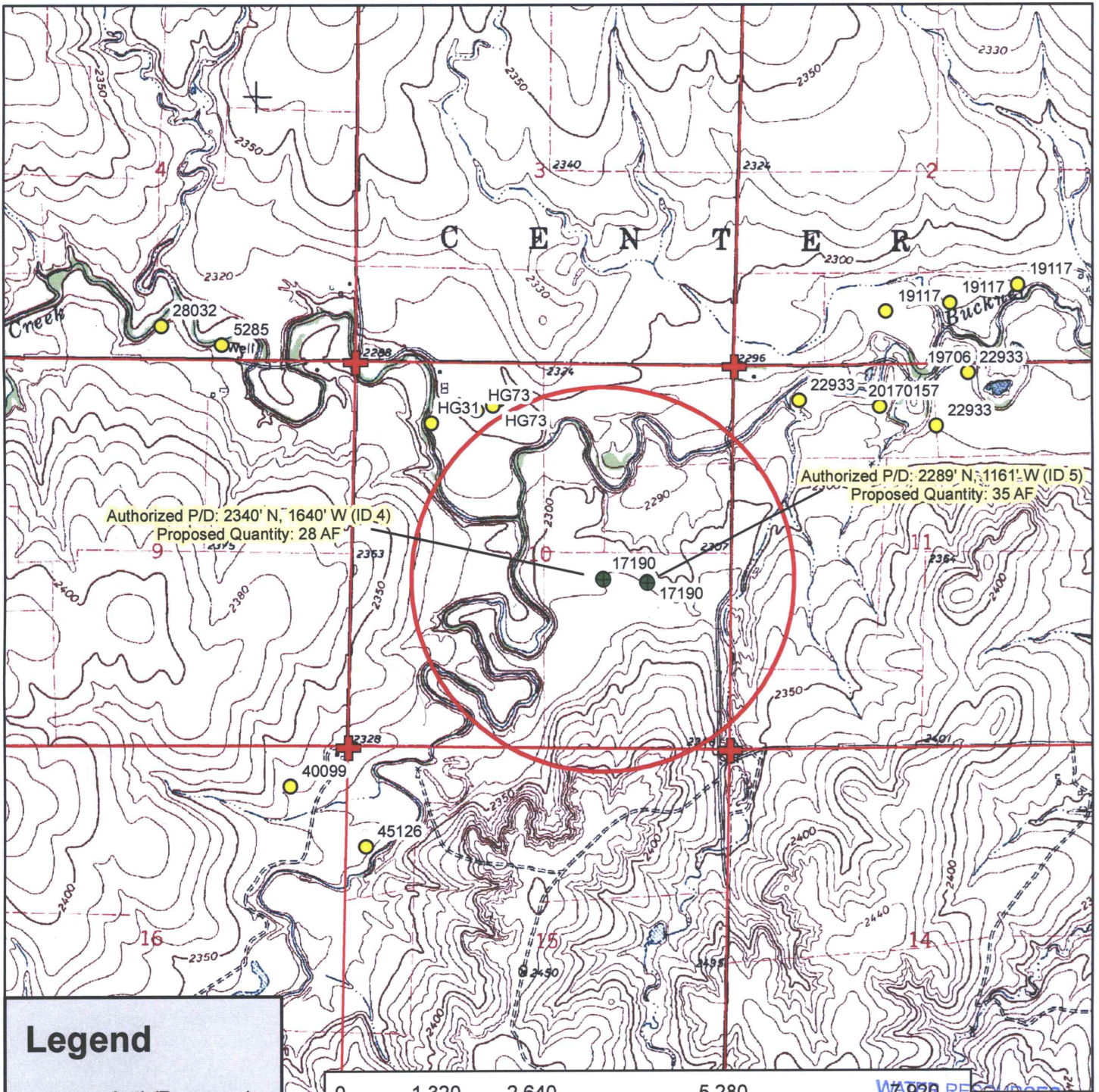


7/13/2017 TJS SFFO 1:24,000 scale

WATER RESOURCES RECEIVED

SEP 08 2017

KS DEPT OF AGRICULTURE



Legend

- Auth/Proposed P/D
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ★ Domestic Well
- ▭ 1/2 Mile Buffer



Water Right, File No. 17,190

Change in Point of Diversion Application Map

Moving Quantity Only

10-23S-24W // Hodgeman County

To the best of my knowledge, all water wells including domestic, within 1/2 mile of the proposed point of diversion have been shown.

Richard Schuber

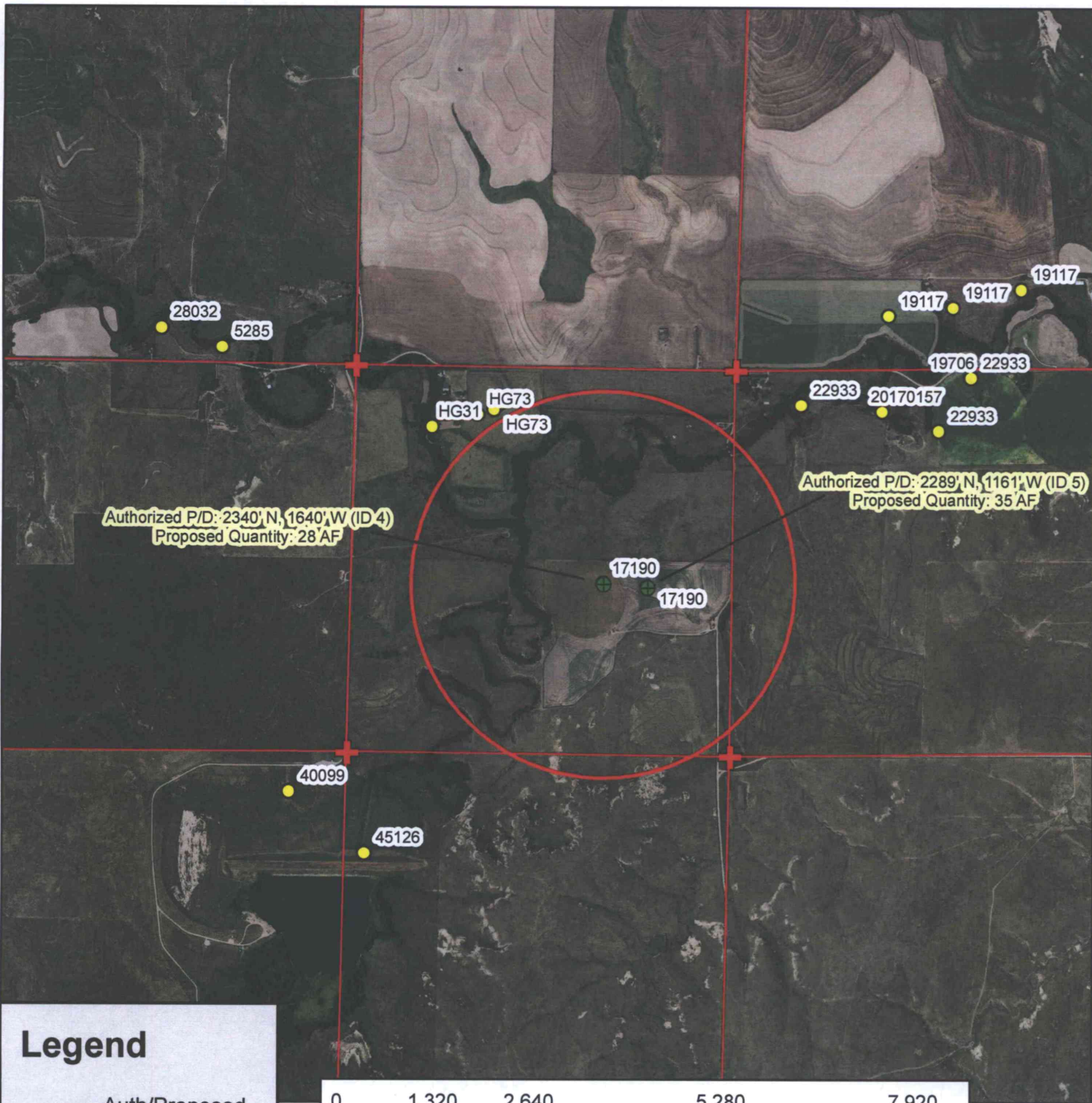
Signature

JUL 27 2017







DEPT OF AGRICULTURE



SCANNED



Legend

-  Auth/Proposed P/D
-  Water Appropriations
-  Section Corner
-  Section Line
-  Domestic Well
-  1/2 Mile Buffer



Water Right, File No. 17,190
 Change in Point of Diversion Aerial Map
 Moving Quantity Only
 10-23S-24W // Hodgeman County

WATER RESOURCES RECEIVED

JUL 27 2017

KS DEPT OF AGRICULTURE