

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 WATER METER REQUIRED



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

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 point(s) of diversion and/or place of use.

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 9:48pm
 OCT 02 2017

File No. 30299

Stafford Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Tom & Jolene Snell
509 W 6th St, Ellinwood KS 67526

Phone Number: (620)564-3312 Email address: tjsnell@hbcomm.net

Name and address of Water Use Correspondent: Jolene K Gatton Snell Trust
509 W 6th St, Ellinwood KS 67526

Phone Number: (620)564-3312 Email address: tjsnell@hbcomm.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: A.) Jolene K Gatton Snell Trust // B.) Kevin & Rhea J Schartz

ADDRESS: A.) 509 W 6th St, Ellinwood KS 67526 // B.) 836 SE 20 Rd, Ellinwood KS 67526

(If there is more than one landowner, attach supplemental sheets as necessary.)

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							
A.)	29	20S	10W							8	11	Lot 7	Lot 6	40	37	26	Lot 5	34		Lot 6	5	2	Lot 5		163
B.)	30	20S	10W																	2					2

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: A.) Jolene K Gatton Snell Trust // B.) Kevin & Rhea J Schartz

ADDRESS: A.) 509 W 6th St, Ellinwood KS 67526 // B.) 836 SE 20 Rd, Ellinwood KS 67526

(If there is more than one landowner, attach supplemental sheets as necessary.)

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							
A.)	29	20S	10W							6.5	13	Lot 7	Lot 6	40	37	27	Lot 5	33		Lot 6	11	3.5	Lot 5		171
B.)	30	20S	10W																	2					2

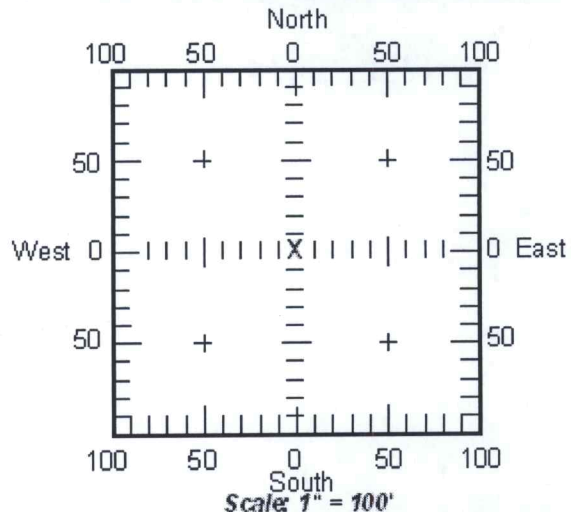
For Office Use Only: Code _____ Fee \$ 200 - TR # _____ Receipt Date _____ Check # 8053

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1750 feet North 3795 feet West of Southeast corner of section.
 Authorized Rate No Change Authorized Quantity No Change Depth of well N/A (feet)
 (DWR use only: Computer ID No. 1 GPS 1778 feet North 3720 feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SW Quarter of the NE Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1778 feet North 3720 feet West of Southeast corner of section.
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) N/A
 This point is: Additional Well Geo Center List other water rights that will use this point None

6. **Presently authorized point of diversion:**
 One in the SE Quarter of the NW Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1520 feet North 4390 feet West of Southeast corner of section.
 Authorized Rate No Change Authorized Quantity No Change Depth of well N/A (feet)
 (DWR use only: Computer ID No. 2 GPS 1556 feet North 4360 feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SE Quarter of the NW Quarter of the SW Quarter of Section 29, Township 20 South, Range 10 W, in Rice County, Kansas, 1556 feet North 4360 feet West of Southeast corner of section.
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) N/A
 This point is: Additional Well Geo Center List other water rights that will use this point None

7. The changes herein are desired for the following reasons?
 (please be specific) Move authorized place of use to cover current irrigation system.

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
Upon Approval
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
N/A
 (b) When will this be done? N/A
11. Groundwater Management District recommendation attached? Yes No
12. Assisted by TJS - SFFO

13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

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14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Ellinwood, Kansas, this 26th day of September, 20 17.

Jolene K. Gattson-Snell
 (Owner)
Jolene K. Gattson-Snell
 (Please Print)

Thomas C. Snell
 (Spouse)
Thomas C. Snell
 (Please Print)

 (Owner)

 (Please Print)

 (Owner)

 (Please Print)

 (Spouse)

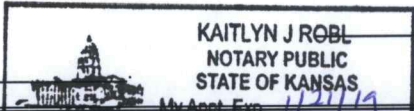
 (Please Print)

 (Spouse)

 (Please Print)

State of Kansas }
 County of Barton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26th day of September, 20 17.

My Commission Expires 1/21/19  Kaitlyn J Robl
 Notary Public

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

(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

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DWR 1-121 (Revised 07/10/2017)
 OCT 02 2017

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
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Dated at Ellinwood, Kansas, this 27 day of November, 2017.

<p><u>Kevin L. Schartz</u> (Owner)</p> <p><u>Kevin L. Schartz</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p><u>Rhea J. Schartz</u> (Spouse)</p> <p><u>Rhea J. Schartz</u> (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
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State of Kansas }
 County of BARTON } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27 day of NOVEMBER, 2017.

My Commission Expires 6.7.21

NOTARY PUBLIC - State of Kansas
 KRYSTAL SCHARTZ
 My Appt. Exp. 6.7.21

Krystal Schartz
 Notary Public

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(3) Application to change the place of use	\$200

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SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 30299.

1. A change application was received on 10/02/2017 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a _____ foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than _____ feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017/2018** before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
 Applicable Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 20____**, or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
 Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** 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. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

* TJS-SFFO

FOR OFFICE USE ONLY

APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
) SS
County of _____)

Acknowledged before me on _____

by _____

Signature: _____
Notary Public

My commission expires: _____

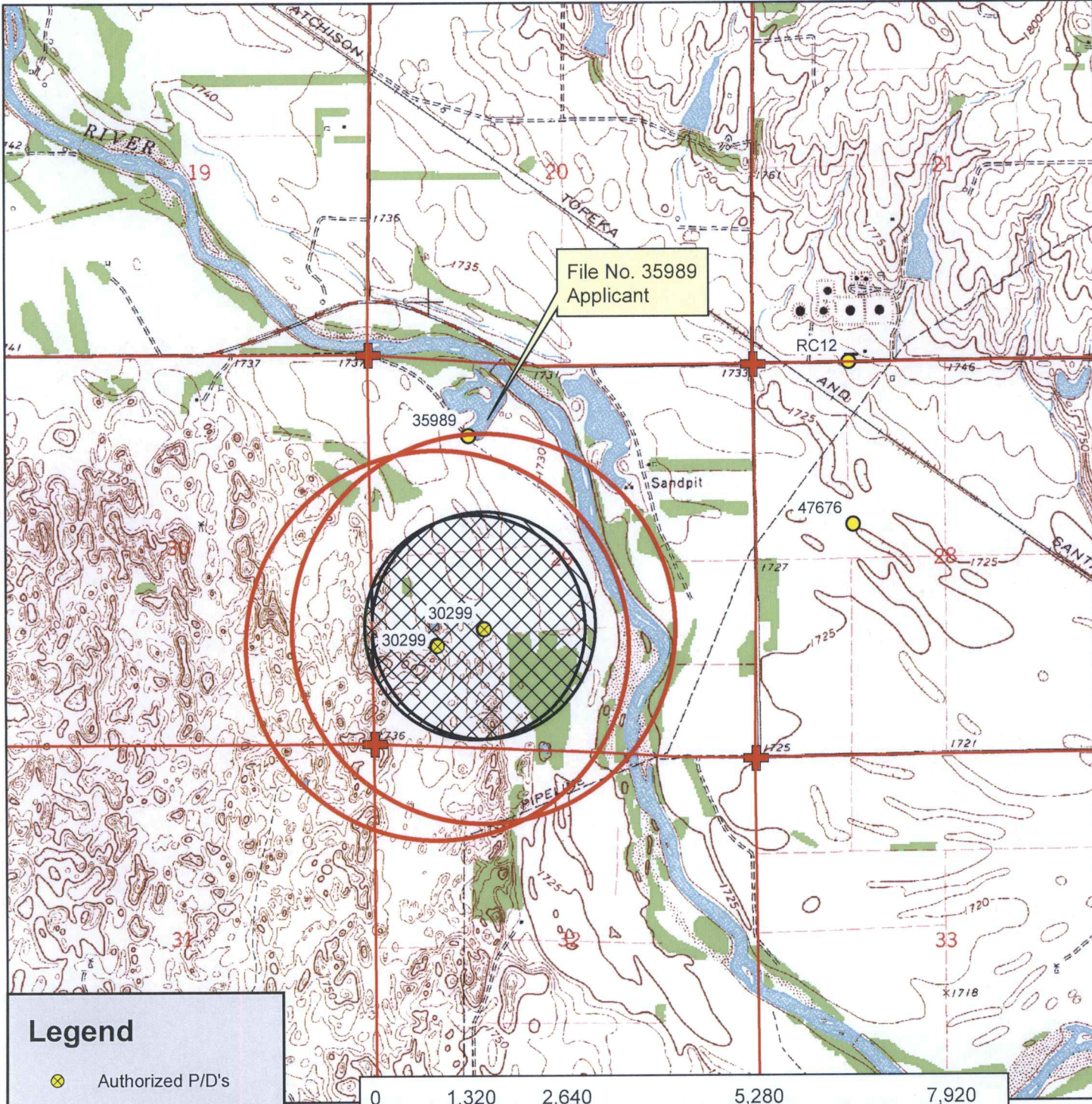
(Notary Seal)

File No. 30299

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DWR 1-121 (Revised 07/10/2017)

OCT 02 2017

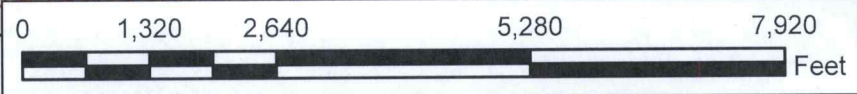


Legend

- Authorized P/D's
- Water Appropriations
- Section Corner
- Section Line
- Domestic Well
- 1/2 Mile Buffer

Place of Use

- Authorized
- Proposed



Water Right, File No. 30,299

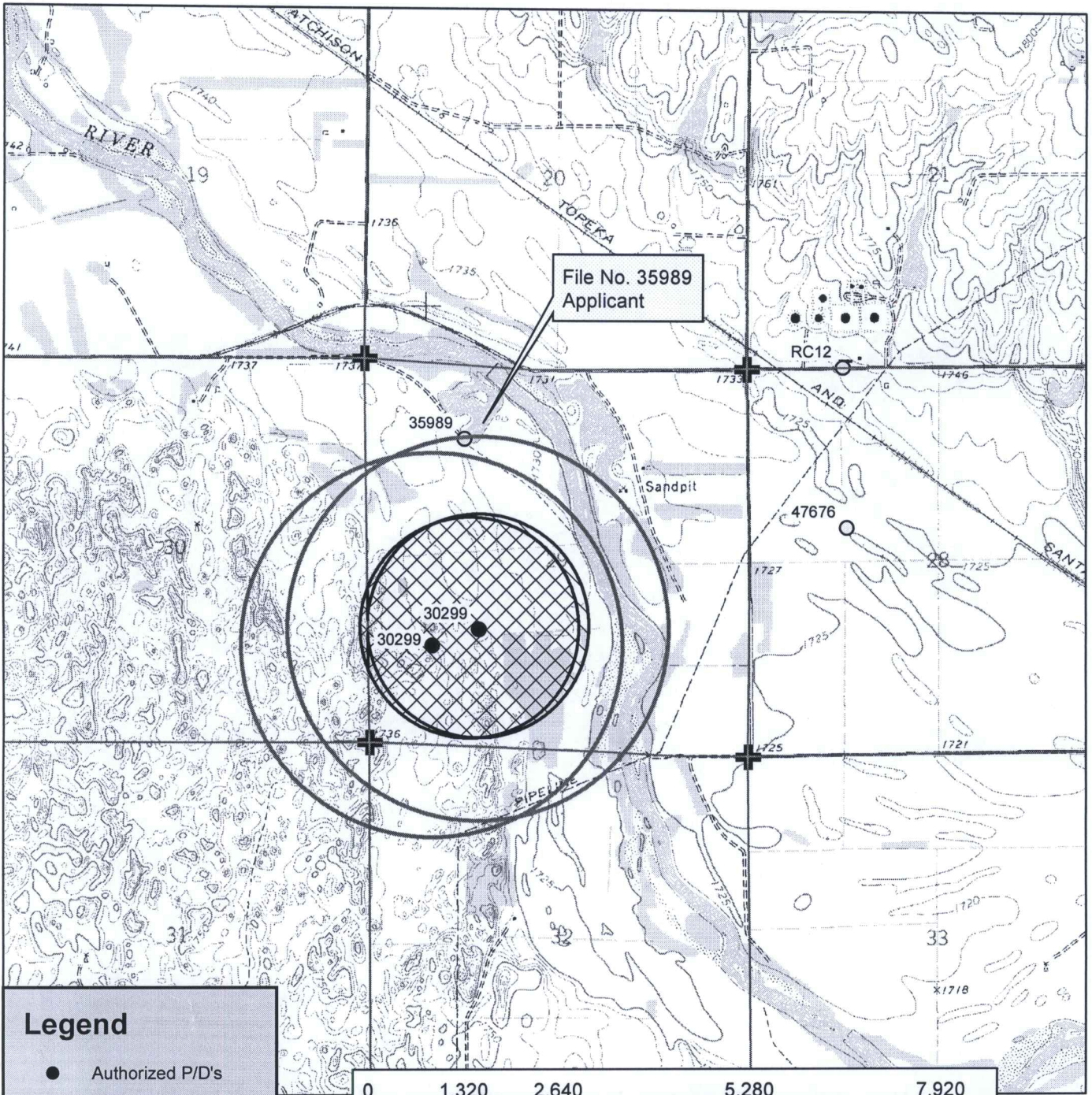
Change in Place of Use, Application Map
29 -20S-10W // Rice County



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

Signature

9/22/2017 TJS-SFFO 1:24,000 scale



File No. 35989
Applicant

35989

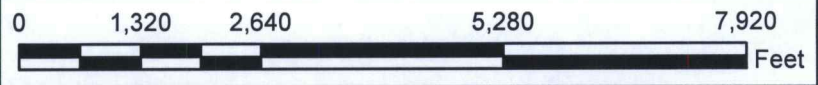
30299
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RC12

47676

Legend

- Authorized P/D's
- Water Appropriations
- ⊕ Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer
- Place of Use**
- ▨ Authorized
- ▧ Proposed



Water Right, File No. 30,299

Change in Place of Use, Application Map
29 -20S-10W // Rice County

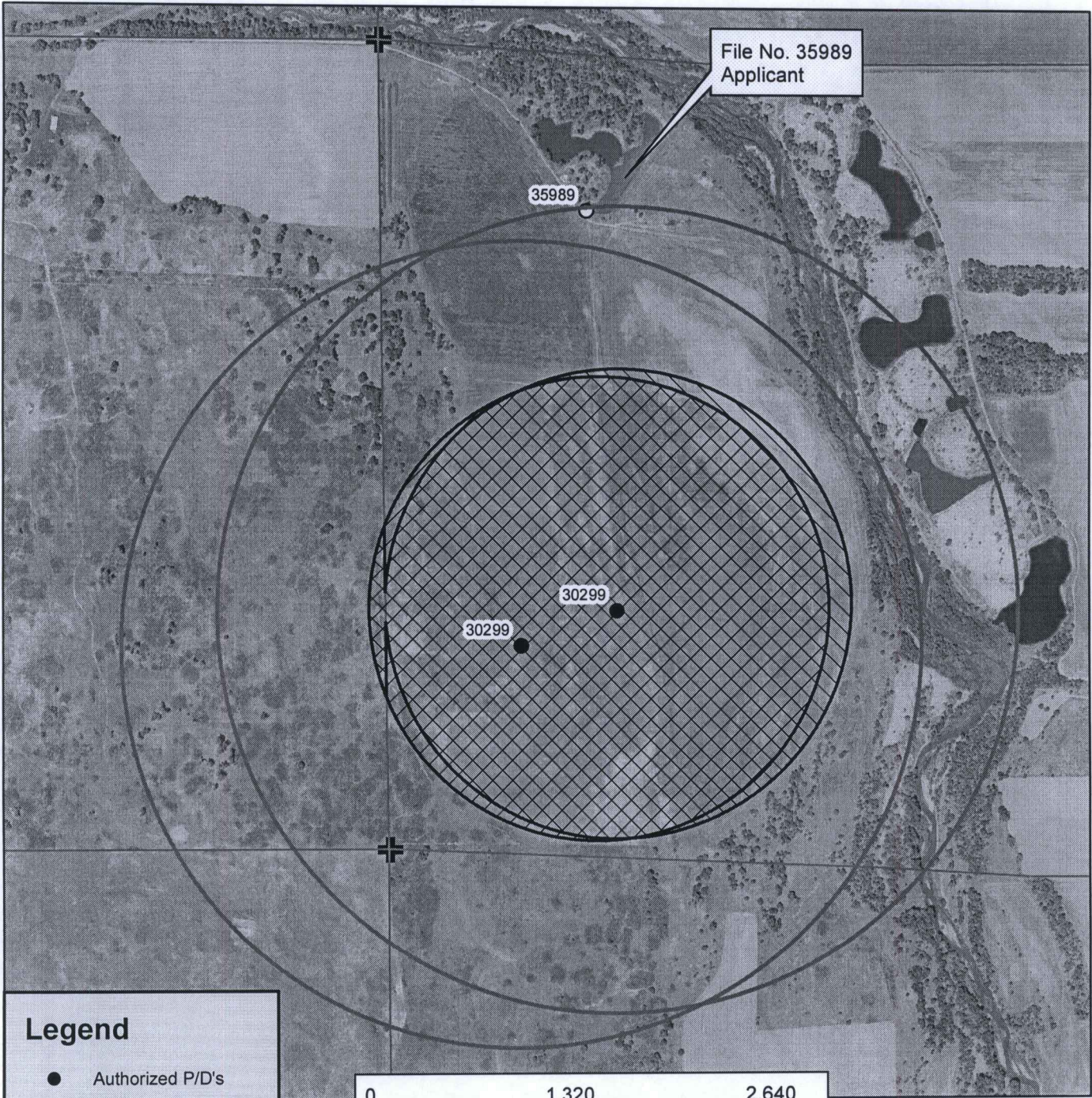


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Signature

9/22/2017 TJS-SFFO 1:24,000 scale

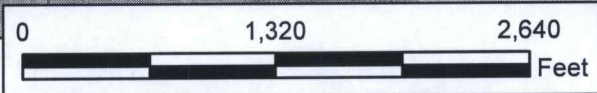


Legend

- Authorized P/D's
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ★ Domestic Well
- ▭ 1/2 Mile Buffer

Place of Use

- ▨ Authorized
- ▩ Proposed



Water Right, File No. 30,299

Change in Place of Use, Aerial Map
29 -20S-10W // Rice County



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OCT 02 2017

9/22/2017 TJS-SFFO



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

October 27, 2017

Kevin & Rhea J Schartz
836 SE 20 Rd
Ellinwood KS 67526

RE: Water Right, File No. 30,299

Dear Water Right Owner,

On October 2, 2017 an application for approval to change the place of use under Water Appropriation, File No(s). 30,299 was received in our office. The application in its current form was accepted for priority but cannot be processed until we receive additional information. In order for the application to be processed we require that all owners of the currently authorized place of use sign the application in the presence of a notary public.

Based on the ownership currently on record in our office, you own approximately 2 acres of the currently authorized place of use. This application cannot be processed until all owners (and spouses, if applicable) sign the proposed application to change the place of use.

For your convenience, I have included a copy of the application that was submitted, along with an additional signature page. Please return the notarized signature page to the Stafford Field Office within 30 days of the date of this letter.

If I can be of any further assistance, or if you have any questions regarding the enclosed documents, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie
Environmental Scientist
tyler.saryerwinnie@ks.gov

Enclosure

pc: Jolene K Gatton Snell Trust
509 W 6th St.
Ellinwood KS 67526