

# CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 44627

Field Office No. 2

GMD No. 5

1. **Plugging agreement obtained for GMD?** Yes  No  Non Applicable

2. **Is Landowner correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
If applicable, list Place of Use Overlap File Nos. None

3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
Name of Former WUC --- Name of New WUC ---

4. a. **Point of diversion computer ID No(s).** 1 **for point(s) being changed.**

b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
DEL	65980	NO	8	23S	12W	414	5040	Stafford	SW SW SW
ENT		NO	8	23S	12W	371	5057	Stafford	SW SW SW

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
<u>        </u>	<u>        </u> gpm/cfs	<u>        </u> gpm/cfs	<u>        </u> af/mgy	<u>        </u> af/mgy
<u>        </u>	<u>        </u> gpm/cfs	<u>        </u> gpm/cfs	<u>        </u> af/mgy	<u>        </u> af/mgy
<u>        </u>	<u>        </u> gpm/cfs	<u>        </u> gpm/cfs	<u>        </u> af/mgy	<u>        </u> af/mgy

d. **Name of Drainage Basin** Rattlesnake Creek **Is this correctly shown in WRIS?**  Yes  No

e. **Formation Name & No.** Undifferentiated Kansan/ Nebraskan (180) **Special Use Area** None

5. **Distances from the original p/d:** 43 ' S 17 ' W

**6. WATER RIGHT ACTION TRAIL COMMENTS**

9/28/2017 Change Application Received (date accepted for priority)  
9 / 29 / 17 Change Approved  
Notice and Proof by 12/31/2017  
    /    /     Completion Requirement Removed (Change No. C     )

**7. METER ACTION TRAIL COMMENTS**

9 / 29 / 17 DWR Meter Required by 12/31/2017  
    /    /     Anti-Reverse Meter Required by     /    /      
    /    /     Meter Seal Required by     /    /    

8. Base Acres --- Year --- Minimum Reasonable Quantity ---

Date Created **9/29/17** by **TJS**  
Date Entered by

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 44627

Action	Owner Person ID	Place Use ID #	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		
NO CHG	61997	54108	8	23S	12W	Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>61997</u> LAWRENCE & JENNIFER GILLESPIE L J & J AUTOMOTIVE 503 N HWY 281 & 5TH ST SAINT JOHN KS 67576-1637	2. Person ID # _____ _____ _____ _____ _____	3. Person ID # _____ _____ _____ _____ _____
--	--	--

**GENERAL INSTRUCTIONS**

- |  |   |  |
|--|---|--|
| 1. Give to Applicant:<br>a. <u>Original</u> application/approval<br>b. Original receipt (one for <u>each</u> application)<br>c. Information packet containing:<br><ul style="list-style-type: none"> <li>• Notice and Proof form</li> <li>• Water Meter Specifications</li> <li>• Acceptable Meter list</li> <li>• Water level measurement tube specifications</li> <li>• Check Valve specifications</li> <li>• Pink Sheet - K.S.A. 82a-728 letter</li> <li>• Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)</li> </ul> | 2. Send to headquarters:<br>a. Good, <b>scannable</b> copy of application and/or approval and this check sheet<br>b. Original check and copy of receipt<br>c. Test hole log<br>d. GMD recommendation, if any<br>e. Map or aerial photograph, if any<br>3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> | 4. Date stamp received and approved.<br>5. Complete ownership and WUC change information.<br><br><p><u>ADDITIONAL PHOTOCOPIES</u></p> HQ _____<br>GMD5 _____<br>_____<br>_____<br>_____<br>_____<br>_____<br>_____ |
|--|---|--|

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.

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.

RECEIVED  
 10:55am  
 SEP 28 2017

File No. 44627

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: Lawrence Gillespie

LJ & J Automotive, 503 N Hwy 281 & 5<sup>th</sup> St, Saint John KS 67576-1637

Phone Number: (620)549-3970

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Lawrence & Jennifer Gillespie

LJ & J Automotive, 503 N Hwy 281 & 5th St, Saint John KS 67576-1637

Phone Number: (620)549-3970

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Lawrence & Jennifer Gillespie

ADDRESS: LJ & J Automotive, 503 N Hwy 281 & 5th St, Saint John KS 67576-1637

(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	
8	23S	12W	2 Ponds (SW SW)																

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: No Change

ADDRESS: \_\_\_\_\_

(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	

For Office Use Only: Code \_\_\_\_\_ Fee \$ 100- TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 1895

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SW Quarter of the SW Quarter of Section 8, Township 23 South, Range 12 W, in Stafford County, Kansas, 414 feet North 5040 feet West of Southeast corner of section.  
 Authorized Rate 295 GPM Authorized Quantity 15 AF Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 1 GPS 414 feet North 5040 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 SW Quarter of the SW Quarter of Section 8, Township 23 South, Range 12 W, in Stafford County, Kansas, 371 feet North 5057 feet West of Southeast corner of section.  
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) \_\_\_\_\_  
 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 \_\_\_\_\_ 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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) Moving point of diversion to authorize a nearby existing well in order to pump water into the pond with minimal equipment expense.

8. If a well, is the test hole log attached?  Yes  No

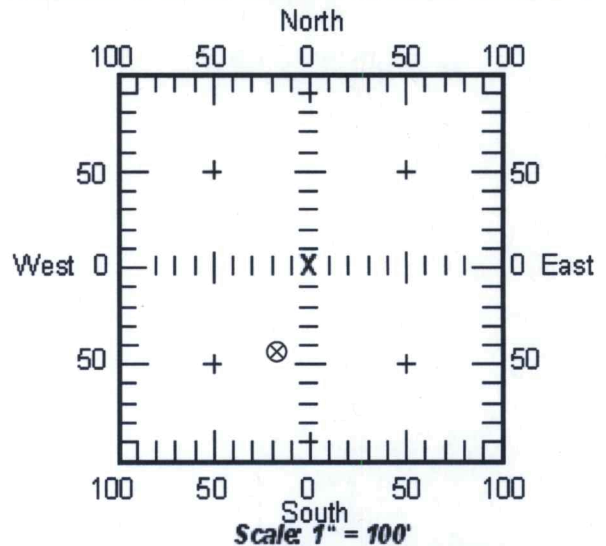
9. The change(s) ~~was~~(will be) completed by?  
Upon approval

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by TJS - SFFO \_\_\_\_\_

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.)



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.

RECEIVED

SEP 28 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.)
  - (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 St. John, Kansas, this 28<sup>th</sup> day of September, 2017.

Lawrence Gillespie  
(Owner) ✓

Jennifer Gillespie  
(Spouse) ✓

LAWRENCE GILLESPIE  
(Please Print) ✓

Jennifer Gillespie  
(Please Print) ✓

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of Stafford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28<sup>th</sup> day of September, 2017.

Vickii M. Rios  
Notary Public

My Commission Expires October 16, 2019.

**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

RECEIVED

SEP 28 2017

**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. 44627.

1. A change application was received on 9/28/2017 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 50 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 97 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 (*Proposed P/D is a pre-existing well which is already completed*)
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  
 Applicable  Not Applicable
7. **Installation of the works for diversion of water shall be completed on or before December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND  
SUMMARY ORDER ISSUED**

By: Jeff Lanterman  
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: 9/29/2017

State of Kansas )

County of Stafford ) SS

Acknowledged before me on 9/29/17

by Jeff Lanterman

Signature: Jessica Engelbrecht



My commission expires: \_\_\_\_\_

(Notary Seal)

File No. 44627

RECEIVED

SEP 28 2017

INPUTS	
Target Section Definition	
Section	8
Township	23
Range	12
Range Direction	w
Target Point Coordinates ( <i>NAD27</i> or <i>NAD83</i> )	
Target Longitude	-98.672960
Target Latitude	38.058040

Load Data and Compute

**Instructions**

1. Enter values for section, township, range and range direction.
2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

File No. 44627 (Proposed Well)

Loaded Section Data From LEOBASE using <i>NAD83</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.05720424	-98.67408313
NW	38.07180719	-98.67422093
NE	38.07162312	-98.65590915
SE	38.05703626	-98.65575727
Degrees Longitude per Foot		3.47319707E-06
Degrees Latitude per Foot		2.74606186E-06
Target Point Distances from Corners using <i>NAD83</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	304	-323
NW	-5013	-363
NE	-4946	4909
SE	366	4953

Loaded Section Data From LEOBASE using <i>NAD27</i>		
Corner	Corner Latitudes	Corner Longitudes
SW	38.05719000	-98.67372100
NW	38.07179300	-98.67385900
NE	38.07160900	-98.65554800
SE	38.05702200	-98.65539600
Degrees Longitude per Foot		3.47319640E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using <i>NAD27</i>		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	310	-219
NW	-5008	-259
NE	-4941	5013
SE	371	5057

RECEIVED

SEP 28 2017



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](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

September 29, 2017

Lawrence & Jennifer Gillespie  
LJ&J Automotive  
503 N Hwy 281 & 5<sup>th</sup> St  
St. John KS 67576

Re: Water Right, File No(s). 44627

Dear Water Right Owner:

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(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

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

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Ground Water Management District 5



## CERTIFICATE OF SERVICE

On this **29 September 2017**, I hereby certify that the attached Change in Point of Diversion, File No. 44627 dated September 29, 2017 was mailed to the following:

Lawrence & Jennifer Gillespie  
LJ&J Automotive  
503 N Hwy 281 & 5<sup>th</sup>  
St. John KS 67576-1637

pc: Water Rights Section  
GMD #5

  
-----  
Staff