Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

RECEIVED

1:00 pm

### **WATER METER REQUIRED**

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.

File No. 4685-D2

, ev	Application is he	rehy n	nade f	or anni	roval o	f the C	hief E	nginee	r to ch	ange t	he (ch	eck on	e or h	oth):		FEE	23	2018
	Application is ne	i eby II	iaue il	or appi				nginee					O D	our).			- CI /	North W
	under the water	Place of Use Point of Diversion Stafford Field Office under the water right which is the subject of this application in accordance with the conditions described below Water Resources																
		ar Bookin		s the s				ation if	T SE DA				ditions	s desc	ribed b	elow	vvater	Resource
	The source of su	upply is	3:			iround	water		Ц	Surfac	e wate	er						
	Name and address										u, v		- I V P				- Sin	ppl rest
	Phone Number:	(620	) 50	)4-47(	01			Email	addre	ss: Cs	tucky	@mte	lco.ne	et	7-7-			
	Name and address 1528 Cimarror	ess of the Roa	Water d, Mc	Use C Phers	orresp on, K	onden S 674	t: <u>La</u> 60	rry L. a	& Cin	dy L. S	Stucky			Hay I			10 1 T	00.007
	Phone Number:	(620	) 50	04-47	01		4.11	Email	addre	ss: cs	tucky	@mte	lco.ne	et		turn and		205 8715
		The presently authorized place of use is:																
		Owner of Land NAME: CNS Land LLC, c/o Larry L. & Cindy L. Stucky  ADDRESS: 1528 Cimarron Road, McPherson, KS 67460																
											7460	ing 18	بالهرية	U. Out	Jan A	اجليه	e de la la	School II.
_	(If there is more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
	1001	NE1/4			NW1/4			SW1/4			SE1/4				TOTAL			
Se	ec. Twp. Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
	23-19S-4W							J. W.						39	35	35	39	148
	26-19S-4W	40	15	23	21	40	40	40	40			17.13	26/3	Mar.	m 1.70	(zew)	18,60	259
	27-19S-4W	1			23													24
	If this application Owner of Land -	NA	AME: ESS: landov	CNS 1528	Land Cima	rron F	c/o La Road, ental sh	rry L. McPh	& Cir erson	dy L. , KS 6	Stuck 67460		e chan	ged to		≣1⁄4	nela	TOTAL
			NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
S	ec. Twp. Range	NE1/4	1444/4			190-			7	hobba	hm. S	-	a laŭ	39	35	35	39	266
Se	ec. Twp. Range 23-19S-4W	NE1/4 38	39	2	39													
Se				5	39 16	5	13	40	35							CHY !	1 1	159
Se	23-19S-4W	38	39		_	5	13	40	35							cay.	J N	159 24
Se	23-19S-4W 26-19S-4W	38 34	39		16	5	13	40	35		,					ceY .	L S	

5.	Presently authorized point of diversion:									
	One in the SW Quarter of the SW	Quarter of the NW Quarter South, Range 4W (E/W), eet North 5132 feet West of Southeast corner of section.								
	of Section 26 . Township 19	South, Range 4W (E/W),								
	in McPherson County, Kansas, 2727 fe	eet North 5132 feet West of Southeast corner of section.								
	Authorized Rate 1740 GPM Authorized Quantity 237	7.25 AF Depth of well (feet)								
- 1	Authorized Rate 1740 GPM Authorized Quantity 237 (DWR use only: Computer ID No GPS	feet North feet West)								
-1	■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)									
- 1		Quarter of the Quarter								
		South, Range(E/W),								
- 1		eet North feet West of Southeast corner of section.								
		Proposed well depth (feet)								
		r water rights that will use this point								
-										
6.	Presently authorized point of diversion:									
٠		Quarter of the Quarter								
- 1		South, Range(E/W),								
	in County, Kansas, fe	eet North feet West of Southeast corner of section.								
- 1	Authorized Rate Authorized Quantity									
- 1	(DWR use only: Computer ID No GPS _	feet North feet West)								
- 1		is follows: No change, point better described with GPS as follows:								
- 1		s requested or if existing point is better described by GPS)								
		Quarter of the Quarter								
-		South, Range(E/W),								
- 1		eet Northfeet West of Southeast corner of section.								
- 1	Proposed Rate Proposed Quantity	Proposed well depth (feet)								
	This point is: Additional Well Geo Center List other									
7.	The changes herein are desired for the following reasons?	13a. If the proposed point of diversion will be relocated within 100								
	Combining Nos. 4695 D2 10599	feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion.								
	(please be specific) Combining Nos. 4685-D2, 19588,	(PLEASE NOTE: The "X" in center of diagram below								
	43166 places of use into new place of use and also	represents presently authorized point of diversion.)								
		North								
	overlapping new surface water permit application	100 50 0 50 100								
8	If a well, is the test hole log attached?  Yes No	<u> Emmini</u>								
0.	The trong to the test hole log attached. In the									
9.	The change(s) (was)(will be) completed by?	50 - + - + - 50								
	ASAP	E								
		West 0 = 111   11   1   1   1   1   1   3   0   East								
10.	If the point of diversion is a well:	West 0 - III III II X III II II - O East								
	(a) What are you going to do with the old well?									
	NA	50 - + - + - + - + 50								
	NA .	E = =								
	(b) When will this be done? NA	E								
	(b) When will this be done?									
4.4	Country Management District recommendation	100 50 0 50 100 South								
11.	Groundwater Management District recommendation attached? Yes No	Scale: 1" = 100'								
	attacled! Tes III No	13b. If the proposed point of diversion will be relocated more than								
12.	Assisted by T. Boese	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)								
	RECEIVED	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								
	FEB 2 3 2018	landowner(s) one-half mile downstream and one-half mile								

<ol><li>If the proposed groun</li></ol>	dwater point of diversion is 30	0 or fewer feet from 6	existing p	point of diversion, complete t	he following:
	igned represent all owners of t No (If no, all owners mu			(s) of use identified in this ap	oplication?
	ip interest of any owner of the plication is approved as reque No (If yes, all owners m		1 1 1	s) of use identified in this ap	plication be adversely
	is not approved expeditiously,	the (Number 10) etc.	ntial dam	age to property, public healt	h or safety?
If the application proposes or a change in place of us	s a surface water change in po e, the application must be sign atement authorizing representa	int of diversion, a gro ned by all owners of t	oundwate		
age and the owner, th their behalf, in regard	first duly sworn upon my e spouse of the owner, or s to the water right(s) to ication are true, correct a	a duly authorized which this applic	d agent ation p	of the owner(s) to make	this application or
	partir de la companya	, Ransas, this	A District	day of	, 20
Larry Star	(Owner) Managing	pertner_	- 140	(Spouse)	Applicatus 74
Larry L. Stucky, CNS L	To real to the late of the said from the			(Spouse)	
	Please Print)			(Please Print)	Dion Diagna Li
eldabilishin to	LX bidshirid	male transaction	16	Citable at a stelle he see	barrigares out
M Applications of S	(Owner)			(Spouse)	Enter on other
(	Please Print)	- 8	ē	(Please Print)	ils op inner 65A
to the page of use of the Arms Arms and the Arms Arms Arms Arms Arms Arms Arms Arms	(Owner)		Della Silver	(Spouse)	A The Sector desired and the sector desired a
State of Kansas County of HARVEY	Please Print)	P RF	BECC	tate of Kansas  A WILSON  Old 11 2018	mino prietov A svijevi, olmba domenipos evi por h
I hereby certify that FEBRUARY	the foregoing application wa _, 20	as signed in my p	resence	and sworn to before me	e this $22ND$ day of
My Commission Expires _	06/11/2018	11.5	6.11716.5	Notary Public	on ouela seum waiven
ONLY COMPLETE APPLICA accurate information; maps, the appropriate fee must be proprieted.	TIONS WILL BE PROCESSED.  f necessary, must be included; signaid.	To be complete, all of the land three of all the appropriate of all the appropriate three depths and the second control of the complete of the	ne applica priate ow	ble portions of the application for ners' must be affixed to the app	orm must be completed wit lication and notarized; and
forth in the schedule below (1) Application to (2) Application to (3) Application to	e the place of use or the point  w: Make checks payable to: It change a point of diversion me change the place of use	Cansas Department 00 feet or less nore than 300 feet	of Agric	ulture JHVIA	\$100 \$200
				RECEIVED	
				TTD 0 0 0040	
				FFR 9 9 2018	

Stafford Figure Office Division of Water Resources

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	visions of the Kansas Water Appropriation Law, K.S.A. 8	a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable 82a-701 et. seq., and rules and regulations promulgated thereunder, herein, this Summary Order does not change the terms, conditions
1.	A change application was received on 2/23/2018 diversion authorized under the above-referenced file n	requesting that the place of use and / or point of number be changed as described in the application.
	On and after the effective date of this summary order, the	he authorized place(s) of use shall be located substantially as shown in to change the place of use. 🔀 Applicable 🔲 Not Applicable
3.	The change in point of diversion shall not impair existing previously authorized. The point of diversion authorized radius of the authorized point(s) of diversion.   Appli	g rights and shall be limited to the same source or sources of water as ted by this summary order shall be located within a foot licable \textstyle{\textstyle{\textstyle{1}}} Not Applicable
4.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion.   Applicable	ally be located more than feet from the previously Not Applicable
5.	As required by K.A.R. 5-3-5d, if the works for diversion tube or other device suitable for making water lev accordance with K.A.R. 5-6-13.	n is a well with a diversion rate of 100 gallons per minute or more, a vel measurements shall be installed, operated and maintained in Not Applicable
6.	The owner of the authorized place(s) of use shall December 31, 20_18_, or before the first use of wa operated and maintained in accordance with K.A.R. 5	I properly install an acceptable water flow meter on or before ater, whichever occurs first. The water flow meter shall be installed, 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and report the reading of the water flow meter and the total quantity of
7.	authorized extension of time. By March 1, 20	<b>I be completed on or before December 31, 20</b> , or within any the applicant shall notify the Chief Engineer that construction of the provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the re	equired notice.   Applicable   Not Applicable
9.	with an in-line, automatic, quick-closing check valve ca	her foreign substance will be injected into the water shall be equipped capable of preventing pollution of the source of the water supply. The sintained in accordance with K.A.R. 5-3-5c.   Applicable  Not
10.	Additional Conditions are attached.   Yes   No	
11.	water appropriated under the above-referenced file no limitations, as amended and/or supplemented by this Appropriation Law and the Rules and Regulations pro	K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of number are responsible for compliance with its terms, conditions and Summary Order, and with applicable provisions of the <i>Kansas Water</i> romulgated thereunder. Failure to comply with these provisions may samended, and/or the suspension or revocation and dismissal of the actions authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
lf yo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Eng Agr filed adn day revi	pineer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be d within <b>15 days</b> of service of this Order and a request for ninistrative review by the Secretary must be filed within <b>30</b> is pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	By: Duly Authorized Designee of the Chief Engineer
Leg	any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may	(Print Name):
pre	clude review under the Kansas Judicial Review Act.	State of Kansas )
	For Use by Register of Deeds	) SS County of)
	RECEIVED	Acknowledged before me on by
	EED 0 0 2010	
	FEB 2 3 2018	Signature:Notary Public
	Stafford Field Office  Division of Water Resources	,
		My commission expires:
DW	R 1-121 (Revised 07/10/2017)	Page 4 (Notary Seal) 4685-D2

## Change in Place of Use Application Map No 4685D2



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Lary I Stucky Signature 2-22-/8 Date **New Application** Existing Point of Diversion 4685D2 **Application No. To Change: Existing Points of Diversion** Point of Diversion RECEIVED Proposed Place of Use Place of Use Authorized Place of Use FEB 2 3 2018 Use Made of Water Stafford Field Office See attached list for well owners within 1/2 mile.

Division of Water Resources

#### Wells Within ½ Mile - Water Right No. 4685-D2

- Industrial Well Water Right Nos. 2093 & 6764
   CHS McPherson Refinery Inc.
   2000 S. Main Street
   McPherson, KS 67460
- Industrial Well Water Right No. 8431
   Mid Continent Fraction & Storage LLC
   PO Box 2400, MD46-4
   Tulsa, OK 74102
- Irrigation Well Water Right No. 25365
   William D. Schrag Trust
   1440 Homestead Place
   McPherson, KS 67460
- Domestic Well
   Gary L. & Joanna B. Oswald
   980 HWY 56
   McPherson, KS 67460
- Domestic Well
   Donell D. & Terri A. Schrag
   1341 10<sup>th</sup> Avenue
   McPherson, KS 67460
- Industrial Well Water Right No. 25366
   CHS McPherson Refinery Inc.
   2000 S. Main Street
   McPherson, KS 67460

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FEB 2 3 2018

Stafford Field Office
Division of Water Resources