

Completed application to:
 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.

File No. 12709

RECEIVED
 9:40am
APR 24 2019
 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: Gary Harshberger

10905 Wildfire Rd, Minneola KS 67865

Phone Number: (620)338-0888

Email address: heoffice@icloud.com

Name and address of Water Use Correspondent: Gary Kenneth Harshberger

10905 Wildfire Rd, Minneola KS 67865

Phone Number: (620)338-0888

Email address: heoffice@icloud.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: A.) Harshberger Land LLC // B.) Best Supply Co Inc

ADDRESS: A.) 10905 Wildfire Rd, Minneola KS 67865 // B.) 1545 E 29th St N, Wichita KS 67219-4129

(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.) 23	27S	25W																	37	40	40	40	157
B.) 23	27S	25W																	3				3
															Total: 160								

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: Harshberger Land LLC

ADDRESS: 10905 Wildfire Rd, Minneola KS 67865

(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					
23	27S	25W	32.5	33	33	32													37	40	40	40	287.5

For Office Use Only: Code _____ Fee \$ 200 - TR # _____ Receipt Date _____ Check # 11324

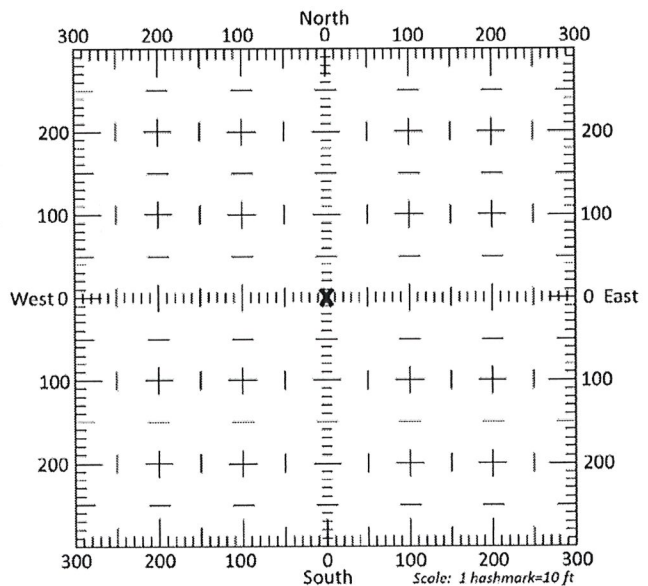
RECEIVED

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 23, Township 27 South, Range 25 W, in Ford County, Kansas, --- feet North --- feet West of Southeast corner of section. Authorized Rate 1555 GPM Authorized Quantity See Page 5, 11a Depth of well --- (feet)
(DWR use only: Computer ID No. 1 GPS 2661 feet North 1293 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 NW Quarter of the NE Quarter of the SE Quarter of Section 23, Township 27 South, Range 25 W, in Ford County, Kansas, 2661 feet North 1293 feet West of Southeast corner of section. Proposed Rate No Change Proposed Quantity See Page 5, 11a 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) Creating a complete overlap in place of use between File Nos. 12709&24987. The change also proposes to remove 3 acres from the place of use under File No. 12709 and a subsequent reduction in quantity has been added as an additional condition to account for maximum reasonable quantity.
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
ASAP
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA
 (b) When will this be done? NA
11. Groundwater Management District recommendation attached? Yes No
12. Assisted by TJS-SFFO
- 13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



- 13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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 Minneapolis, Kansas, this 23 day of April, 2019.

[Signature]

 (Owner)

[Signature]

 (Spouse)

Gary Harshberger

 (Please Print)

Melanie L. Harshberger

 (Please Print)

 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

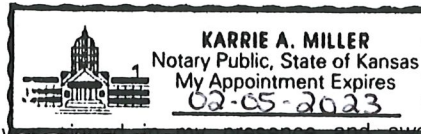
 (Owner)

 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Clark } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23 day of April, 2019.

[Signature]

 Notary Public

My Commission Expires 02-05-2023.

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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I hereby verify, being first duly sworn upon my oath of 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 Wichita, Kansas, this 24 day of Sept., 2019.

Lyle Suhr
(Owner)

(Spouse)

Lyle Suhr
(Please Print)

(Please Print)

Best Supply Company Inc
(Owner)

(Spouse)

President
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Sedgewick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24 day of Sept, 2019.

Kim Berry
Notary Public - State of Kansas
My Appt. Expires 08/31/2021

My Commission Expires 08/31/2021

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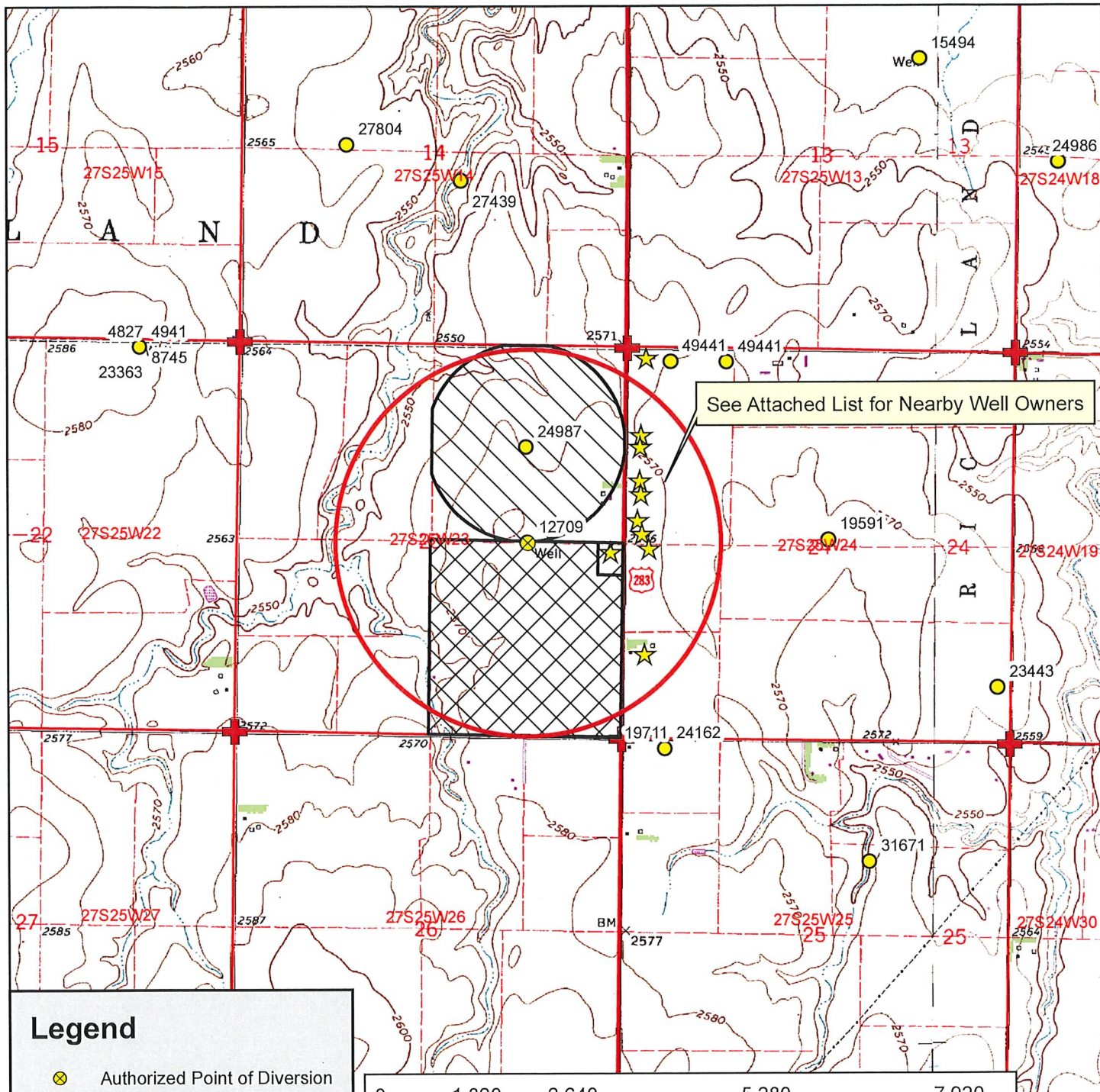
RECEIVED

SEP 26 2019 File No. 12709

**ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING
APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which Water Right, File No. 12709 shall be subject to the following condition:

- 11a. The water right shall be reduced to a total quantity not to exceed 314 acre feet (102,317,214 gallons) per calendar year.



See Attached List for Nearby Well Owners

Legend

- Authorized Point of Diversion
- Water Appropriations
- 1/2 Mile Buffer
- Domestic Well
- Section Line
- Section Corner

Place of Use

- Authorized
- Proposed



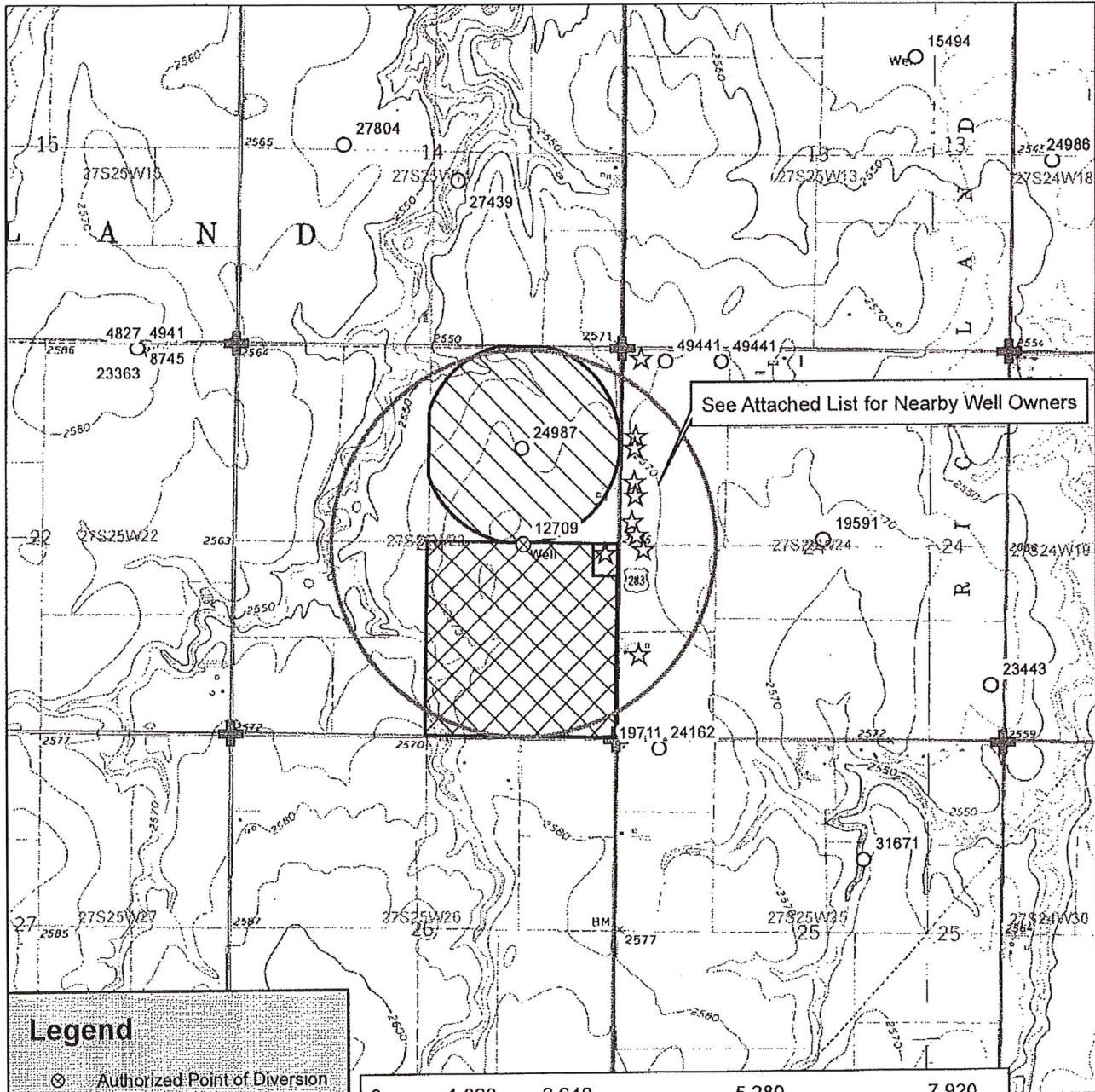
Water Right, File No. 12709
 Change in Place of Use, Application Map
 23-27S-25W // Ford County



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

COPY

Signature



See Attached List for Nearby Well Owners

Legend

- ⊗ Authorized Point of Diversion
- Water Appropriations
- ▭ 1/2 Mile Buffer
- ☆ Domestic Well
- Section Line
- ⊕ Section Corner

Place of Use

- ▨ Authorized
- ▩ Proposed



Water Right, File No. 12709
 Change in Place of Use, Application Map
 23-27S-25W // Ford 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.

SEP 25 2019

[Handwritten Signature]
 Signature

File No. 12709

PU Change Application – Nearby Well Owners

Mark Dirks, 11522 HWY 283, Dodge City KS 67801

Raymond & Marilyn Williams, 11526 US HWY 283, Dodge City KS 67801-7336

Mervin & Jean Sinclair, 11534 HWY 283, Dodge City KS 67801

Paul & Pamela Wetzel, 11538 HWY 283, Dodge City KS 67801-7336

Heather May, 11542 US Hwy 283, Dodge City KS 67801-7336

Bryan S Owens, 918 Club View Dr, Dodge City KS 67801-2936

Best Supply Co Inc, 1545 E 29th St N, Wichita KS 67219-4129

Liv Robb Tr, 11576 US HWY 283, Dodge City KS 67801-6675