

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.

File No. 24987

RECEIVED
 9:39 am
 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: 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													130.5

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													287.5

For Office Use Only: Code _____ Fee \$ 200- TR # _____ Receipt Date _____ Check # 12304

RECEIVED

APR 24 2019

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ NC NE _____ Quarter
 of Section 23, Township 27 South, Range 25 W,
 in Ford County, Kansas, 3960 feet North 1323 feet West of Southeast corner of section.
 Authorized Rate 870 GPM Authorized Quantity 260 AF Depth of well --- (feet)
(DWR use only: Computer ID No. 2 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 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.

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

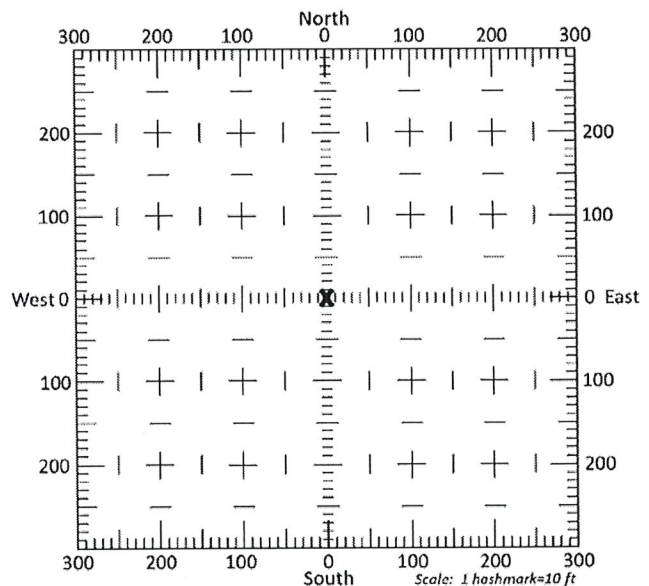
9. The change(s) (was)(will be) completed by?
ASAP

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.)

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. 24987.

1. A change application was received on April 24, 2019 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. 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
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019**, 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
8. **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
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. 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
11. Additional Conditions are attached. Yes No
12. 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: _____
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: _____

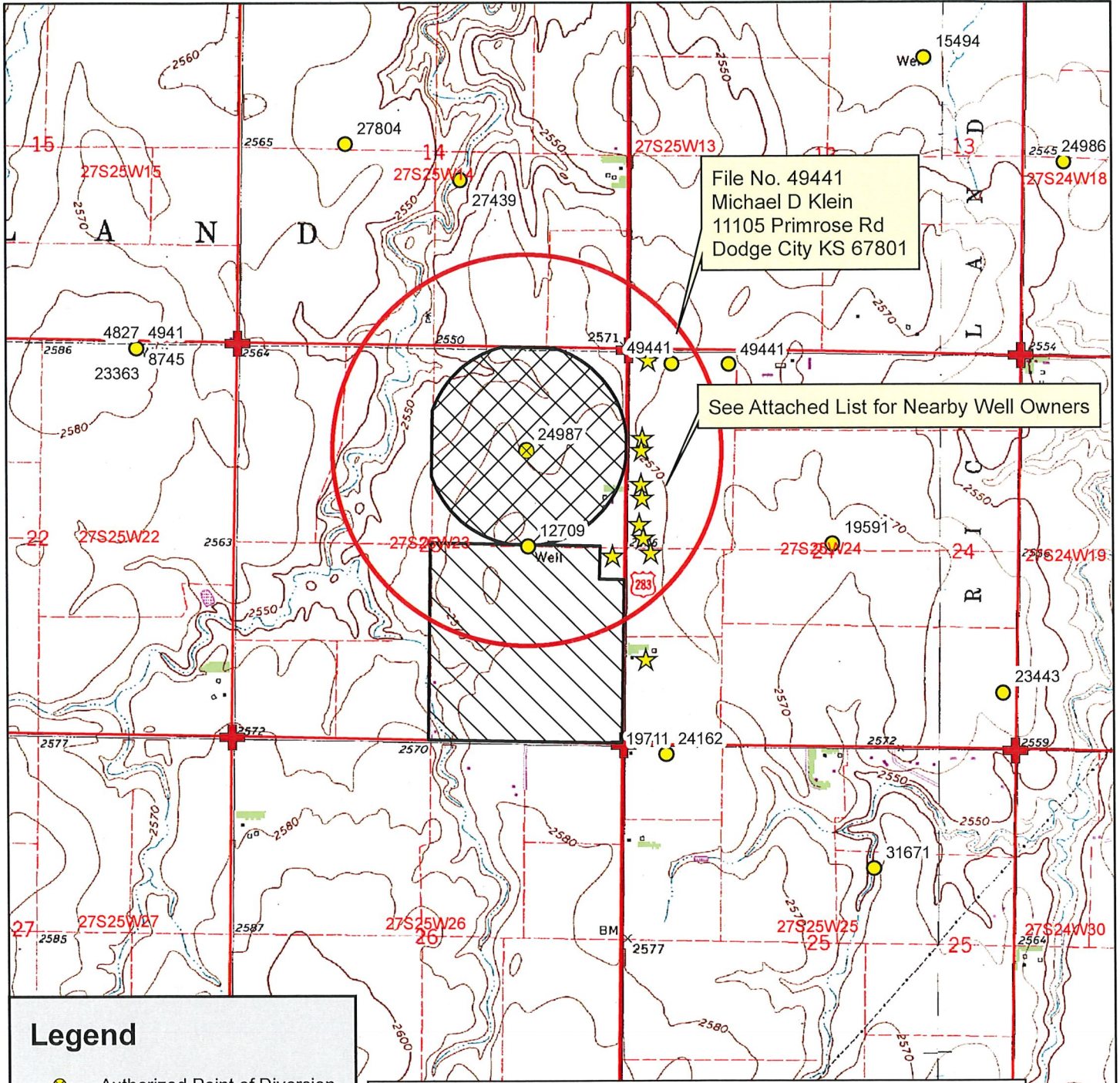
State of Kansas)
) SS
County of _____)

Acknowledged before me on _____

by _____

Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)



File No. 49441
 Michael D Klein
 11105 Primrose Rd
 Dodge City KS 67801

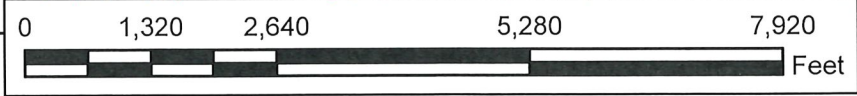
See Attached List for Nearby Well Owners

Legend

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

Place of Use

- Authorized
- Proposed



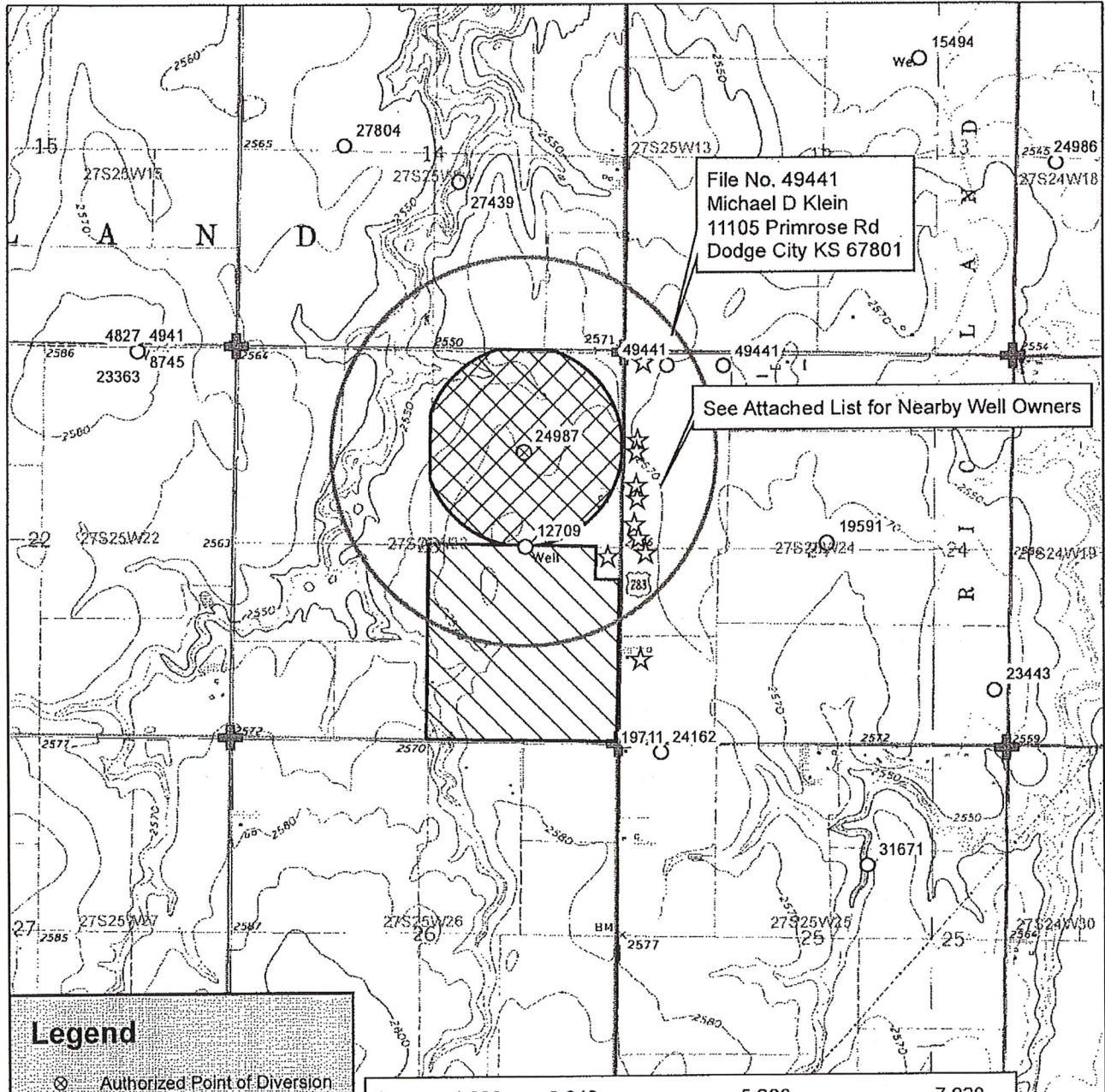
Water Right, File No. 24987
 Change in Place of Use, Application Map
 23-27S-25W // Ford County



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



Legend

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

Place of Use

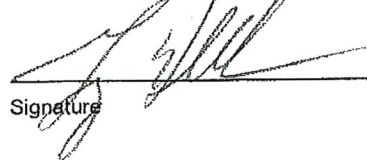
- ▨ Authorized
- ▧ Proposed



Water Right, File No. 24987
 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.

Signature 

SEP 25 2019

File No. 24987

PU Change Application – Nearby Well Owners

Michael Klein, 11105 Primrose Rd, Dodge City KS 67801

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