

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

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.

RECEIVED
 9:42 am
 JUN 03 2019

Stafford Field Office
 Division of Water Resources

File No. 48676

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: Carolyn Williams Inc.

326 Spruce Street, Halstead, KS 67056

Phone Number: (316)830-2844 Email address: cbwillia@swbell.net

Name and address of Water Use Correspondent: Carolyn Williams Inc.

326 Spruce Street, Halstead, KS 67056

Phone Number: (316)830-2844 Email address: cbwillia@swbell.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: A) Carolyn Williams Inc. B) Richard C. Basore Rev. Trust

ADDRESS: A) 326 Spruce Street, Halstead, KS 67056 B) 15531 W. 93rd St. North, Sedgwick, KS 67135

(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) 28	25S	2W	30	23.5	0.5	17													71
B) 27	25S	2W			16	17.5	6	30	32.5	38	12.5	3					15	8.5	179

250

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) Carolyn Williams Inc. B) Richard C. Basore Rev. Trust

ADDRESS: B) 326 Spruce Street, Halstead, KS 67056 B) 15531 W. 93rd St. North, Sedgwick, KS 67135

(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) 28	25S	2W	30	23.5	0.5	17													71
B) 27	25S	2W	13	21	18.5	25	6	30	32.5	38	12.5	3					15	8.5	223
B) 22	25S	2W									34	34	34	34					136

430

For Office Use Only: Code _____ Fee \$ <u>400</u> TR # _____ Receipt Date _____ Check # <u>10015</u>

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the SW Quarter of the NE Quarter of Section 28, Township 25 South, Range 2W (E/W), in Sedgwick County, Kansas, 3854 feet North 1406 feet West of Southeast corner of section. Authorized Rate 1000 GPM Authorized Quantity 325 AF Depth of well 37 (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 NESE* Quarter of the SE Quarter of the SE Quarter of Section 21, Township 25 South, Range 2W (E/W), in Sedgwick County, Kansas, 700650* feet North 50 feet West of Southeast corner of section. Proposed Rate 1000 GPM Proposed Quantity 325 AF Proposed well depth (feet) ~180.
 This point is: Additional Well Geo Center List other water rights that will use this point _____.

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) Combining place of use with Water Right No. 40518 proposed place of use and moving the well to location with less salinity and better water quality

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

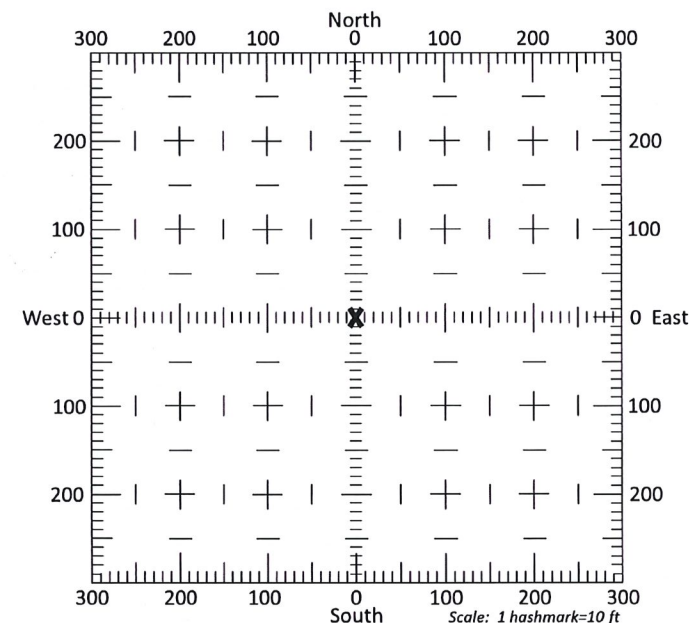
9. The change(s) (was)(will be) completed by?
ASAP

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

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by T. Boese, GMD2

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.)

*Per Applicant's letter on 10/11/19
 TJS-SFFO

JUN 03 2019

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).

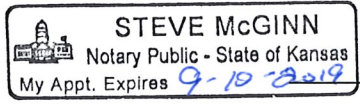
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application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

Dated at Halstead, Kansas, this 30th day of May, 2019.

<u>Richard C. Basore</u> (Owner)	_____ (Spouse)
<u>Richard C. Basore, Trustee of the Richard C. Basore Rev. Tr.</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
 County of Harvey } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30th day of May, 2019.



Steve McGinn
 Notary Public

My Commission Expires 9-10-2019.

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

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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.)

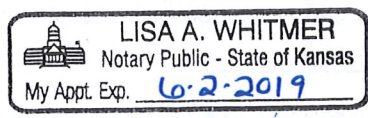
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 Halsstead, Kansas, this 30th day of May, 2019.

<p><u>Carolyn Williams, President</u> <u>Carolyn Williams Inc.</u> Carolyn Williams, President, Carolyn Williams Inc (Please Print)</p>	<p>(Spouse)</p> <p>(Please Print)</p>
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Harvey } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30th day of May, 2019.

[Signature]
 Notary Public

My Commission Expires 6-2-2019.

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**

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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. 48676.

1. A change application was received on June 3, 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 300 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 2640 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, 2020**, 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, 2020**, or within any authorized extension of time. By March 1, 2021 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 _____)
County of _____) SS

Acknowledged before me on _____
by _____

Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

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**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 Appropriation, File No. 48,676 shall be subject to the following conditions:

- 11a. The completed well will be no more than 2640' from the well previously authorized by Water Appropriation, File No. 48,676.

Application Map - File No. 48676



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.

Carolyn Williams
 C.W. Signature

May 30, 2019
 Date

- New Application
- Application No. 48676 To Change:

- Point of Diversion
- Place of Use
- Use Made of Water
- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) Irrigation well- No. 40518
 Richard C. Basore Rev. Trust
 15531 W. 93rd St. N, Sedgwick, KS 67125
- 2) Stockwatering domestic well.
 Richard C. Basore Rev. Trust
 15531 W. 93rd St. N, Sedgwick KS 67135
- 3) *[Handwritten note: *Per Applicant letter dated 10/11/19, TJS-SFFC]*

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1000 Corey Road
 P.O. Box 886
 Hutchinson, KS 67504-0886
 620-665-5661
 FAX: 620-665-0559
 TOLL FREE: 877-464-0623
 www.sdklabs.com

Sample # 6016.17
 Sample: Water-NE POND WELL
 Other ID: 11/28/2017

Date Received: 11/29/2017
 Date Reported: 11/30/2017
 Total Fee: 105.00

McGinn Farms
 1123 West 4th
 Sedgwick, Ks 67135

RUSH
 ANALYSIS

	Dry Basis	As Received	
++pH - SM 4500-H+ B		7.98	s.u.
++Chloride - SM 4500-Cl B		230.00	mg/L
++Total Hardness - SM 2340B		103	mg/L
++Nitrate-Nitrogen - SM 4500-NO3 D		Less than 1.00	mg/L
++Calcium - SM 3111B		27.80	mg/L
++Magnesium - SM 3111B		8.26	mg/L
++Sodium - SM 3111B		307.00	mg/L
++Sulfate - SM 4500 SO4 E		215.00	mg/L
% Sodium		89.50	%
SAR-Sodium Absorption Ratio		13.094	s.u.
++Electrical Conductivity - SM 2510B		1700	umhos/cm
TDS-Total Dissolved Solids - Calculated		1206	mg/L
Irrigation Quality Rating		AS FOLLOWS	
Light Soil -Salinity Hazard		Medium	
Light Soil - Sodium Hazard		Very High	
Medium Soil -Salinity Hazard		Medium	
Medium Soil -Sodium Hazard		Very High	
Heavy Soil -Salinity Hazard		Medium	
Heavy Soil -Sodium Hazard		Very High	
General Comment:		Doubtful/Unsuitable	

**Sample receipt temperature = 17.4 degrees C
 **Sample beyond hold time for pH

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JUN 03 2019

Stafford Field Office
 Division of Water Resources

Approved By: *M. A. Aguirre*

Copies

Equus Beds Groundwater Management District No. 2 Abandoned Well Plugging Agreement

I, Carolyn Williams Inc, the undersigned and owner of an abandoned water well understand that an abandoned water well is a groundwater contamination threat and a public health and safety hazard.


The abandoned water well is located NE, SW, NE, Section 28, Township 25 South, Range 2W West, Sedgwick County which is approximately 3854 feet north and 1406 feet west of the apparent SE section corner. Total well depth is 37 feet and the diameter of the well is 16 inches. Current depth to static water level in the well is ~10 feet below land surface. The well was previously authorized by water permit no. 48676.

I agree to properly plug the abandoned well pursuant to the Equus Beds Groundwater Management District rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207 and the following agreement provisions:

1. Well plugging operations will be supervised by either (a) a water well contractor licensed with the Kansas Department of Health and Environment, (b) a profession engineer or geologist licensed to practice in the State of Kansas, or (c) the abandoned water well owner or land owner of the property on which the water well or borehole is located.
2. The above described well will be plugged: a) by _____, _____, or **(b)** within 30 days after the replacement well, approved by a change in point of diversion, becomes operational.
3. A completed WWC-5P form will be submitted to the Kansas Department of Health and Environment within 30 days after the abandoned well is plugged and a copy of the WWC-5P form will be furnished to the District within the same period of time.
4. The well owner or authorized agent will notify the District 48 hours before plugging operations occur.
5. Failure to comply with the provisions of this agreement shall constitute noncompliance of the groundwater management district rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207.

Dated this 30th day of May, 2019 at Halstead, KS
Signature Carolyn Williams, President c.w.
Address 326 Spruce Street
City, State, Zip Code Halstead, KS 67056
Telephone 316-830-2844

State of Kansas County of Harvey
Subscribed and affirmed to before me this 30th day of May, 2019,
by [Signature]
(Notary Public)
My Commission Expires 6-2-2019

 **LISA A. WHITMER**
Notary Public - State of Kansas
My Appt. Exp. 6-2-2019

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JUN 03 2019

April 8, 2019

Kansas Department of Agriculture
Division of Water Resources Stafford Field Office
300 S. Main St.
Stafford, KS 67578

Re: Water Permit No. 48676 Change Application

Dear Sir or Madam:

The purpose of this correspondence is to advise that I have been informed by the applicant or the applicant's representative that a change in point of diversion and change in place of use application is being filed on Water Permit No. 48676 and that I am the owner of one or more wells within ½ mile of the proposed point of diversion. I have been shown a copy of the application and upon review I have no opposition to the application. Please consider this letter as acknowledgment that I have been notified and any further notification by the Division of Water Resources is not necessary.

Sincerely,



Richard Basore, Trustee of the Richard C. Basore Rev. Trust
15531 W. 93rd St. North
Sedgwick, KS 67135
(316)796-0914

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Stafford Field Office
Division of Water Resources

April 8, 2019

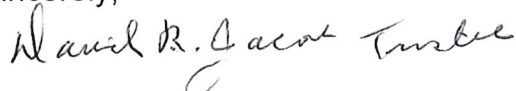
Kansas Department of Agriculture
Division of Water Resources Stafford Field Office
300 S. Main St.
Stafford, KS 67578

Re: Water Right No. 40518 Change Application

Dear Sir or Madam:

The purpose of this correspondence is to advise that I have been informed by the applicant or the applicant's representative that a change in place of use application is being filed on Water Right No. 40518 and that I am the owner of a well within ½ mile of the irrigation well authorized by Water Right 40158. I have been shown a copy of the application and upon review I have no opposition to the application. Please consider this letter as acknowledgment that I have been notified and any further notification by the Division of Water Resources is not necessary.

Sincerely,



David R. Jacob Rev. Trust
PO Box 81
Bentley, KS 67016

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JUN 03 2019

Stafford Field Office
Division of Water Resources

October 11, 2019

Jeff Lanterman
Kansas Department of Agriculture
Division of Water Resources Stafford Field Office
300 S. Main St.
Stafford, KS 67578

Re: Change Application – Water Permit No. 48676

Dear Mr. Lanterman:

The purpose of this correspondence is to request that the proposed point of diversion for Water Permit No. 48676 pending change application be moved 50 feet south to a location 650 feet north and 50 feet west of the southeast corner of Section 21, Township 25 South, Range 2 West, Sedgwick County. I understand and agree that the new well location, as drilled and constructed, cannot be more than 2,640 feet from the currently authorized well's completed location and will accept a special permit condition stating so.

Thank you for your assistance in this matter. Please contact me if you need any additional information.

Sincerely,



Carolyn Williams, President
Carolyn Williams, Inc.
326 Spruce Street
Halstead, KS 67056
316-830-2844

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OCT 11 2019

Stafford Field Office
Division of Water Resources