

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 36124	2. Status Change Date:	3. Change Num: 1	4. Field Office: 02	5. GMD: 05
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 10/13/20
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID 9291 Add Seq# 1
NO CHGE-->ROBERT L KERSCHEN MODIFY---->111 W ESTELLA NO CHGE-->CUNNINGHAM, KS 67035	

8c. Landowner(s) New to system <input type="checkbox"/>	Person ID 22665 Add Seq# 1
---REMOVE--- CHARLES DIMITT 1002 A E 23RD AVE HUTCHINSON, KS 67501	

8b. Landowner(s) New to system <input checked="" type="checkbox"/>	Person ID _____ Add Seq# _____
MODIFY--->ROBERT KERSCHEN LIV TRUST MODIFY--->111 W ESTELLA NO CHGE->CUNNINGHAM, KS 67035	

8d. WUC New to system <input type="checkbox"/>	Person ID 9291 Add Seq# 1
NO CHGE-->ROBERT L KERSCHEN MODIFY---->111 W ESTELLA NO CHGE-->CUNNINGHAM, KS 67035	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/21 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/21	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: -- _____ To: -- _____

Date Prepared: 10/13/20 By: CRC
Date Entered: _____ By: _____

File No. **36124** 11. County: **RENO** Basin: **NF Ninnescah** Stream: **n/a** Formation Code: **180**
Undiff Kan/Neb Special Use: **none**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity af	Rate gpm	Quantity af	
ENT				NC SW	32	26S	10W		1315	3980	none	1000	75	0	75	35701
DEL	7654			CS N2 SW	32	26S	10W	4	1335	3960						

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

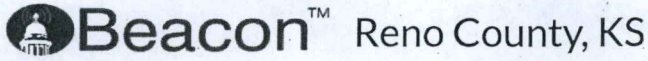
14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use				NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼					
CHK	55			32 26S 10W 5																			See 8b	Y	36124 & 35701
CHK	21603			32 26S 10W 4																			See 8b	N	36124 & 35701

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **Reno County parcel search shows new ownership. I attempted to fix that ownership change with this change app & worksheet.**



Summary

Parcel ID 359320000003000
 Quick Ref ID R35758
 Property Address S BROWNLEE RD
 TURON, KS 67583
 Brief Tax Description MIAMI TOWNSHIP, S32, T26, R10W, ACRES 320.69, S 1/2 EXC RD ROW
 (Note: Not to be used on legal documents)
 Taxing Unit Group 348
 Lot Size (SF) N/A
 Acreage 320.71
 Property Class Agricultural Use
 Zoning N/A
 Lot Block Subdivision --- MIAMI TOWNSHIP
 S-T-R 32-26-10W
 Deed Book & Page
 Neighborhood 801

*File Nos.
36124 & 35701*

Owner

Primary Owner
 Kerschen, Robert Liv Trust
 111 W Estella
 Cunningham, KS 67035

Ag Acreage

Ag Type	Ag Acres	Ag Soil	Details:				Total Value	Summary:	
			Non-irrigated Base Rate	Non-irrigated Adjusted Rate	Irrigated Base Rate	Irrigated Adjusted Rate		Dry Land Acres	Irrigated Acres
DR	10.24	5908	398	398	0	0	4080	13.83	261.81
DR	3.59	5956	317	317	0	0	1140		45.07
IR	37.68	5907	0	0	506	592	22310		
IR	35.35	5908	0	0	637	745	26340		
IR	12.44	5924	0	0	611	715	8890		
IR	0.90	5927	0	0	533	624	560		
IR	3.44	5945	0	0	624	730	2510		
IR	172.00	5956	0	0	611	715	122980		
NG	10.74	5907	12	12	0	0	130		
NG	1.26	5908	20	20	0	0	30		
NG	2.64	5927	20	20	0	0	50		
NG	4.46	5945	20	20	0	0	90		
NG	25.97	5956	20	20	0	0	520		
									320.71
									189630.00

Other Buildings

Occupancy	MSCIs	Rank	Qty	Year Built	Area	Perim	Hgt	Dimensions	Stories	Phys	Func	Class	Value
Site Improvements	S	2.00	1	1970	10	44	8	8 X 14	1	1	0	A	0

Other Building Components

Code	Units	Pct	Size	Rank	Year
8501-Steel Bin, without Drying, 1-14 ft.dia., 11 ft. hg	1	0	10		0
8504-Steel Bin, Concrete Slab Floor, 1-14 ft. diameter	1	0	8		0

Valuation

Class	2020 Appraised Value			2019 Appraised Value		
	Land	Building	Total	Land	Building	Total
A	\$197,540	\$0	\$197,540	\$196,210	\$0	\$196,210
Total	\$197,540	\$0	\$197,540	\$196,210	\$0	\$196,210

No data available for the following modules: Market Land Info, Residential Information, Mobile Home Information, Commercial Information, Building Permits, Photos, Sketches.

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Last Data Upload: 10/9/2020, 9:10:40 PM

Version 2.3.90

Stafford Field Office
300 S. Main Street
Stafford, KS 67578-1521



Phone: 620-234-5311
Fax: 620-234-6900
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

October 13, 2020

Robert L Kerschen
~~Post Box 396~~ 111 W Estella
Cunningham KS, 67035

Re: Water Right, File No(s). 36124

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 www.ksda.gov/includes/document_center/dwr/Forms/ApprovalPack.pdf. 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.

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 cursive script, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

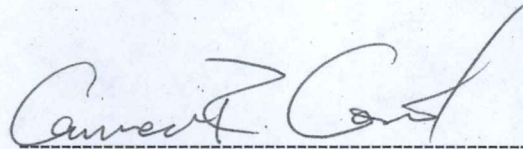
Enclosures

pc: Water Rights Section
Groundwater Management District No. 5

CERTIFICATE OF SERVICE

On this 13th day of **October, 2020**, I hereby certify that the attached Application for Approval to Change the Point of Diversion for Water Right, File No. **36124**, dated **October 13th, 2020** was hand delivered to the following:

Robert Kerschen

A handwritten signature in black ink, appearing to read "Garrett Card", written over a horizontal dashed line.

Staff

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. 36124

RECEIVED
 11:09 AM
 OCT 13 2020

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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Robert Kerschen
111 W Estella, Cunningham, KS 67035
 Phone Number: (620)298-4425 Email address: ---
 Name and address of Water Use Correspondent: Robert Kerschen
111 W Estella, Cunningham, KS 67035
 Phone Number: (620)298-4425 Email address: ---

3. The presently authorized place of use is:
 Owner of Land ---- NAME: Robert Kerschen Liv Trust
 ADDRESS: 111 W Estella, Cunningham, KS 67035
 (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			

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: NO CHANGE
 (If there is more than one landowner, attach supplemental sheets as necessary.)

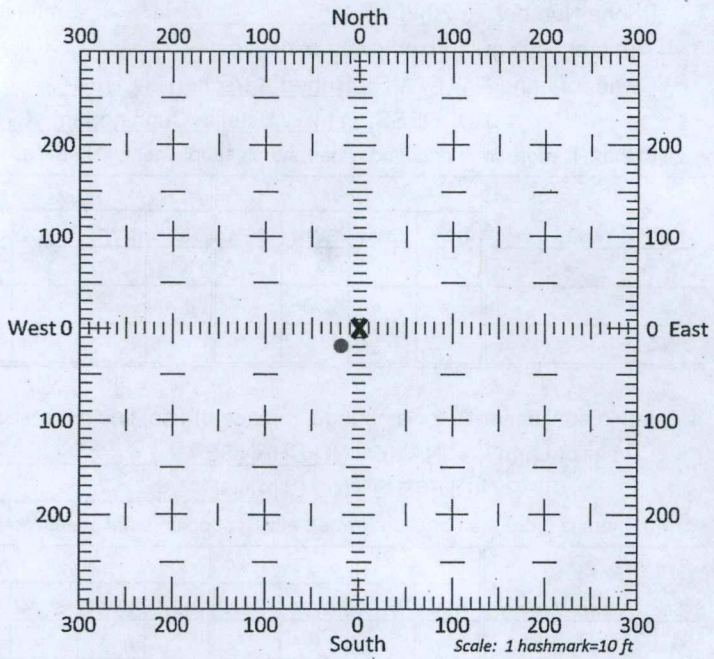
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code _____ Fee \$ <u>100</u> TR # _____ Receipt Date _____ Check # <u>5580</u>

5. **Presently authorized point of diversion:**
 One in the -- Quarter of the CS N2 Quarter of the SW Quarter
 of Section 32, Township 26 South, Range 10 (W),
 in Reno County, Kansas, 1335 feet North 3960 feet West of Southeast corner of section.
 Authorized Rate 1000 gpm (limited) Authorized Quantity 75 acre-feet Depth of well ~105 (feet)
 (DWR use only: Computer ID No. 4 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 NC Quarter of the SW Quarter
 of Section 32, Township 26 South, Range 10 (W),
 in Reno County, Kansas, 1315 feet North 3980 feet West of Southeast corner of section.
 Proposed Rate no chang Proposed Quantity no change Proposed well depth (feet) ~105
 This point is: Additional Well Geo Center List other water rights that will use this point 35701

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) The old well is pumping sand and the casing is beginning to fail. We want to replace this well before the next irrigation season.
8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by?
as soon as possible
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 is complete
11. Groundwater Management District recommendation attached?
 Yes No
12. Assisted by CRC-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.

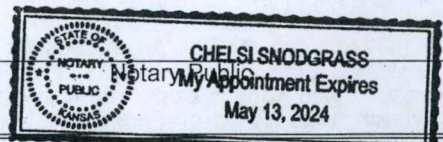
Dated at Stafford, Kansas, this 13th day of October, 2020.

<u>Bob Kersch</u> (Owner)	(Spouse)
<u>Bob Kersch</u> (Please Print)	(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 13th day of October, 2020.

My Commission Expires May 13th 2024



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

OCT 13 2020

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. 36124.

1. A change application was received on October 13, 2020 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 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 70 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, 2021**, 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, 2021**, or within any authorized extension of time. By March 1, 2022 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

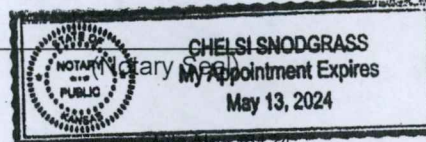
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: October 13, 2020
State of Kansas)
County of Stafford) SS
Acknowledged before me on Oct 13th 2020
by Chelsi Snodgrass
Signature: Chelsi Snodgrass
Notary Public

My commission expires:



RECEIVED

OCT 13 2020