NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

Water Resources Received 10:57 and MAR 20 2020

Submit To: CHIEF ENGINEER Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, KS 66502 www.ksda.gov/dwr APPLICATION FOR APPROVAL TO ept Of Agriculture CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT State



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1	Application is bounded for any set of the Object Environment of	2
1.	Application is hereby made for approval of the Chief Engineer to change the	DIORITI
	Place of Use	Water Respondes Repeived
	(Check one or more)	BLEPEIVEU
	Use Made of Water	CERVEB 18 2020
		UNAKS Dept Of Agriculture
	File No. <u>DC13</u>	
2.	Name of applicant: BOX-4 INC JERRY L. LOHOEFENER	
	Address: 110 E OAK ST	Received
	City, State and Zip: OBERLIN, KS 67749-1920	UNACCEPTABLE PRIORITY
	Phone Number: (785)475-4211 E-mail address:	
	What is your relationship to the water right; 🛛 owner 🗌 tenant 🔲 agent 🔲	other? If other, please explain.
	Name of water use correspondent: <u>SAME</u>	
	Address:	
	City, State and Zip:	
	Phone Number: () E-mail address:	
3.	The change(s) proposed herein are desired for the following reasons (please be	specific):
	TO CHANGE PLACE OF USE FOR PIVOT. THIS CHANGE WILL ADD 10 AC	RES
	TO BASE ACRES.	
	The change(s) (will be) completed by UPON APPROVAL	
		(Date)
F.(or Office Use Only: D GMD Meets K.A.R. 5-5-1 (YES) NO) Use <u>IRC</u> Source (C) S (Dode <u>CPU</u> Fee \$ TR # Receipt	County D C By Date Date Check # \$ 635
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	200	4/6/2020
		LMoody
DW	/R 1-120 (Revised 06/29/2009)	Assisted by:

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The	proposed p	oint(s) of dive	rsion is <u>no change</u>		(Provide description and ha		
				1.1	(Provide description and nu	mber of points)	
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(DW	R use only	: Computer	ID No. 2	GPS	feet North	feet W	est)
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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY MAR 20 2020

4. The presently authorized place of use is:

Owner of Land — NAME: BOX-4 INC JERRY L. LOHOEFENER

ADDRESS: 110 E OAK ST OBERLIN, KS 67749-1920

		- 2.74	10-1-1-1	NE	1/4	-		NV	V1/4	1.1.2		SV	N1/4		inter	SE	=1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
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It is proposed that the place of use be changed to:

Owner of Land — NAME: BOX-4 INC JERRY L. LOHOEFENER

ADDRESS: 110 E OAK ST OBERLIN, KS 67749-1920

				NE	Ξ1/4			NV	V1/4			SV	V1/4			SE	1/4		TOTAL
Sec.	Twp.	Range	NE¼	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
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List any other water rights that cover this place of use. 1,469

IF MORE SPACE IS NEEDED, ATTACHEAD DITIONALS SHEETS AS NECESSAROR PRIORITY Received MAR 10 2020 KS Dept Of Agriculture

File No. DC13

Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executir, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Obenlin, Ka	ansas, this 1374 day of Feb. March , 20 20
Alter Constance	Marcia K. Lohoefener
(Please Print) (Owner) (Owner)	Marcia K. Lohoelener (Please Print) Marcia K. Lohoefenn (Spouse)
Please Print)	Marcia K. Lohoetener (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of <u>Decatur</u>) SS I hereby certify that the foregoing application was signed March, 20, 20	d in my presence and sworn to before me this 675 day of
My Commission Expires	Aracy & Ora Notary Public
- E	E SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(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
(4)	Application to change the use made of the water	.\$300
	Reconstruction of the second sec	

Make check payable to Kansas Department of Agriculture.

Water Resources Received

MAR 20 2020

File No. DC13

12.	The presently authorized use of water is for IRR	_ purposes.
	It is proposed that the use be changed to <u>N/A</u>	purposes.
13.	If changing the place of use and/or use made of water, describe how the consumpt	ive use will not be increased.
	(Please show any calculations here.)	

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (_______c.f.s.).

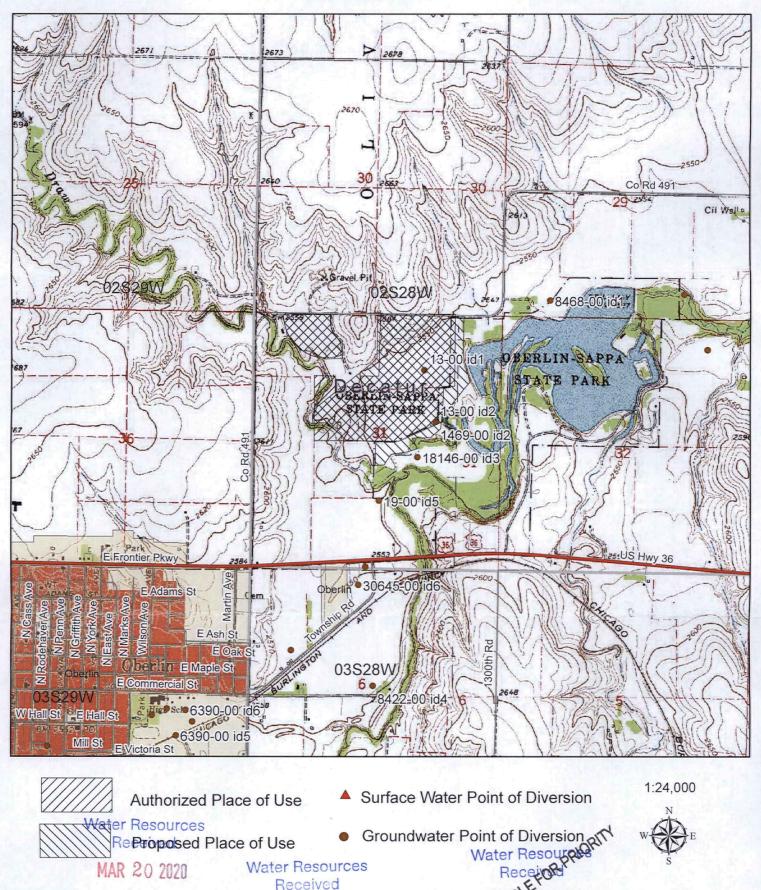
- 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
 - a. If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
- 17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

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18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

IF MORE SPACE IS NEEDED	D, ATTACH ADDITIONA	Water Resources
	Water Resources Received	FEB 18 2 EOR PT
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Application to Change the Place of Use For Water Right File # DC13



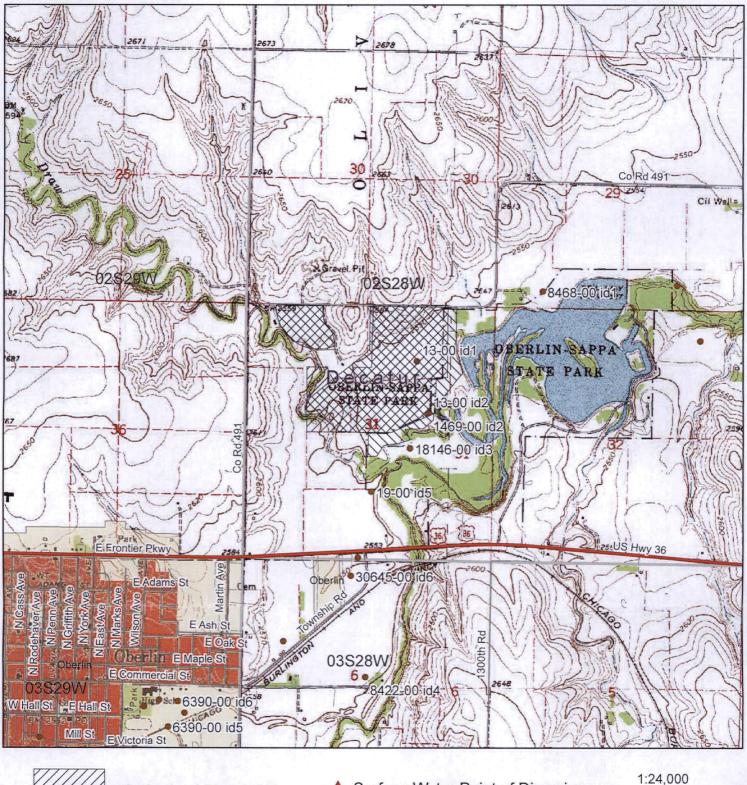
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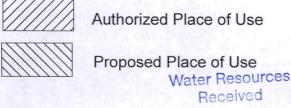
WS Dept Of Agriculture

KS Dept Of Agriculture

MAR 1 0 2020

Application to Change the Place of Use For Water Right File # DC13





MAR 1 0 2020

KS Dept Of Agriculture

Groundwater Point of Diversion

FOR PRIORIT Water Resources Received Ky Dept Of Agriculture

Surface Water Point of Diversion

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Recei∛ed MAR 20 2020

Water Red

Submit To: CHIEF ENGINEER Division of Water Resources Kansas Department of Agriculture 1320 Research Park Drive Manhattan, KS 66502 www.ksda.gov/dwr

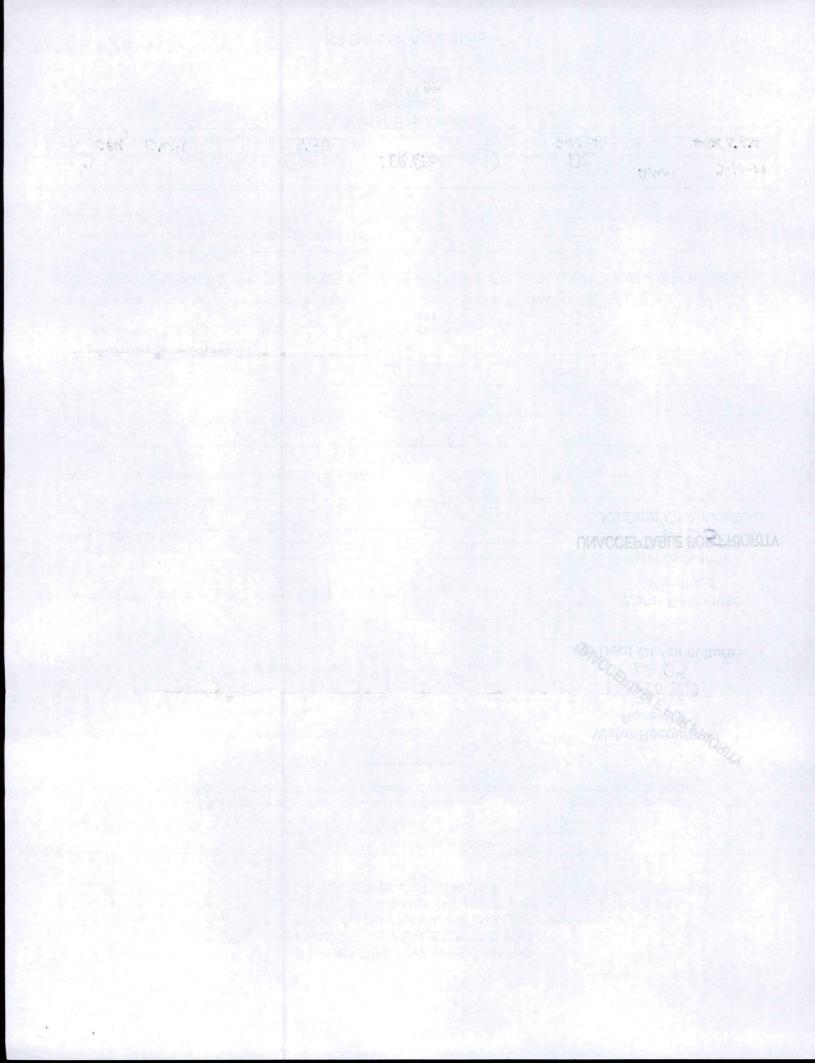
APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE, THE POINT OF DIVERSION OR THE USE MADE OF THE WATER UNDER AN EXISTING WATER RIGHT



Filing Fee Must Accompany the Application (Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

		RIM
1.	Application is hereby made for approval of the Chief Engineer to change the	Water Resource ORITY Receiver
	Place of Use	Receiver
	(Check one or more)	FERME 8 2020
	Use Made of Water	CCET 12:03
		Dept Of Agriculture
	File No. <u>1,469</u>	
2.	Name of applicant: BOX-4 INC JERRY L. LOHOEFENER	Water Resources
	Address: 110 E OAK ST	Received
	Address: <u>110 E OAK ST</u> City, State and Zip: <u>OBERLIN, KS 67749-1920</u>	UNACCEPTAQUE ESEPRIORIT
	Phone Number: (785)475-4211 E-mail address:	KS Dept Of Agriculture
	What is your relationship to the water right; O owner tenant agent ot	her? If other, please explain.
	Name of water use correspondent: <u>SAME</u>	
	Address:	
	City, State and Zip:	
	Phone Number: () E-mail address:	
3.	The change(s) proposed herein are desired for the following reasons (please be sp	pecific): TO CONVERT 1 AF OF REC
	USE BACK TO IRRIGATION AND TO CHANGE PLACE OF USE FOR PIVOT. TH	HIS CHANGE WILL ADD 10 ACRES
	TO BASE ACRES.	
	The change(s) (will be) completed by UPON APPROVAL	
	(Dat	e)
_		
	or Office Use Only: 0. 3 GMD Meets K.A.R. 5-5-1 (YESTNO) Use FRR/RECSource/G) S Co.	BMM 3-10-20
		unty <u>DC</u> By Date ate <u>3-10-20</u> Check # 2635 5635
-	Water Resources	
	Received	
	MAR 20 2020	
DIA		
DV	VR 1-120 (Revised 06/29/2009) KS Dept Of Agriculture	Assisted by:



The presently	authorized point(s	s) of diversion are two we	ells	and the second		at an entres
				(Provide description and numb	per of points)	
The proposed	point(s) of diversi	ion is <u>no change</u>	20 B. 10	(Provide description and numb	est of a sinte)	and started
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the second second second second second		oint(s) of diversion:	1	M	1.175,612.5	
	horized point of	PERMIT AND A DESCRIPTION OF A DESCRIPTIO				
				Quarter of the		
				South, Range		
				1355 feet West of S	Southeast corne	er of section.
		Authorized Quantity				
				feet North	feet W	est)
This point	will not be chang	ged 🛛 This point wil	be changed	as follows:		
Proposed point	nt of diversion: (Complete only if change	ge is requeste	ed)		
One in the	SE	Quarter of the	SW	Quarter of the	NE	Quarte
				South, Range		
in DC	Соц	unty, Kansas, <u>3017</u>	feet North	1355 feet West of S	Southeast corne	er of section.
Proposed Rate	1435 GPM*	Proposed Quantity _	281 AF*	THE THE THE		
This point is: [Additional Well	Geo Center List d	ther water right	nts that will use this point		Marg San
					AT THE REAL	and the second
	norized point of					
				Quarter of the		
of Section	31	, Township	2	South, Range	28	M
in DC				1594 feet West of S	Southeast corne	er of section.
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in <u>DC</u> Authorized Rat (DWR use onl)	e <u>1435 GPM*</u> y: Computer ID	Authorized Quantity No. 1 GP	280 AF*	feet North		
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WELLS SHARE A BLANKET RATE AND QUANTITY. REMOVAL OF REC USE WILL INCREASE IRR USE BY 1 AF

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

4. The presently authorized place of use is:

File No. 1,469

Owner of Land — NAME: BOX-4 INC JERRY L. LOHOEFENER

ADDRESS: 110 E OAK ST OBERLIN KS 67749-1920

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Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	NE ¹ /4	NW1/4	SW1/4	SE1/4	ACRE
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Sec.			AD		SS:			NV	N ¹ /4	SE ¹ /4	NE¼			SE ¹ /4	NE¼			SE¼	
iec.			AD		SS:			NV	N ¹ /4	SE¼	NE¼			SE¼	NE¼			SE¼	
iec.			AD		SS:			NV	N ¹ /4	SE¼	NE¼			SE¼	NE¼			SE¼	
any	Twp.	Range	AD	NW1/4	SS:	SE¼	NE ¹ / ₄	NW%	N ¹ /4	SE¼	NE¼			SE¼	NE%			SE¼	
any	Twp.	Range	AD	NW1/4	SS:	SE¼	NE ¹ / ₄	NW%	N ¹ /4	SE¼	NE¼			SE¼	NE¼			SE¼	
any	Twp.	Range	AD NE¼	NWV4	SS:	SE¼	NE%	NW NW%	N% SW%			NW1/4		SE¼	NE%			SE¼	
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any It is Sec.	Twp.	Range water i osed that er of La Range	AD NE¼	DRES	SS:	SE¼ is plac be ch DX-4 II 0 E O	NE%	NW NW% NW%	N% SW% L. LOI RLIN,	HOEF KS 67	ENER 7749-1	NW1/4	SW1/4			NW%	SW1/4		ACRE TOT/ ACRE

WETMORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARYS Received Water Resources Received KS Dept Of Agriculture Received

MAR 20 2020

File No. 1,469

12. The presently authorized use of water is for IRR/REC	purposes.
It is proposed that the use be changed to IRR	purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased. <u>EARLIER CONVERSION OF IRR WATER TO REC USE REDUCED CU AT THAT TIME.</u> CONVERSION BACK FROM <u>REC FOR EVAPAORATIVE LOSS TO IRR WILL NOT INCREASE CONSUMPTIVE USE.</u>

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (________c.f.s.).

- 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
 - a. If a change in the location of the point(s) of diversion is proposed, show:
 - The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within ½ mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
- 17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

THIS CHANGE WILL REVERSE PRIOR UMW CHANGE DONE IN 2006, HOWEVER AF C	GIVEN UP FOR CONVERSION
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TO REC USE AT THAT TIME WILL NOT BE REGAINED.	DONNA M. WARAEN
	LESSING MY ADD EXP. 2012/2012

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

		Water Resources	
IF MORE SPACE IS NEEDE	D, ATTACH ADDITIONAL SH	EETS AS NECESSARY	
Received	Received	FEB ES 2020	
MAR 20 2020	MAR 1 0 2020	WATEEpt Of Agriculture	
KS Dept Of Agriculture	KS Dept Of Agriculture	Nu	

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

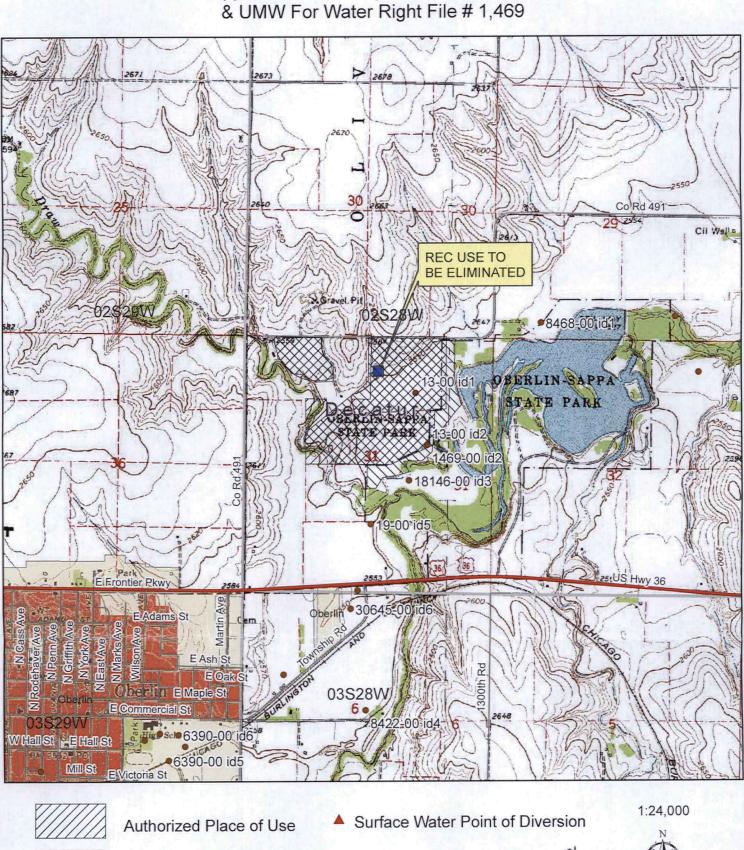
Dated at Oberlin , H	Kansas, this 13 day of Feb.	, 20 20
And the hocker	Maria K. Lor	hoefener
(owner) Ferry L. Longerey er (Please Print)	(Spouse) Marcia K: 40 (Please Print)	toetener
Alema Lohoepener	-Marcia K. Lo (Spouse)	hoefena
Kerry L. Lohoetever (Please Print)	Marcia K. Lo. (Please Print)	hoctener
(Owner)	(Spouse)	
(Please Print)	(Please Print)	100 100
State of Kansas) County of DECATUR) SS		
I hereby certify that the foregoing application was signed in the foregoing application was signed.	ed in my presence and sworn to before me this	<u>llota</u> day of
My Commission Expires My Appt. Exp. 7-25-20	Notary Public	N

FEE SCHEDULE

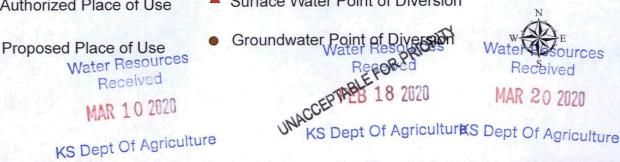
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

(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
(4)	Application to change a point of diversion 300 feet or less	.\$300

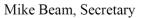
Make check payable to Kansas Department of Agriculture.



Application to Change the Place of Use



Sources



Kansas Department of Agriculture

900 SW Jackson, Room 456 Topeka, KS 66612 785-296-3556

Laura Kelly, Governor

BOX-4 INC Attn: JERRY L LOHOEFENER 110 E OAK ST OBERLIN KS 67749-1920

March 20, 2020

RE: File Nos. DC-13

Dear Sir or Madam:

Application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

\boxtimes	place of use
	point of diversion
	use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . <u>it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.</u>

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6627. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

KristenaBaum

Kristen A. Baum New Applications Unit Supervisor Water Appropriation Program

KAB: kjn