

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

1. File Number: 26756	2. Status Change Date: 4/10/23	3. Change Num: C1	4. Field Office: 02	5. GMD: 05
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: 4/10/23
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 17547 Add Seq# 1	8d. WUC New to system <input type="checkbox"/>	
SUITER A & L INC ADRIAN SUITER 188 NW 120TH AVE MACKSVILLE, KS 67557		8B		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/23 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/23				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input checked="" 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: 4/10/23 By: TMA Date Entered: By:				

File No. **26756** 11. County: **SF** Basin: **RATTLESNAKE CREEK** Stream: **---** Formation Code: **180** Special Use: **N/A**

12. Points of Diversion										Rate and Quantity							
CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
DEL				34236	NW SE SW	27	24S	15W	4	1000	3720		860	201	860	201	20227669-MF (pend)
ENT					NC SW	27	24S	15W		1321	3968		860	201	860	201	20227669-MF (pend)

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	NE ¼	NW ¼	SW ¼	SE ¼			
CHK				25682	27	24S	15W	1					33.5	33.5	33.5	33.5					134	8B	N				20227669-MF (pend)

Base Acres: **n/a** Year: **n/a** Minimum Reasonable Quantity: **1.21**

Comments:

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.

File No. 26756

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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: Robb Suiter
- 233 Hoole, Macksville, KS 67557
- Phone Number: (620)614-7924 Email address: robbsu@hotmail.com
- Name and address of Water Use Correspondent: Suiter A & L Inc, Attn: Adrian Suiter
- 188 NW 120th Ave, Macksville, KS 67557
- Phone Number: (620)614-7924 Email address: robbsu@hotmail.com

3. The presently authorized place of use is:
- Owner of Land ---- NAME: A & L SUITER INC
- ADDRESS: 188 NW 120TH AVE, MACKSVILLE, KS 67557
- (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	
27	24S	15W									33.5	33.5	33.5	33.5					134

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 CLT Fee \$ 100 TR # _____ Receipt Date _____ Check # 4858

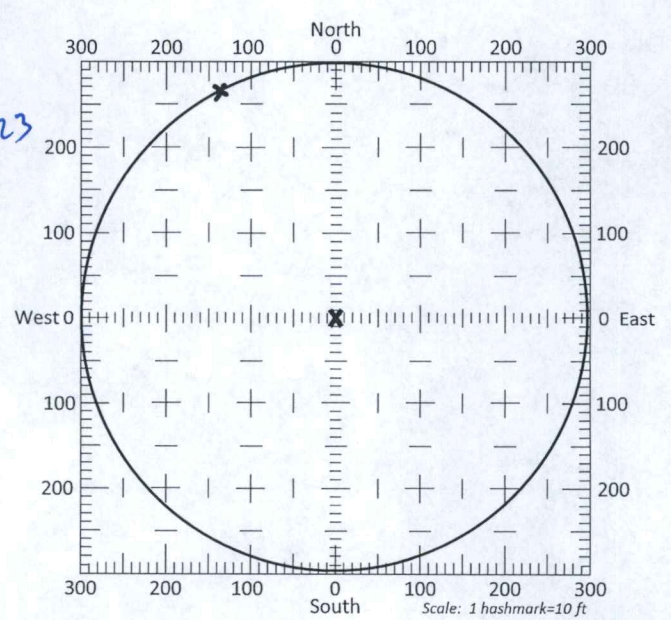
5. **Presently authorized point of diversion:**
 One in the NW Quarter of the SE Quarter of the SW Quarter of Section 27, Township 24 South, Range 15 W, in Stafford County, Kansas, 1,000 feet North 3,720 feet West of Southeast corner of section.
 Authorized Rate 860 gpm Authorized Quantity 201 AF Depth of well 110 (feet)
(DWR use only: Computer ID No. 4 GPS 1,052* feet North 3,838* 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 NC SW Quarter of Section 27, Township 24 South, Range 15 W, in Stafford County, Kansas, 1,321 feet North 3,968 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) ~140 feet
 This point is: Additional Well Geo Center List other water rights that will use this point None

** = GPS is from Google Earth pin, not a field visit or well log.*

6. **Presently authorized point of diversion:** *This is the best representation of the existing well location - TMA 4/10/23*
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____, 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 _____

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7. The changes herein are desired for the following reasons?
 (please be specific) Old well is failing / losing production and applicant desires a new well. The well is going to be ~299 feet northwest of existing well. - see GPS above. - TMA 4/10/23
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?
Cap it
 (b) When will this be done? Completion of new well.
11. Groundwater Management District recommendation attached?
 Yes No
12. Assisted by TMA 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 10th day of April, 2023.

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Robb Suiter v.P. (Owner) _____ (Spouse) _____

Robb Suiter, v.P., Suiter A:L Inc. (Please Print) _____ (Please Print) _____

 (Owner) _____ (Spouse) _____

 (Please Print) _____ (Please Print) _____

 (Owner) _____ (Spouse) _____

 (Please Print) _____ (Please Print) _____

State of Kansas }
 County of _____ } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this _____ day of _____, 20____.

My Commission Expires _____ Notary Public _____

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

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. 26756.

1. A change application was received on April 10, 2023 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 300* see 11a 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, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2024 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

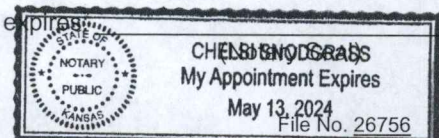
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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: Jeff Lanterman
 Duly Authorized Designee of the Chief Engineer
 (Print Name): Jeff Lanterman
 Division of Water Resources - Kansas Department of Agriculture
 Date of Issuance: 4/10/2023
 State of Kansas)
 County of Stafford) SS
 Acknowledged before me on 4/10/2023
 by Jeff Lanterman
 Signature: Cheli Snodgrass
 Notary Public

My commission expires



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

The effective date of the change approval to change the point of diversion shall be the date this order is executed by the Chief Engineer.

11a. The newly authorized point of diversion authorized by this change application does not exceed a distance of 300 feet from the ~~previously~~ ^{existing} authorized point of diversion.

Applicant Initials: *R*

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INPUTS	
Target Section Definition	
Section	27
Township	24
Range	15
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-98.962504
Target Latitude	37.930165

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

File No. 26756
GPS of Actual Authorized Well Location

*GPS is from pin in Google Earth where applicant states the well is actually located. Authorized footages did not best represent the existing well in this case.
-TMA 4/10/23

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.92729262	-98.96752501
NW	37.94194049	-98.96770773
NE	37.94187947	-98.94944206
SE	37.92727652	-98.94919814
Degrees Longitude per Foot		3.46708011E-06
Degrees Latitude per Foot		2.74612365E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1046	-1448
NW	-4288	-1501
NE	-4266	3767
SE	1052	3838

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.92727700	-98.96714800
NW	37.94192500	-98.96733100
NE	37.94186400	-98.94906600
SE	37.92726100	-98.94882200
Degrees Longitude per Foot		3.46707938E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	1052	-1339
NW	-4283	-1392
NE	-4260	3876
SE	1058	3946

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Stafford Field Office
DIVISION OF WATER RESOURCES

Airport Industrial Complex
8822 3rd Street
Great Bend, KS 67530
Phone (620) 793-8493
Fax (620) 793-8340

Clarke Well & Equipment, Inc.

Fax

To: DWR – Stafford **From:** Jenna Andrews

Fax: (620) 234-6900 **Pages:** 2 (Including Cover Sheet)

Phone: **Date:** April 10, 2023

Re: Adrian Suiter – Test Hole Log **Copy:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

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Stafford Field Office
DIVISION OF WATER RESOURCES

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

April 10, 2023

Robb Suiter
233 Hoole
Macksville, KS 67557

Re: Water Right, File No(s). 26756

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 <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits>. 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.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

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 black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Groundwater Management District No.

CERTIFICATE OF SERVICE

On this **10th** day of **April, 2023**, I hereby certify that the attached Change in Point of Diversion for TYPE OF RIGHT **26756**, dated **April 10th, 2023** was hand delivered to the following:

Robb Suiter

A copy was sent electronically to the following:

GMD 5

Cheli Snodgrass

Staff