

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. 49257

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 9:48
 OCT 25 2023
 Stafford Field Office
 DIVISION OF WATER RESOURCES

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

 under the water right which is the subject of this application in accordance with the conditions described below:
 The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Mark E & Karla Lawless
573 N Mount Zion Rd, Belle Plaine KS 67013
 Phone Number: (316)617-3126 Email address: marklawless95@gmail.com
 Name and address of Water Use Correspondent: Mark E & Karla Lawless
573 N Mount Zion Rd, Belle Plaine KS 67013
 Phone Number: (316)617-3126 Email address: marklawless95@gmail.com

3. The presently authorized place of use is:
 Owner of Land ---- NAME: Mark E & Karla Lawless // David E & Joi D Lawless
 ADDRESS: 573 N Mount Zion Rd, Belle Plaine KS 67013 // 532 N Oliver Rd, Belle Plaine KS 67013
 (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 | |
| 13 | 31S | 1E | | | | | | | | | 0.5 | 9 | 23 | 24.5 | | | | | 57 |
| 23 | 31S | 1E | | | | | | | | | | | | | 12.5 | 14 | 9.8 | 29.2 | 65.5 |
| 24 | 31S | 1E | | | | | 21.5 | 34.5 | 25 | 32 | 40 | 3 | 33 | 34 | | | | | 223 |
| 26 | 31S | 1E | 29.5 | 34.5 | 31 | 14 | | | | 33 | | | | | 16 | | | 40 | 198 |

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: Mark E & Karla Lawless // David E & Joi D Lawless
 ADDRESS: 573 N Mount Zion Rd, Belle Plaine KS 67013 // 532 N Oliver Rd, Belle Plaine KS 67013
 (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 | |
| 13 | 31S | 1E | | | | | | | | | 0.5 | 12 | 22.5 | 27.25 | | | | | 62.25 |
| 23 | 31S | 1E | | | | | | | | | | | | | 13.25 | 3.5 | 9.5 | 28.5 | 54.75 |
| 24 | 31S | 1E | | | | | 24.25 | 34.5 | 29 | 27 | 38.75 | 3.5 | 25.5 | 30.75 | | | | | 213.25 |
| 26 | 31S | 1E | 29.25 | 38.5 | 39.25 | 17.5 | | | | 32.25 | | | | | 18.5 | | | 38 | 213.25 |

For Office Use Only: Code CPU Fee \$ 200 TR # _____ Receipt Date _____ Check # 11794

5. **Presently authorized point of diversion:**
 One in the Southwest Quarter of the Notheast Quarter of the Southeast Quarter of Section 23, Township 31 South, Range 1 EAST, in Sumner County, Kansas, 1,326 feet North 872 feet West of Southeast corner of section. Authorized Rate 1,100 gpm Authorized Quantity 90.4 AF Depth of well N/A (feet)
(DWR use only: Computer ID No. 1 GPS 1,326 feet North 872 feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point None

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
 (please be specific) Modify place of use to cover new
acres being irrigated

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

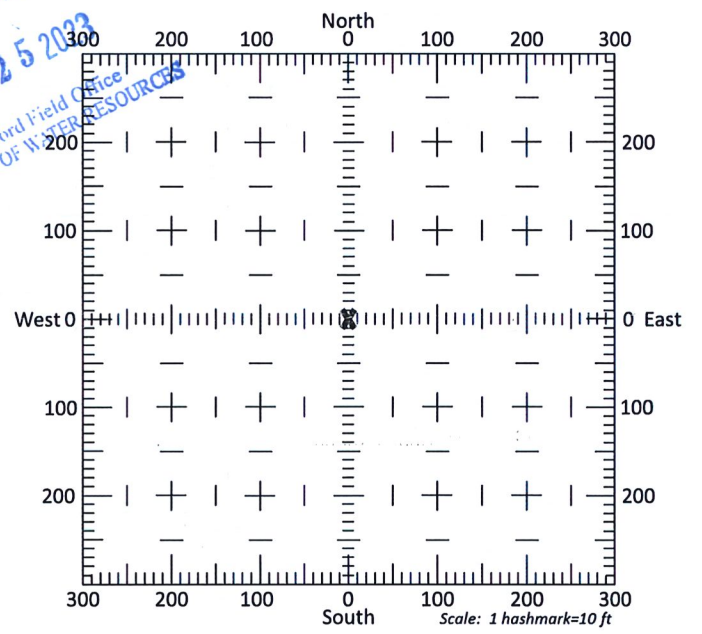
9. The change(s) was(will be) completed by?
Upon approval of change

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

11. Groundwater Management District recommendation attached?
 Yes No N/A

12. Assisted by EKF/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 Wellington, Kansas, this 16 day of October, 2023.

[Signature]
(Owner)

MARK E. LAWLESS
(Please Print)

[Signature]
(Owner)

David E Lawless
(Please Print)

(Owner)

(Please Print)

[Signature]
(Spouse)

Karla J. Lawless
(Please Print)

[Signature]
(Spouse)

Toi Lawless
(Please Print)

(Spouse)

(Please Print)

RECEIVED

OCT 25 2023

State of Kansas }
County of Sumner } SS

Stafford Field Office
DIVISION OF WATER RESOURCES

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16th day of Oct, 2023.

LINDA J. NORRIS
Notary Public - State of Kansas
My Appt. Expires 9-19-2026

[Signature]
Notary Public

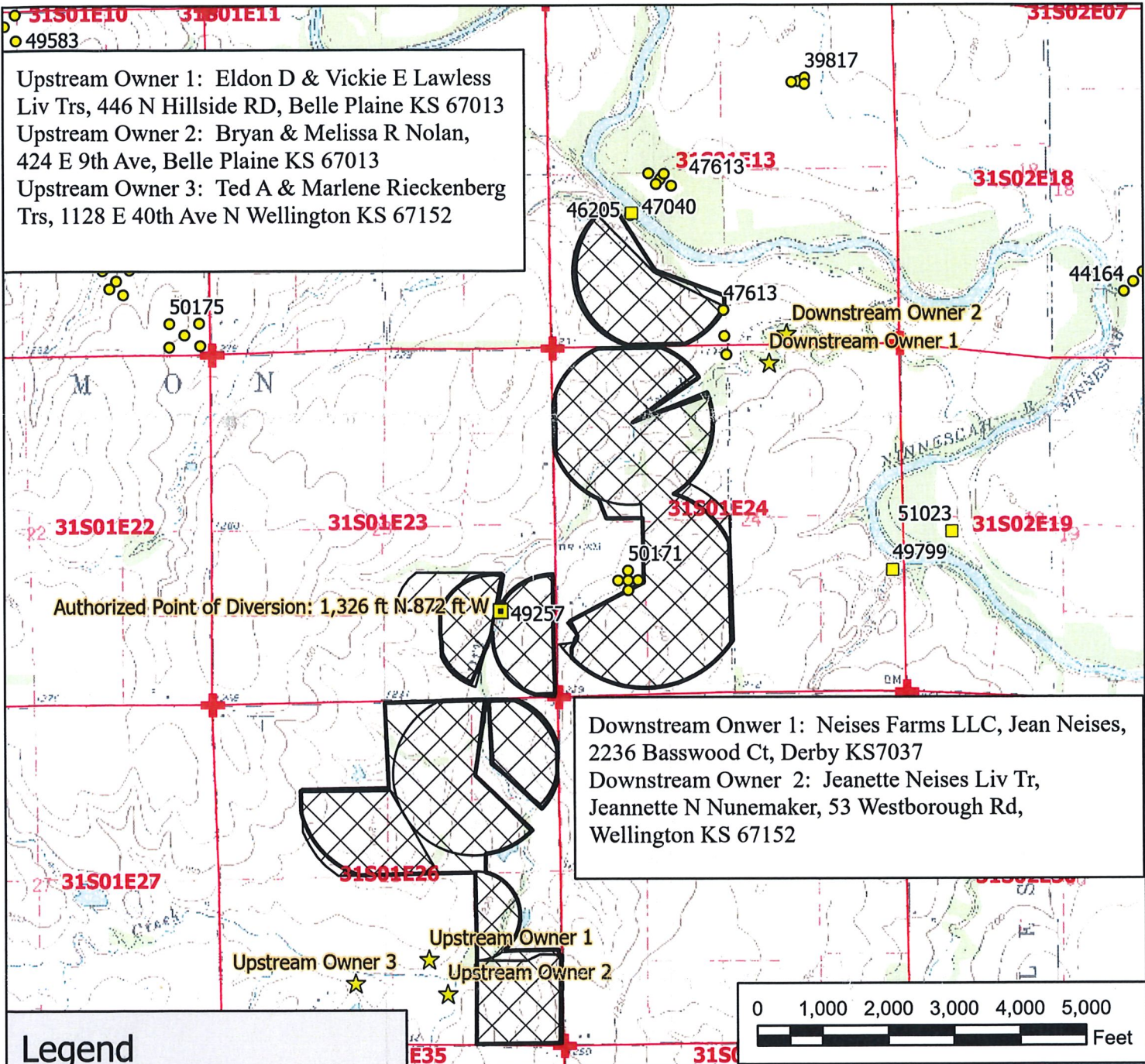
My Commission Expires _____

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



Upstream Owner 1: Eldon D & Vickie E Lawless Liv Trs, 446 N Hillside RD, Belle Plaine KS 67013
 Upstream Owner 2: Bryan & Melissa R Nolan, 424 E 9th Ave, Belle Plaine KS 67013
 Upstream Owner 3: Ted A & Marlene Rieckenberg Trs, 1128 E 40th Ave N Wellington KS 67152

Downstream Owner 1: Neises Farms LLC, Jean Neises, 2236 Basswood Ct, Derby KS7037
 Downstream Owner 2: Jeanette Neises Liv Tr, Jeannette N Nunemaker, 53 Westborough Rd, Wellington KS 67152

- Legend**
- Groundwater
 - Surface Water
 - Authorized Point of Diversion
 - ★ Nearby Landowner
 - ⊕ Section Corner
 - Section Line
 - Half Mile Circle
 - ▨ Authorized Place of Use
 - ▨ Proposed Place of Use

Water Right, File No. 49257
 Change in Place of Use Application Map
 P/U Ovlp w/ 46205, 47040, 47613 & 50171
 13, 23, 24 & 26-31S-1E // Sumner County

To the best of my knowledge, all landowners adjacent to the stream one-half mile upstream and downstream of my property lines have been shown.

Paul E. ... 10-16-23
 Signature / Date 8/15/2023 EKF/SFFO 1:26,000 scale



