

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

1. File Number: <b>50175</b>	2. Status Change Date: <b>1/13/23</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>02</b>	5. GMD:
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: <b>1/11/23</b>
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>
				Person ID <b>60837</b> Add Seq# _____  <b>DAVID E &amp; JOI D LAWLESS</b>
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID <b>57914</b> Add Seq# <b>1</b>		8d. WUC New to system <input type="checkbox"/>
<b>MARK E &amp; KARLA LAWLESS</b> <b>573 N MOUNT ZION RD</b> <b>BELLE PLAINE KS 67013</b>				<b>8B</b>
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/23</b> <input type="checkbox"/> N & P Date to Comply: _____				
<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: <b>1/12/23</b> By: <b>TMA</b> Date Entered: <span style="border: 1px solid blue; padding: 2px;"><b>1/17/2023</b></span> By: <b>LMoody</b>				

File No. **50175**      11. County: **SU**      Basin: **NINNESCAH RIVER**      Stream: **---**      Formation Code: **100**      Special Use: **---**

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
CHK	89542	SE SE SE	15	31S	1E	17	318	411		400	208	400	208	NO
CHK	89543	SE SE SE	15	31S	1E	18	494	638		400	208	400	208	NO
CHK	89544	SE SE SE	15	31S	1E	19	494	187		400	208	400	208	NO
CHK	89545	SE SE SE	15	31S	1E	20	150	175		400	208	400	208	NO
CHK	89546	SE SE SE	15	31S	1E	21	135	645		400	208	400	208	NO

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	NE ¼	NW ¼	SW ¼	SE ¼								
CHK	69215	22	31S	1E	1	40	40	40	40																		160	8B	NO	48323			
ENT	63857	15	31S	1E	1																				27.5	34.5	62	8B,8C	NO	48323			

Base Acres: **160**      Year: **2022**      Minimum Reasonable Quantity: **1.01**  
 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  
 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.

RECEIVED  
 9:31 am  
 JAN 11 2023

File No. 50175

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Stafford Field Office  
Division of Water Resources
- 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 Lawless
- 573 N Mount Zion Rd, Belle Plaine, KS 67013
- Phone Number: (620)488-3908                      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: (620)488-3908                      Email address: marklawless95@gmail.com

3. The presently authorized place of use is:
- Owner of Land — NAME: 1) MARK E & KARLA J LAWLESS // 2) DAVID E & JOI D LAWLESS
- ADDRESS: 1) 573 N MOUNT ZION RD, BELLE PLAINE, KS 67013 // 2) 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	
22	31	1E	40	40	40	40													160

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: 1) MARK E & KARLA J LAWLESS // 2) DAVID E & JOI D LAWLESS
- ADDRESS: 1) 573 N MOUNT ZION RD, BELLE PLAINE, KS 67013 // 2) 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	
15	31	1E															27.5	34.5	62
22	31	1E	40	40	40	40													160
																		Tot: 222	

**For Office Use Only:** Code CPU Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 11460



5. **Presently authorized point of diversion: GEOCENTER**

One in the SE Quarter of the SE Quarter of the SE Quarter of Section 15, Township 31 South, Range 1 E, in Sumner County, Kansas, 318 feet North 411 feet West of Southeast corner of section.  
 Authorized Rate 400 gpm Authorized Quantity 208 AF Depth of well N/A (Geo) (feet)  
**(DWR use only: Computer ID No. 17 GPS N/A feet North N/A 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 \_\_\_\_\_

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) Applicant would like to create a complete overlap in the place of use of WR#s 48323 and 50175.

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

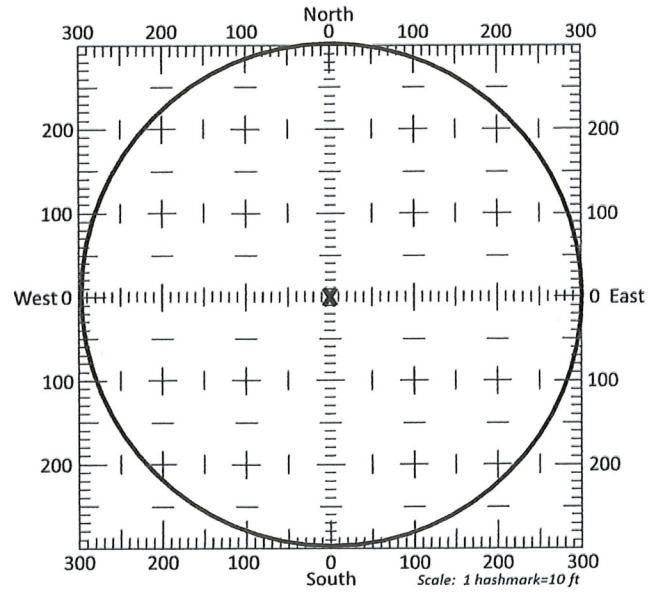
9. The change(s) (was)(will be) completed by?  
ASAP

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

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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

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JAN 11 2023



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 Belle Plaine, Kansas, this 8 day of JANUARY, 20 23.

David E. Lawless  
 (Owner)

Jojo Lawless  
 (Spouse)

David E. Lawless  
 (Please Print)

Jojo Lawless  
 (Please Print)

Mark Lawless  
 (Owner)

Karla J. Lawless  
 (Spouse)

MARK LAWLESS  
 (Please Print)

Karla J. Lawless  
 (Please Print)

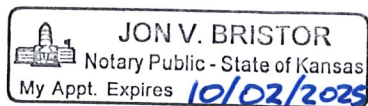
\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Please Print)

State of Kansas }  
 County of Sumner } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 8 day of JANUARY, 20 23.

Jon V. Bristor  
 Notary Public

My Commission Expires 10/02/2025.

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  
 JAN 11 2023



**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. 50175.

1. A change application was received on January 11, 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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, 20**\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_ 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*

RECEIVED

JAN 11 2023

Stafford Field Office  
Division of Water Resources

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: January 13, 2023

State of Kansas )

County of Stafford ) SS

Acknowledged before me on 1/13/2023

by Faith Curtis

Signature: Faith Curtis  
Notary Public

My commission expires: \_\_\_\_\_



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

January 13<sup>th</sup>, 2023

Mark E & Karla Lawless  
573 N Mount Zion Rd  
Belle Plaine, KS 67013

Re: Water Right, File No(s). 50175

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.

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 **13th** day of **January, 2023**, I hereby certify that the attached DWR Field Office Application for Change in Placec of Use for Water Right, File No. **50175**, dated **January 13th, 2023** was mailed via First Class U.S. mail to the following:

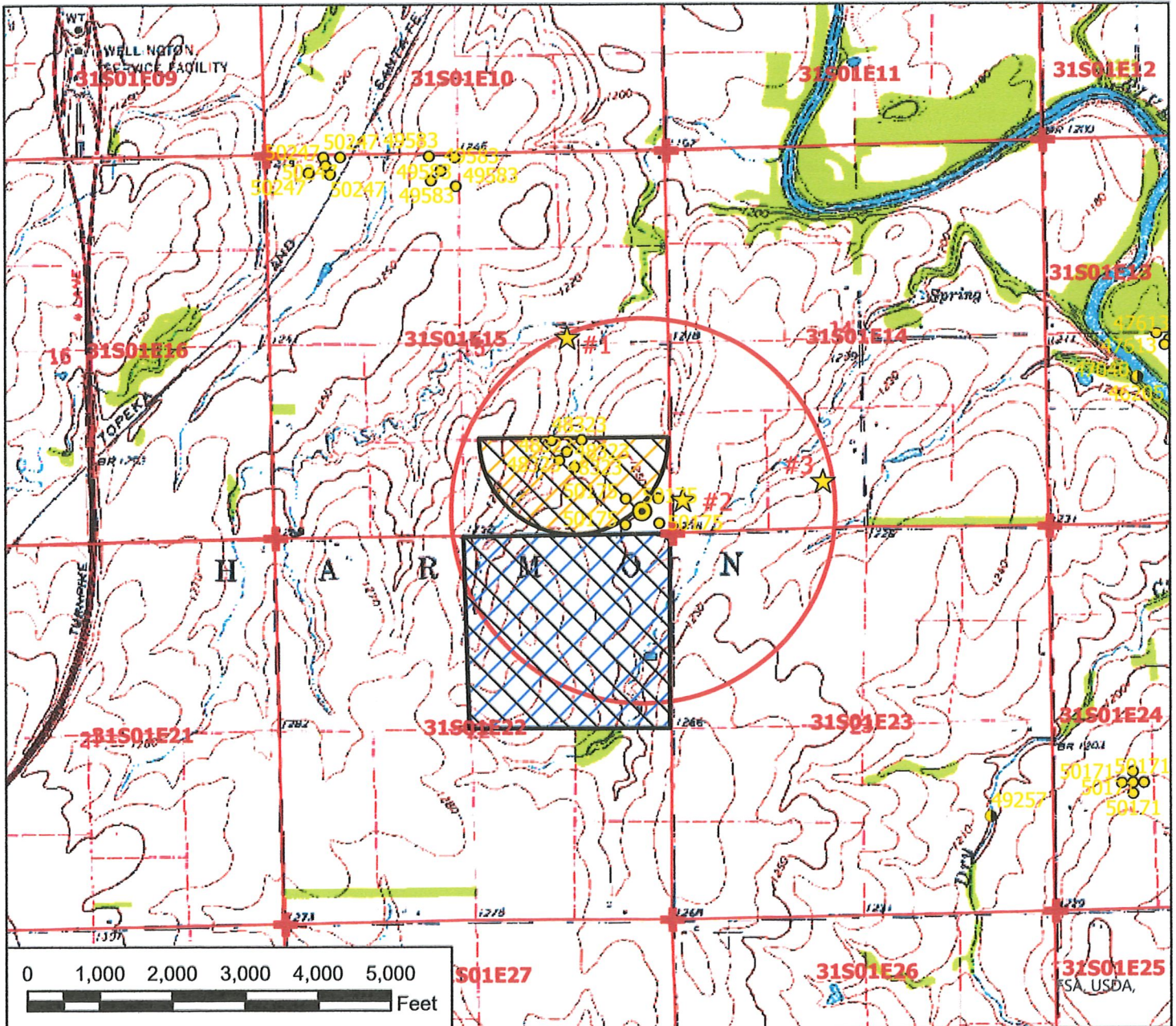
Mark E & Karla Lawless  
573 N Mount Zion Rd  
Belle Plaine, KS 67013

A copy of the letter was sent via First Class U.S. Mail to the following:

PC: Water Rights Section

*Faith Curtis*

-----  
Staff



- Legend**
- Proposed Point of Diversion
  - Authorized Point of Diversion
  - ★ Domestic Well
  - Groundwater
  - Surfacewater
  - ⊕ Section Corner
  - ▭ Section Line
  - Half Mile Circle
  - ▨ Authorized Place of Use (48323)

# Water Right, File No. 50175

## Change in Place of Use Map

### 15/22-31-01E // Sumner County



JAN 11 2023

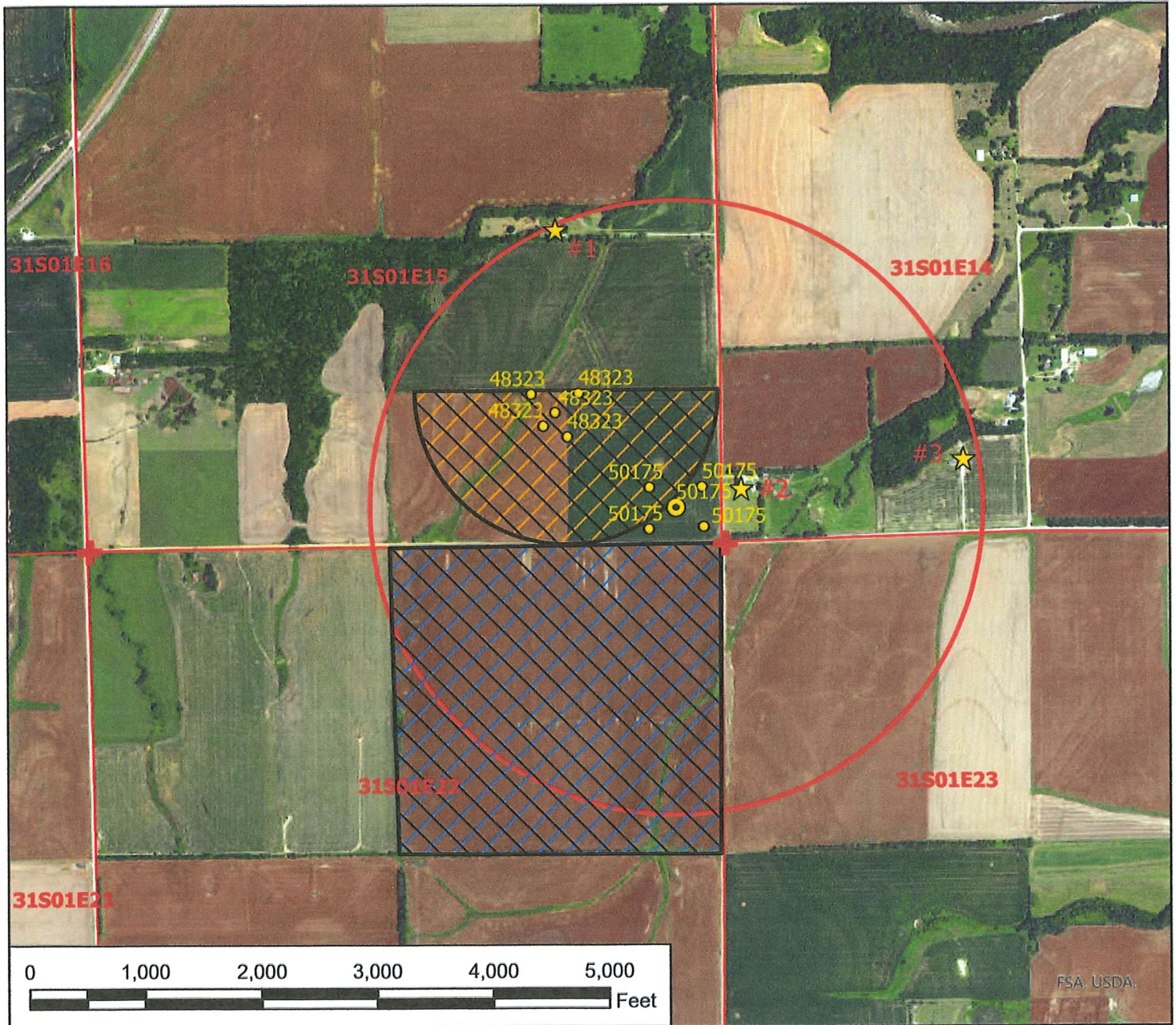
To the best of my knowledge, all known wells within one-half mile of the authorized point(s) of diversion have been shown.

Stafford Field Office  
Division of Water Resources

*Paul Leung*

12-21-22





- Legend**
- ⊗ Proposed Point of Diversion
  - ⊙ Authorized Point of Diversion
  - ★ Domestic Well
  - Groundwater
  - Surfacewater
  - ⊕ Section Corner
  - ▭ Section Line
  - Half Mile Circle
  - ▨ Authorized Place of Use (48323)

## Water Right, File No. 50175

Change in Place of Use Map  
15/22-31-01E // Sumner County



JAN 11 2023

To the best of my knowledge, all known wells within one-half mile of the authorized point(s) of diversion have been shown.

Stafford Field Office  
Division of Water Resources

*Paul Ludwig* 12-21-22

48323-0000 TMA/DFEC 4-15-2000



**Change in Place of Use**

**File No. 50175**

**Nearby Well Owners**

**Domestic Wells:**

#1: AMANDA FAYE STONE & JACOB MILES  
651 N HILLSIDE RD  
BELLE PLAINE, KS 67013-3237

#2: JAMES W SIEVER II & LISA L SIEVER  
606 N HILLSIDE RD  
BELLE PLAINE, KS 67013

#3: BRADLEY J HAPPY  
PO BOX 254  
BELLE PLAINE, KS 67013

**Irrigation Wells:**

48323: MARK E & KARLA LAWLESS (Applicant)  
573 N MOUNT ZION RD  
BELLE PLAINE, KS 67013                    **AND**

DAVID E & JOI D LAWLESS  
532 N OLIVER RD  
BELLE PLAINE, KS 67013

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JAN 11 2023

**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** January 12, 2023

**FROM:** Taylor Arrowood

**RE:** Water Right, File No. 48323,50175  
Changes in Place of Use

Mark Lawless contacted Elizabeth Fitch of the Stafford Field Office on December 13, 2022 requesting a place of use change to overlap the two referenced water rights completely. Elizabeth forwarded the change details on to me to assist in creating an application to accomplish this.

The referenced file is in compliance with 82a-732. A review of the application finds that it complies with K.A.R. 5-5-1, Filing an application for change. The referenced file does not appear abandoned as per K.S.A 82a-718.

The presently authorized points of diversion and any modifications to the point of diversion are listed below:

**File No. 48323:** A battery of wells with geocenter located at 1,152' N and 1,447' W of the SE corner of 15-31S-1E in Sumner County, authorized 80.6 AF @ 460 gpm on 62 acres in Section 15 of the mentioned legal description. There will be no changes to the point of diversion.

**File No. 50175:** A battery of wells with geocenter located at 318' N and 411' W of the SE corner of ~~22~~<sup>15</sup>-31S-1E in Sumner County, authorized 208 AF @ 400 gpm on 160 acres in Section ~~22~~<sup>15</sup> of the mentioned legal description. There will be no changes to the point of diversion.

The place of use will be modified such that the two places of use that are currently separate, will be authorized the same acres and be overlapped completely. So, 48323 will now be authorized 62 acres and the additional 160 acres authorized under file no. 50175. 50175 will now be authorized the 160 acres and the additional 62 acres previously only authorized by 48323.

This approval would comply with K.A.R. 5-5-3, *Change in consumptive use*, since there is no proposed change in rate or overall quantity of water. The number of acres being irrigated is changing to 222 acres for both files. The new quantity would be 288.6 AF / 222 acres for 1.3 AF/acre. The minimum reasonable for Sumner County is 1.01 AF/acre and the maximum is the 1.3 AF/acre being allowed here for two post-1999 irrigation files.

The application was received in the Stafford Field Office on January 11, 2023 with all correct payment and signatures present.

There were no nearby letters sent because this is a place of use change. A GMD recommendation was not needed for this change because Sumner County is not in a GMD.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in local source of supply will occur, it has been recommended that the application be approved.

Taylor M. Arrowood  
Environmental Scientist  
Stafford Field Office





# KANSAS DEPARTMENT OF AGRICULTURE

## Division of Water Resources

### Stafford Field Office

## MEMORANDUM

---

**TO:** File

**DATE:** 1/12/2023

**FROM:** Taylor Arrowood

**RE:** File Nos. 48323,50175

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016. With directive from Lane Letourneau Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use filed on 1/11/2023 for the above referenced file meets this criteria and surrounding well owners will not be notified.