

# 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.

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502  
http://agriculture.ks.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**



State of Kansas

**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 hereby made for approval of the Chief Engineer to change the

- Place of Use  
(Check one or more)  Point of Diversion  
 Use Made of Water

10/12/2023, 1:48 PM

Water Resources  
Received

KS Dept Of Agriculture

File No. 12123

2. Name of applicant: Marcia Bascom

Address: 3725 Kitten Creek Rd

City, State and Zip: Manhattan, KS 66503

Phone Number: (785)477-4375 E-mail address: bascoms31@gmail.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: Darren W & Caitlin D Hayse

Address: 14058 17<sup>th</sup> Ave

City, State and Zip: Mullinville, KS 67109-7125

Phone Number: (620)546-3578 E-mail address: darren@haysemgt.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Propose to create a complete overlap in place of use and cover unauthorized acres. The change will also propose an additional well.

The change(s) (will be) completed by ASAP (Date)

10/24/2023  
LMoody

<b>For Office Use Only:</b>															
F.O. Code	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1	<input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	Use	<u>IRR</u>	Source	<input checked="" type="checkbox"/> G / <input type="checkbox"/> S	County	<u>KW</u>	By	<u>ALB</u>	Date	<u>10/13/2023</u>
Code	<u>C-2</u>			Fee \$	<u>400</u>	TR #		Receipt Date	<u>10/12/23</u>	Check #	<u>204</u>				

4. The presently authorized place of use is:

Owner of Land — NAME: MARCIA KAY BASCOM

ADDRESS: 3725 KITTEN CREEK RD, MANHATTAN, KS 66503

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	
30	28S	19W									9	28	27	7					71

List any other water rights that cover this place of use. 6353 (partial overlap)

Owner of Land — NAME: DARREN W & CAITLIN D HAYSE ETAL

ADDRESS: 6163 L ST, MULLINVILLE, KS 67109

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
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31	28S	19W					11	40	40	17		35	17						160
																			231 total

List any other water rights that cover this place of use. 6353 (partial overlap)

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: MARCIA KAY BASCOM

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31	28S	19W					21	38.5	39.5	26	0.5	8.5							134
																		Total	194

List any other water rights that cover this place of use. 6353

10/12/2023, 1:48 PM

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

Water Resources  
Received

KS Dept Of Agriculture

6. The presently authorized point(s) of diversion is one well and diversion works Water Resources  
Received  
(Provide description and number of points)
7. The proposed point(s) of diversion are two wells and diversion works  
(Provide description and number of points) KS Dept Of Agriculture

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion: EXISTING WELL**

One in the NW Quarter of the NW Quarter of the NW Quarter of Section 31, Township 28 South, Range 19 W, in Kiowa County, Kansas, 5,304 feet North 5,191 feet West of Southeast corner of section.  
 Authorized Rate 825 gpm Limited Authorized Quantity 347 AF Limited  
**(DWR use only: Computer ID No. 2 GPS 5,316 feet North 5,181 feet West)**  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the NW Quarter of the NW Quarter of the NW Quarter of Section 31, Township 28 South, Range 19 W, in Kiowa County, Kansas, 5,316 feet North 5,181 feet West of Southeast corner of section.  
 Proposed Rate 571.4 gpm Limited Proposed Quantity 240.3 AF Limited to 240.3 AF w/ 6353 on this well  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 6353

9. **Presently authorized point of diversion: PROPOSED ADDITIONAL/NEW WELL**

One in the --- Quarter of the --- Quarter of the --- Quarter of Section ---, Township --- South, Range --- W, in --- County, Kansas, --- feet North --- feet West of Southeast corner of section.  
 Authorized Rate --- Authorized Quantity ---  
**(DWR use only: Computer ID No. --- GPS --- feet North --- feet West)**  
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**Proposed point of diversion: (Complete only if change is requested)**  
 One in the NW Quarter of the SW Quarter of the SW Quarter of Section 31, Township 28 South, Range 19 W, in Kiowa County, Kansas, 1,248 feet North 5,155 feet West of Southeast corner of section.  
 Proposed Rate 253.6 gpm Limited Proposed Quantity 106.7 AF Limited to 106.7 AF w/ 6353 on this well  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 6353

10. **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 \_\_\_\_\_  
**(DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)**  
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 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. All points of diversion will be used.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

12. The presently authorized use of water is for Irrigation purposes.

It is proposed that the use be changed to NO CHANGE - Irrigation purposes.

Water Resources  
Received

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

The place of use will become the 194 acres outlined in the proposed place of use map. This is the maximum allowable per

K.A.R. 5-5-11. File 6353 base = 129 acres. File 12123 base = 179 (50 additional) acres

Per K.A.R. 5-5-16 the consumptive use allocation for the additional well: 179 total perfection acres x 1.29 AF/acre (80%

NIR for Kiowa Co.) / 0.85 = 265.3 AF.

Consumptive use allocation restriction is requested to be applied on the junior file 12123 only.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NO REDUCTION (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NO REDUCTION 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](http://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:

- 1) 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.

The well will be proposed at a similar depth to that of the existing well to avoid any changes in the source of supply.

A test hole will be required to show no changes in source of the proposed additional well. No impairment of

existing water rights is anticipated with this change. See item no. 13 of this application for an outline of factors changing

that will assure consumptive use is not increased.

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.

No waiver is anticipated for this change application.

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

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 MANHATTAN, Kansas, this 12 day of OCTOBER, 2023.

MK Bascom  
(Owner)

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

MARCIA K. BASCOM  
(Please Print)

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

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

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

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

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

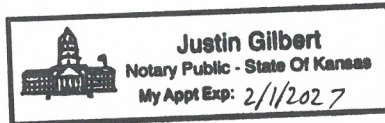
\_\_\_\_\_  
(Owner)

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

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

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

State of Kansas }  
County of Riley } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 12<sup>th</sup> day of October, 2023.

[Signature]  
Notary Public

My Commission Expires 2/1/2027.

**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:

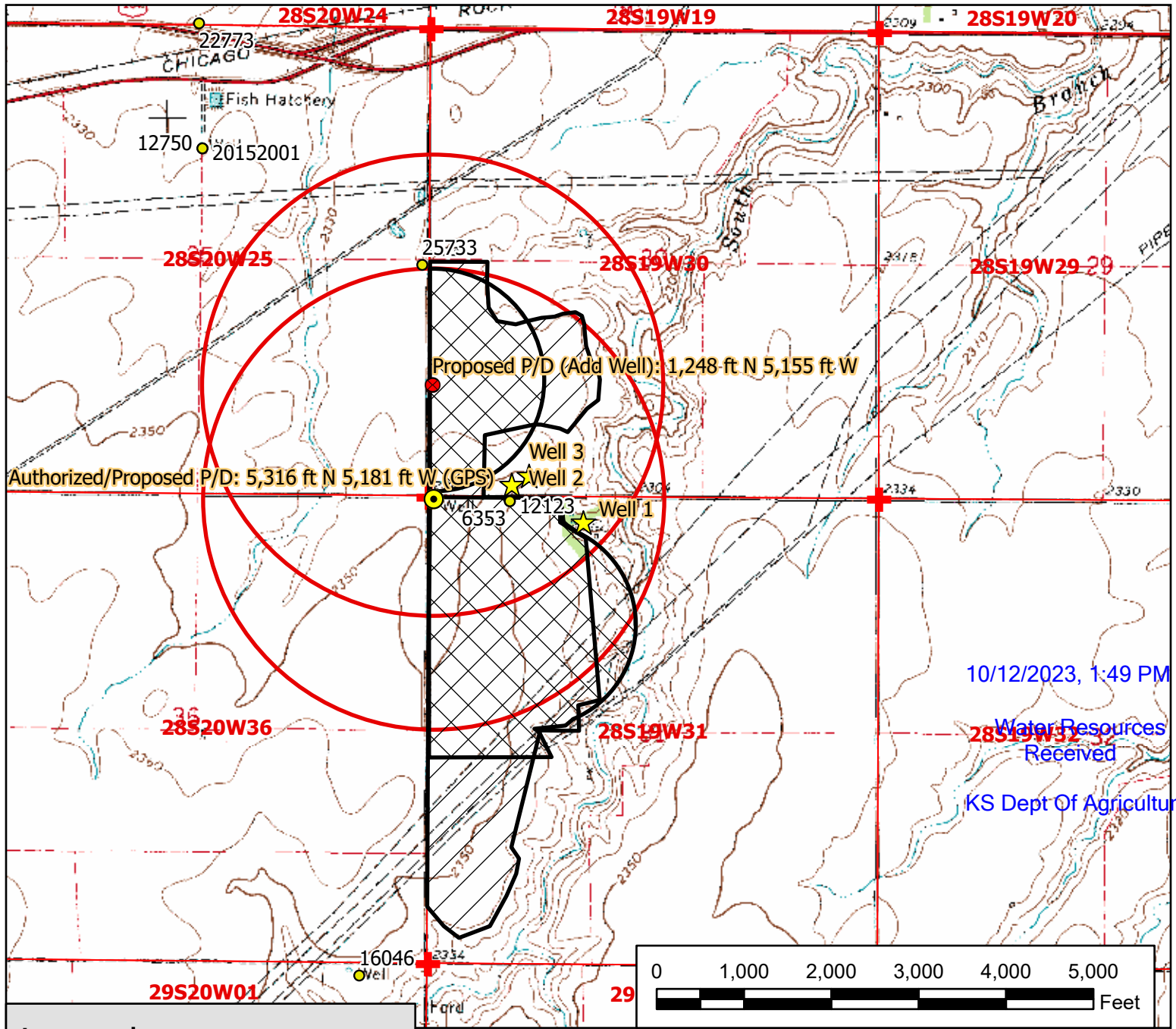
- (1) Application to change a point of diversion 300 feet or less . . . . . \$100
- (2) Application to change a point of diversion more than 300 feet . . . . . \$200
- (3) Application to change the place of use . . . . . \$200
- (4) Application to change the use made of the water . . . . . \$300

Make check payable to **Kansas Department of Agriculture.**

10/12/2023, 1:49 PM

Water Resources  
Received

KS Dept Of Agriculture



**Legend**

- Water Appropriation
- Proposed Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▨ Authorized Place of Use
- ▭ Proposed Place of Use

**Water Right, File No. 12123**

**Change in Point of Diversion & Place of Use Map**  
**30 & 31-28-19W // Kiowa County**



To the best of my knowledge, all points of diversion within one-half mile of the proposed points of diversion have been shown.

Signature / Date

10/3/2023 TMA,EKF/SFFO 1:20,000 scale

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.

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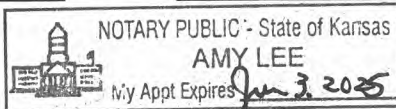
I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application 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 Manhattan, Kansas, this 27<sup>th</sup> day of October, 2023.

~~(Owner)  
(Please Print)  
(Owner)  
(Please Print)  
(Owner)  
(Please Print)~~

~~(Spouse)  
Mathanael J. Bascom  
(Please Print)  
(Spouse)  
(Please Print)  
(Spouse)  
(Please Print)~~

State of Kansas }  
County of Riley } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27<sup>th</sup> day of October, 2023.

My Commission Expires June 3, 2025.

Amy Lee  
Notary Public

**FEE SCHEDULE**

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DEC 18 2023

Stafford Field Office  
Division of Water Resources

File No. 12123

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The change(s) (will be) completed by ASAP

(Date)

**For Office Use Only:**

F.O. \_\_\_\_\_ GMD \_\_\_\_\_ Meets K.A.R. 5-5-1 (YES / NO) Use \_\_\_\_\_ Source G / S County \_\_\_\_\_ By \_\_\_\_\_ Date \_\_\_\_\_  
Code \_\_\_\_\_ Fee \$ \_\_\_\_\_ TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # \_\_\_\_\_

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RECEIVED

DEC 1 8 2023

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It is proposed that the use be changed to NO CHANGE - Irrigation purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
The place of use will become the 194 acres outlined in the proposed place of use map. This is the maximum allowable per K.A.R. 5-5-11. File 6353 base = 129 acres. File 12123 base = 179 (50 additional) acres  
Per K.A.R. 5-5-16 the consumptive use allocation for the additional well: 179 total perfection acres x 1.29 AF/acre (80% NIR for Kiowa Co.) / 0.85 = 265.3 AF.  
Consumptive use allocation restriction is requested to be applied on the junior file 12123 only.  
(Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to NO REDUCTION (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to NO REDUCTION 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](http://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:
    - 1) 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 1/2 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 1/2 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) 1/2 mile downstream and 1/2 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.  
The well will be proposed at a similar depth to that of the existing well to avoid any changes in the source of supply.  
A test hole will be required to show no changes in source of the proposed additional well. No impairment of existing water rights is anticipated with this change. See item no. 13 of this application for an outline of factors changing that will assure consumptive use is not increased.
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.  
No waiver is anticipated for this change application.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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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 Greensburg, Kansas, this 16 day of November, 2023.

Stasen W Hayse  
\_\_\_\_\_  
(Owner)

Caitl Jene Hayse  
\_\_\_\_\_  
(Spouse)

Darren W Hayse  
\_\_\_\_\_  
(Please Print)

Caitlin Jene Hayse  
\_\_\_\_\_  
(Please Print)

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

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

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

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

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

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

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

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

State of Kansas }  
County of Kiowa } SS

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

Melanie Sue Scott  
\_\_\_\_\_  
MELANIE SUE SCOTT  
Notary Public  
Notary Public - State of Kansas  
My Appt. Expires 2-11-26

My Commission Expires 2-11-26.

**FEE SCHEDULE**

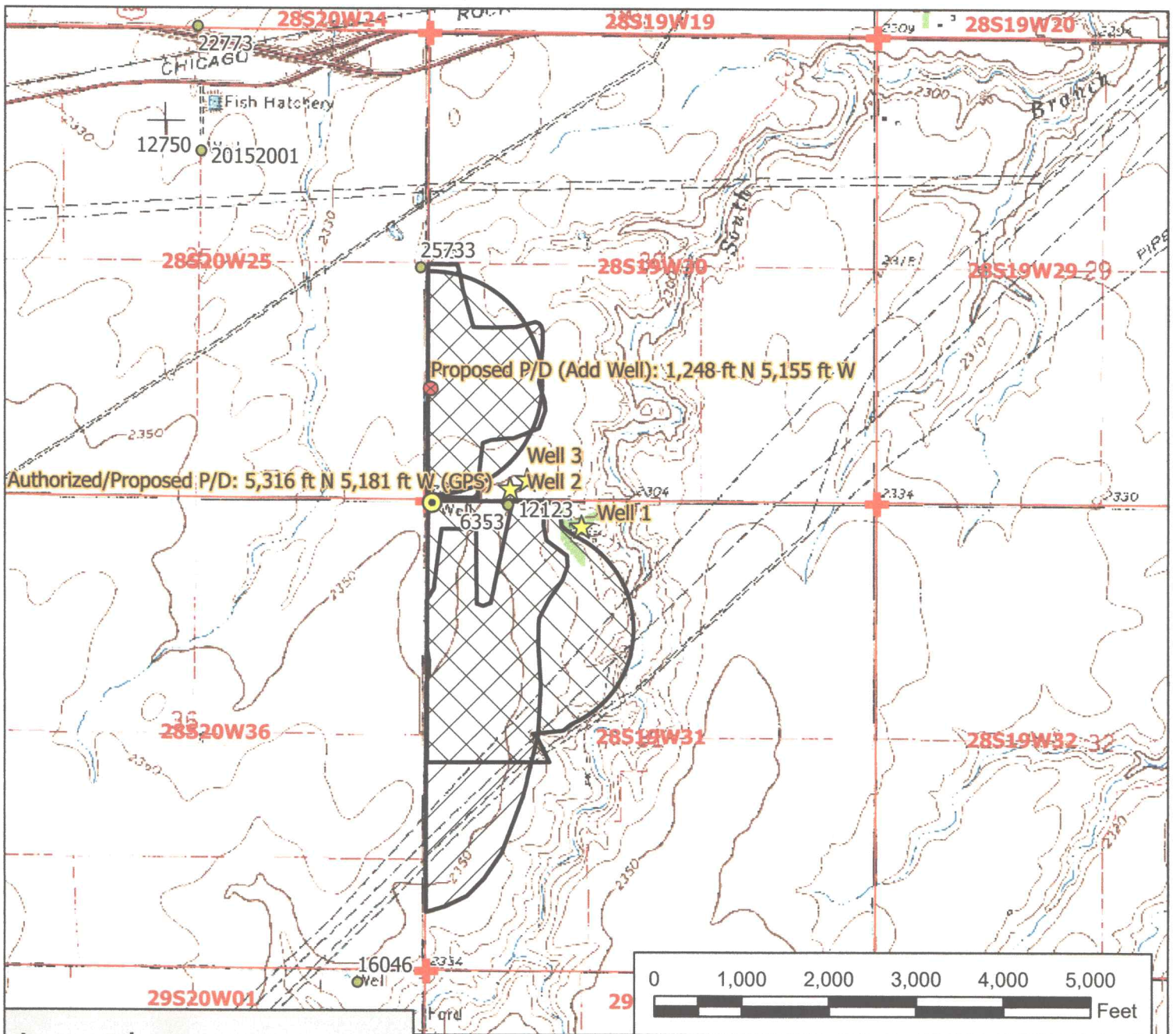
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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 the use made of the water ..... \$300

Make check payable to **Kansas Department of Agriculture**.

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**Legend**

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Section Line
- ▨ Authorized Place of Use
- ▧ Proposed Place of Use

## Water Right, File No. 6353

### Change in Point of Diversion & Place of Use Map 30 & 31-28-19W // Kiowa County

To the best of my knowledge, all points of diversion within one-half mile of the proposed points of diversion have been shown.

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Stafford Field Office  
Division of Water Resources

Signature / Date

10/3/2023 TMA,EKF/SFPD 1:20,000 scale

