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

	100 feet, version a				l be ch	anged	, inclu	de a to	pograp	ohic ma	ap or d	etailed	d plat s	howin	g the a	R	FCE	04a	m	
						F	ile No.	. 13828	3							Jl	JN U	<b>3</b> 202	4	
1.	Application	on is he	reby m	ıade fc	or appr				nginee					e or bo	oth): D	Staf i <b>v</b> ision	ford Fi of Wa	ield Off ter Res	iice sources	
							lace of				Point c									
	under the				the su				ation ir					ditions	desci	ibed b	elow.			
	The sour	ce of su	ipply is	:		⊠G	roundy	vater			Surfac	e wate	er							
2.	Name an	Name and address of Applicant: Kevin Blevins																		
	PO Box 2	283, Lev	wis, KS	<u> 6755</u>	2			Ŧ.												
	Phone N		-										ins@liv	ve.con	n					
	Name an	d addre	ess of \	Nater <sup>l</sup>	Use C	orresp	onden	t: <u>Dou</u>	ıglas K	& Car	ol A M	clean								
	101 Mars	sh Aven	ue, Kir	ısley, İ	KS 67	<u>547-17</u>	<u>′18</u>													
	Phone N	umber:	()						Email	addres	s: <u></u>									
3.	The presently authorized place of use is:																			
	Owner of Land NAME: Douglas K & Carol A Mclean																			
	ADDRESS: 101 Marsh Avenue, Kinsley, KS 67547-1718																			
	(If there is	more th	an one	landov	ner, at	tach su	ppleme	ental sh	eets as	necess	sary.)									
				NE				NV				SW	V1/4			SE	Ξ1/4		TOTAL	
Se	c. Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE1/4	ACRES	
3		17W													40	37	37	40	154	
	2.10																			
4.	If this ap	nlicatio	n is for	a cha	nae in	nlace	of use	it is n	ropose	ed that	the pla	ace of	use be	chan	aed to	:				
т.	Owner of							, it io p	Тороос	ou trice	tile pi				0					
	OWITELO		ADDRI																	
	(If there is							ental sh	eets as	neces	sarv.)									
	(II there is	, more ti					ppionic			7110000	1	CV	N#/						TOTAL	
		_		NE¼				NW¼			SW1/4		SE¼ NE¼ NW¼ SW¼ SE¼			SE¼	TOTAL ACRES			
_Se	ec. Twp.	Range	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SVV74	SE74		
			<u> </u>	<u> </u>													-	-		
	For Offi	ce llse	Only	Code	CI	T Fe	e.\$ [	000	TR	#		Re	eceipt	Date			Chec	ck # 2	323	

5.	Presently authorized point of diversion:				
	One in the Quarter of the		Quarter of the	NC SE	Quarter
	of Section 31 , Township2	24	South, Range	17	(W),
	in Edwards County, Kansas, fee	t North	feet West of	Southeast corner of	f section.
	Authorized Rate 960 GPM Authorized Quantity 196	acre-feet	Depth of well	79 (feet)	
	(DWR use only: Computer ID No. 1 per aeri	al <u>1254</u>	feet North12	20 feet West)	)
	☐This point will not be changed ☐This point will be changed as	follows:	No change, point better	described with GPS as	s follows:
	Proposed point of diversion: (Complete only if change is	requested	d or if existing point is	s better described	by GPS)
	One in the Quarter of the		Quarter of the	NC SE	Quarter
	of Section, Township2	24	South, Range	17	(W),
	in Edwards County, Kansas, 1350 fee	et North	1322 feet West of	Southeast corner of	f section.
	Proposed Rate <u>no change</u> Proposed Quantity <u>no</u>	change	Proposed well depth	ı (feet)~79	·
	This point is: Additional Well Geo Center List other	water right	ts that will use this poin	t <u>NONE</u>	·
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, fee				
	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				
-	Proposed point of diversion: (Complete only if change is	requeste	d or if existing point is	<u>s better described</u>	by GPS)
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township		South, Range		(E/W),
	in County, Kansas, fee	et North	feet West of	f Southeast corner o	of section.
	Proposed Rate Proposed Quantity				
	This point is: ☐ Additional Well ☐ Geo Center List other	water righ	ts that will use this poin	ıt	· .
7.	The changes herein are desired for the following reasons? (please be specific) The old well casing is failing and the well is losing production.	300 E	, 200 100 1111111111111111111111111111111	orth 0 100 200	300
8.	If a well, is the test hole log attached?   Yes   No	200	- ' <del>-</del>	= =   +   +	200
9.	The change(s) (was)(will be) completed by?	E		<u> </u>	킠
	as soon as possible	100		三・エ・エ	100
40	If the second of the second or to a smaller	100 E	-1 - 1	<u> </u>	
10.	If the point of diversion is a well:	E		=	3
	(a) What are you going to do with the old well?	West 0	<del></del> .		ा।। <del>।।।</del> 0 East
	plug it	E		Ξ	4
	(b) When will this be done? when new well is drilled	E		 -   +   +  -   +   +	]
	(b) When will this be done? When he well is diffied	100	-1 + 1 + 1	=   +   +	100
4.4	Owner durates Management District recommendation attached?	E		<del>-</del>	킠
11.	Groundwater Management District recommendation attached?  Yes No	200	-1+1+1	- コーコー	1 = 200
	☐ Les ⊠ Mo	200		= ' ' ' '	' <b>]</b>
12	Assisted by CRC-SFFO		- <del>-</del>	<u> </u>	. 目
				<u>ıŦııılııılııılıı</u> 0 100 200	
13	a.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	13b.If the of the diagr divers abov	proposed point of diverse existing point of diversem shown above, in a sion. (PLEASE NOTE: represents the present)	ion will be relocated version, indicate its lowerelation—to the exist and the control of the con	within 300 feet cation on the ding point of r of diagram
	lines		JUN	€ 3 2024	

14.	If the p	proposed groundwater p	oint of diversion is 300	or fewer feet f	rom the ex	xisting point of	diversion, comple	te the followi	ng:
		oes the undersigned re ☑ Yes    ☐ No	oresent all owners of th (If no, all owners mus	e currently aut st sign this app	horized pl lication.)	ace(s) of use ic	dentified in this ap	plication?	
	af	/ill the ownership intere ffected if this applicatior ]Yes   ☑ No		sted?		ce(s) of use ide	entified in this ap	plication be	adversely
		this application is not a ☑ Yes ☐ No	oproved expeditiously, (If no, all owners mu			damage to prop	perty, public healtl	h or safety?	
or a	chang	cation proposes a surfa le in place of use, the a lach notarized statement	oplication must be sign	ed by all owne	a ground rs of the c	water change ii urrently authori	n point of diversio ized place of use,	n greater tha or their duly	n 300 feet, authorized
age thei	and t ir beh	verify, being first du the owner, the spou alf, in regards to th d in this application	se of the owner, or e water right(s) to	a duly autho which this ap	orized ag oplicatio	ent of the ov	vner(s) to make	this appli	cation on
		stafford		, Kansas, thi	s <u>3rd</u>	day of <u>Jun</u>	e	, 20	<u>24</u> .
	1	/ 01							
	K.	on Blevins	er)				(Spouse)		
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	te of K	ansas Stafford	SS						
		by certify that the fo	egoing application w	as signed in	my pre	sence and sv	worn to before	me this _	grd day
My	Comm	nission Expires	FAITH CURT My Appointment E April 29, 202	xpires		Faith	Notary Public	•	
accı	urate in	MPLETE APPLICATIONS formation; maps, if necess riate fee must be paid.	WILL DE PROCESSED	Fe be complete,	all of the ap appropriat	pplicable portions e owners' must b	of the application for affixed to the app	orm must be collication and no	ompleted with
				FEE SCHE	DULE				
	h in the (1 (2	lication to change the ple schedule below: Mak ) Application to change ) Application to change ) Application to change	e checks payable to: A e a point of diversion 30 e a point of diversion m	of diversion ur Kansas Depart 30 feet or less lore than 300 fe	der this some of A	Agriculture 	RECEIV	ED ·····	<mark>\$100</mark> \$200
							Ctofford Field	Office	

Stafford Field Office Division of Water Resources

### 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. 13828 A change application was received on June 3, 2024 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. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on ☐ Applicable the topographic map accompanying the application to change the place of use. 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 <u>50</u> radius of the authorized point(s) of diversion. 

Applicable 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 The point(s) of diversion authorized herein shall not actually be located more than 191 authorized point(s) of diversion. 
☐ Applicable ☐ Not Applicable feet from the previously 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 ☐ Not Applicable K.A.R. 5-6-13. Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2024, 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. ☐ Not Applicable Applicable Installation of the works for diversion of water shall be completed on or before December 31, 2024, or within any authorized extension of time. By March 1, 2025 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. ☐ Not Applicable The completed well log shall be submitted with the required notice. ☐ 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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. Duly Authorized Designee of the Chief Engineer ameran (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on JUN 0 3 2024 Signature: Stafford Field Office Division of Water Resources **Notary Public** My commission expires:

FAITH CURTIS
My Appointment Expires
April 29, 2927

(Notary Seal)





Phone: 620-234-5311 Fax: 620-234-6900 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

June 3, 2024

Kevin Blevins PO Box 283 Lewis, KS 67552

Re: Water Right, File No(s). 13828

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the 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 <u>Certified Water Flowmeters</u> as well as <a href="http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters">http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters</a>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced in formation.

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,

Jeff Lanterman

Water Commissioner

Enclosures

pc: Water Rights Section

Groundwater Management District No. 5

# **CERTIFICATE OF SERVICE**

On this 3rd day of June,	2024, I hereby certify	y that the attached Change in Point of Diversio	n
for Water Right, File No.	13828, dated June 3,	, 2024 was hand delivered to the following:	

Kevin Blevins

A copy of the letter was sent via electronic mail to the following:

GMD 5

Fouth Curtin