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.

thar	agraph N 100 feet version a	, or if pla	ace of u	use wil	<b>t be c</b> I be ch	omple anged	<b>ted. (</b> I, inclu	Compl de a to	ete all pogra	other phic m	applion	cable letailed	<b>portio</b> d plat s	<b>ns.</b> If showin	chang g the a	uthori	zed ar REC	id prop	
						F	ile No	. <u>14,23</u>	30							(	SEP 2	300	24
1.	Application is hereby made for approval of the Chief Engineer to change the (check one or both):  Place of Use  Point of Diversion  Stafford Field Office Division of Water Resources  under the water right which is the subject of this application in accordance with the conditions described below.  The source of supply is:  Stafford Field Office Division of Water Resources  Surface water																		
2.	Name and address of Applicant: Jarrell D Nuss  521 Edison St, Jetmore KS 67854-9067  Phone Number: (620) 357-1157 Email address: jdnuss@ucom.net  Name and address of Water Use Correspondent: Jarrell D Nuss  521 Edison St, Jetmore KS 67854-9067																		
Phone Number: (620) 357-1157 Email address: jdnuss@ucom.net  3. The presently authorized place of use is:  Owner of Land NAME: Nuss Farms Inc. Attn: Jarrell D Nuss  ADDRESS: 521 Edison St, Jetmore KS 67854-9067																			
(If there is more than one landowner, attach su					NW¼				SW1/4			SE1/4				TOTAL ACRES			
Se		Range 24W	NE¼ 30.5	NW¼ 30.5	30.5	30.5	NE¼ 30.5	30.5	30.5	30.5	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	244.0
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																		
	(If there i		ADDRI nan one					ental sh	eets as	neces	sary.)								
_Se	c, Twp.	Range	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼	SW1/4	SE1/4	NE¼	SV NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	TOTAL ACRES
For Office Use Only: Code C(T) Fee \$ 200° TR # Receipt Date Check # 687																			

5. [	Presently authorized point of diversion: East Well							
	One in the Quarter of the SW	Quarter of the N	E Quarter					
	of Section 11 , Township24	South, Range	<u>24</u> WEST, [					
	in Hodgeman County, Kansas, <u>3487</u> feet North	n1401 feet West of Southea	ist corner of section.					
-	Authorized Rate 945 GPM Authorized Quantity 474 AF	Depth of well130	(feet)					
	(DWR use only: Computer ID No. 1 GPS	feet North	feet West)					
-	with GPS as follows:							
	Proposed point of diversion: (Complete only if change is reque	described by GPS)						
	One in the NE Quarter of the SW	Quarter of theN	E Quarter					
	of Section 11 , Township 24	South, Range	<u>24</u> WEST,					
	Lin Hodgeman County Kansas, 3487 feet North	n 1401 feet West of Southea	ast corner of section.					
	Proposed Rate 945 GPM Proposed Quantity 434 AF	Proposed well depth (feet)	N/A					
L	This point is: Additional Well Geo Center List other water	rights that will use this point NONE	·					
6.	Presently authorized point of diversion: West Well							
	One in the <u>NE</u> Quarter of the <u>SE</u>	Quarter of theN	W Quarter					
	of Section11, Township24	South, Range	<u>24</u> WES1,					
	in <u>Hodgeman</u> County, Kansas, <u>3900</u> feet Nort	h 3895 teet West of Souther	ast corner of section.					
	Authorized Rate 680 GPM Authorized Quantity 160 AF	Depth of well105	(Teet)					
	(DWR use only: Computer ID No. 4 GPS	teet North	reet west)					
	☐ This point will not be changed ☐ This point will be changed as follows:	s: No change, point better described	With GP5 as follows:					
	Proposed point of diversion: (Complete only if change is reque	ested or it existing point is better	described by GP3)					
	One in the NE Quarter of the SE	Quarter of theN	Quarter Quarter					
	of Section 11, Township 24	South, Range	24 VVESI,					
	in <u>Hodgeman</u> County, Kansas, <u>3900</u> feet Nort	h 3895 feet West of Souther	ast corner of section.					
	Proposed Rate 680 GPM Proposed Quantity 200 Al	Proposed Well depth (feet)						
l	This point is: Additional Well Geo Center List other water	rights that will use this point NONE	·					
_	The share have desired for the following reasons?							
7.	7. The changes herein are desired for the following reasons? (please be specific) To move 40 acre-feet from the East	North						
	Well to the West Well.	300 200 100 0 100	) 200 300					
0	8. If a well, is the test hole log attached?  Yes  No							
8.	8. If a well, is the test hole log attached? Thes will have	00   +   +   =   +	1 + 1 = 200					
9.	9. The change(s) (was)(will be) completed by?	E/ = -	100					
	as soon as approved	oo₽++++=+++	1 + 1 100					
	as soon as approved							
10.	10. If the point of diversion is a well:		1 1 1 1 1 1					
	(a) What are you going to do with the old well?	ro <del>[</del> dan an an an a	TITITITI O East					
		<b>♣</b> <del>=</del> -	- <del>1</del>					
	No new wells will be drilled.	00 1 + 1 + 1 = 1 +	-   +   100					
	(b) When will this be done? N/A	E\						
11.	11. Gloundwater Management District Tool Information attached	00 E   +   =   +	200					
	☐ Yes      No							
40	40. Assisted by INF // SEEO		minimini					
12	12. Assisted by JNE // SFFO	300 200 100 0 100 South s	0 200 300 cale: 1 hashmark=10 ft					
13a.If the proposed point of diversion will be relocated <u>more than 300</u> <u>feet but within 2,640 feet</u> of the existing point of diversion, attach  13b.If the proposed point of diversion will be relocated <u>within a 30</u> 13b.If the proposed point of diversion will be relocated <u>within a 30</u> 13b.If the proposed point of diversion will be relocated <u>within a 30</u> 13b.If the proposed point of diversion will be relocated <u>within a 30</u>								
	151011, Illulvate its location							
sources, show all wells (including domestic) within one-half mile on the diagram shown above in relation to the exis								
		vithin the circle shown above. (PLE) center of diagram above repr	ASE NOTE: The "X" in					
	names and addresses of the landowner(s) one-half mile	center of diagram above repr	esents the presently					
	downstream and one-half mile upstream from your property	authorized point of diversion.)						

SEP 2 7 2024

Page 2

<ol><li>If the proposed groundwater point of diversion is 30</li></ol>	0 or fewer feet from the exis	sting point of diversion, complete t	he following:						
<ul> <li>(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If no, all owners must sign this application.)</li> </ul>									
	ested? nust sign this application.)								
	ust sign this application.)								
If the application proposes a surface water change in poor or a change in place of use, the application must be sig agent (attach notarized statement authorizing represent	ned by all owners of the cui	ater change in point of diversion g rrently authorized place of use, or	reater than 300 feet, their duly authorized						
I hereby verify, being first duly sworn upon my age and the owner, the spouse of the owner, o their behalf, in regards to the water right(s) to contained in this application are true, correct a	or a duly authorized age o which this application and complete.	pertains. I further verify the	at the statements						
Dated at Jetmore	, Kansas, this <del>/</del>	day or							
NUSS Farms INC (Owner)		(Spouse)							
Jarrell Nuss Pres	sident	(Please Print)							
(Owner)		(Spouse)							
(Please Print)		(Please Print)							
(Owner)	<u> </u>	(Spouse)							
(Please Print)		(Please Print)							
State of Kansas  County of Hodgeman SS									
I hereby certify that the foregoing application of		g (*)	e this <u>24</u> day						
·	م م	Notary Public							
My Commission Expires 11-21-24	. ]	Hotary F dollo	1. T						
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED accurate information; maps, if necessary, must be included; sthe appropriate fee must be paid.	FEE SCHEDULE	ROBERT D	CTC DILL State of Kansas 21-24						
Each application to change the place of use or the poi forth in the schedule below: Make checks payable to: (1) Application to change a point of diversion (2) Application to change a point of diversion (3) Application to change the place of use	300 feet or less	ection shall be accompanied by the Agriculture	e application fee set						
		RECEIVED							
DWR 1-121 (Revised 09/11/2019)	Page 3	SEP 2 7 2024	File No14,230						

#### 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. 14,230 A change application was received on \_\_\_\_\_\_\_ 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 the topographic map accompanying the application to change the place of use. 

Applicable 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 \*NO NEW WELL BEING DRILLED 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 \_--- from the previously authorized point(s) of diversion. ☑ Applicable ☐ Not Applicable \*NO NEW WELL BEING DRILLED feet 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. 

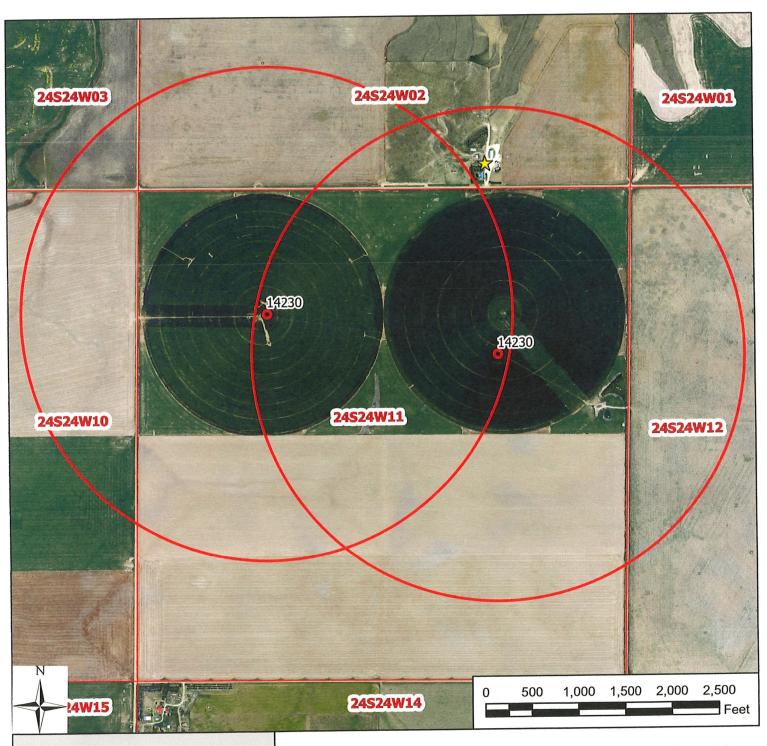
Applicable Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2024, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 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 ☐ Applicable Not Applicable 9. The completed well log shall be submitted with the required notice. 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 ☐ Yes ⋈ No 11. Additional Conditions are attached. 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, you may request an evidentiary hearing before the Chief **SUMMARY ORDER ISSUED** 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 By: Duly Authorized Designee of the Chief Engineer 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. (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas ) SS For Use by Register of Deeds County of \_\_\_ Acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_ RECEIVED Signature: \_\_\_ Notary Public SEP 2 7 2024 My commission expires: \_\_\_\_\_ (Notary Seal) Stafford Field Office

Page 4

File No. \_\_\_\_14,230

Division of Water Resources

DWR 1-121 (Revised 09/11/2019)



### Legend

- Water Appropriations
- ☆ Domestic Well
- Authorized Point of Diversion
- Section Corner

Section Line

Half Mile

## Water Appropriation, File No. 14,230

Change in Point of Diversion 11-24-24W // Hodgeman County

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

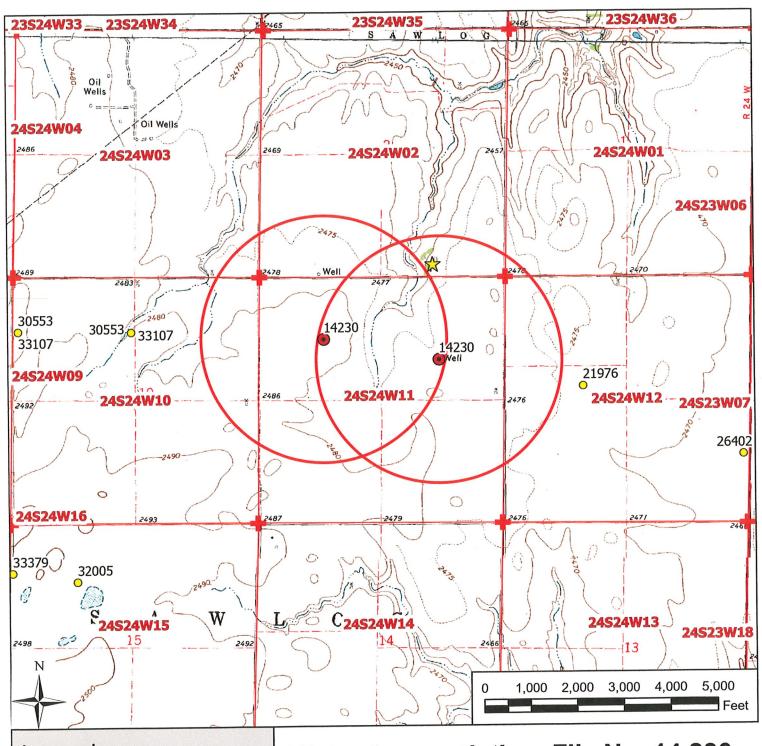
SEP 2 7 2024

Artificial Office Arrele Nuss

9-24-24

Stafford Field Office Division of Water Resources Signature / Date

09/20/2024 JNE/SFFO 1:12,000 scale



#### Legend

- Water Appropriations
- **Domestic Well**
- **Authorized Point of Diversion**
- Section Corner

Section Line

Half Mile

## Water Appropriation, File No. 14,230

Change in Point of Diversion 11-24-24W // Hodgeman County

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

SEP 2 7 2024 Stafford Field Office Division of Water Resource 09/20/2024 JNE/SFFO 1:24,000 scale

Signature / Date