



File No. **31261**      13. County: **SG** Basin: **33 - ARKANSAS RIVER** Stream:  
 Structures File No:      Aquifer Code: **113 - MAIN STEM ALLUVIUM**      Special Use Area: --- ---

14. Points of Diversion, Rates & Quantities

	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Qty AF		Rate gpm		Storage Qty		Storage Rate	
										Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
DEL	40350	NC N2 NW	36	29	1E	1	4630	4120		50	50	450	450				
DEL	54739	NC S2 NW	36	29	1E	2	3200	3860		37	37	410	410				
ENT		NW NE NW	36	29	1E		5233	3758		87	87	860	860				

15. Limitations Type:      Quantity:      **AF** Rate:      **gpm** combined with file no(s):  
 Type:      Quantity:      Rate:      combined with file no(s):

16. Metering      Metering Required       Anti-Reverse Required       Seal Required      Compliance Date:

17. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
NO CHG	22356	36	29	1E	1		25.0	15.0		40.0	40.0	40.0	40.0					200.0	5b	<input type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	
																				<input type="checkbox"/>	

18. Point of Diversion and Place of Use Overlaps

*	**
+	++
#	##
^	^^

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

July 5, 2024

Curt Hoobler  
1346 E 30<sup>th</sup> Ave N  
Mulvane, KS 67574

Dear Water User:

Your application(s) for a term permit to appropriate water for beneficial use has been examined, approved, and is being returned herewith for your records. Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this permit.

The approval of your application constitutes a term permit to appropriate water for beneficial use as set forth in the application. It does not constitute authority under K.S.A. 82a-301 through 305a, to construct any dam or other obstruction. It does not give authority to access any right-of-way, or authorize injury to, or trespass upon, public or private property, nor does it obviate the necessity of obtaining assent from Federal or Local Governmental authorities, when necessary. Please be advised that K.S.A. 82a-728 sets forth, in essence, that it is unlawful to divert or threaten to divert water for the type of use you propose without first acquiring approval of the Chief Engineer of the Division of Water Resources.

An acceptable water meter is required and shall be installed on the diversion works authorized by this term permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12. Notification of installation of the meter must be received in the office of the Chief Engineer within thirty (30) days of installation of the meter. The form for reporting your meter installation can be found at the following web location: [https://agriculture.ks.gov/docs/default-source/dwr-water-appropriation-forms/newmeterinstallationreport.pdf?sfvrsn=40eba4c1\\_6](https://agriculture.ks.gov/docs/default-source/dwr-water-appropriation-forms/newmeterinstallationreport.pdf?sfvrsn=40eba4c1_6). Accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined, shall be maintained by the applicant, and the applicant shall file an annual water use report with the Chief Engineer by March 1, following the end of each calendar year. Failure to file the annual water use report by the due date, shall cause the applicant to be subject to a civil penalty.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Jeff Lanterman  
Water Commissioner

Enclosures

c: Division of Water Resources (Manhattan)



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.

**RECEIVED**  
 8:52am  
 JUN 07 2024

File No. 31261

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

Stafford Field Office  
 Division of Water Resources

2. Name and address of Applicant: Curt Hoobler  
1346 E 130<sup>th</sup>, Mulvane, KS 67110  
 Phone Number: (316)777-4683      Email address: curtevanhoobler@gmail.com  
 Name and address of Water Use Correspondent: LARRY D & Wanda M Nelson  
5405 E 111<sup>th</sup> Street South, Mulvane, KS 67110  
 Phone Number: (316) 371-7734      Email address: unknown

3. The presently authorized place of use is:  
 Owner of Land --- NAME: Melvin M Nelson Rev Trust  
 ADDRESS: 62940 E 255<sup>th</sup> CT, Grove, OK 74344-0349  
 (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	
36	29S	1E		25	15		40	40	40	40									200

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  
 ADDRESS: NO CHANGE  
 (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	

For Office Use Only: Code CGT Fee \$ 200<sup>00</sup> TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 3388



5. **Presently authorized point of diversion:**  
 One in the     --     Quarter of the     --     Quarter of the     NC N2 NW     Quarter  
 of Section     36    , Township     29     South, Range     01     (E),  
 in Sedgwick County, Kansas, 4630 feet North 4120 feet West of Southeast corner of section.  
 Authorized Rate 450 GPM Authorized Quantity 50 acre-feet Depth of well ~50 (feet)  
**(DWR use only: Computer ID No. 1 GPS 5233 feet North 3758 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     NW     Quarter of the     NE     Quarter of the     NW     Quarter  
 of Section     36    , Township     29     South, Range     01     (E),  
 in Sedgwick County, Kansas, 5233 feet North 3758 feet West of Southeast corner of section.  
 Proposed Rate 860 GPM Proposed Quantity 87 acre-feet Proposed well depth (feet) no change-same well  
 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     NC S2 NW     Quarter  
 of Section     36    , Township     29     South, Range     01     (E),  
 in Sedgwick County, Kansas, 3200 feet North 3860 feet West of Southeast corner of section.  
 Authorized Rate 410 GPM Authorized Quantity 37 acre-feet Depth of well ~50 (feet)  
**(DWR use only: Computer ID No. 2 GPS 3725 feet North 3589 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     NW     Quarter of the     NE     Quarter of the     NW     Quarter  
 of Section     36    , Township     29     South, Range     01     (E),  
 in Sedgwick County, Kansas, 5233 feet North 3758 feet West of Southeast corner of section.  
 Proposed Rate see No. 5 proposed Proposed Quantity see No. 5 proposed Proposed well depth (feet) see No. 5 proposed  
 This point is:  Additional Well  Geo Center List other water rights that will use this point none

7. The changes herein are desired for the following reasons?  
 (please be specific) We are stacking the south well on top  
of the north well and properly describing the north well  
with correct GPS footages. No new wells are being drilled.

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

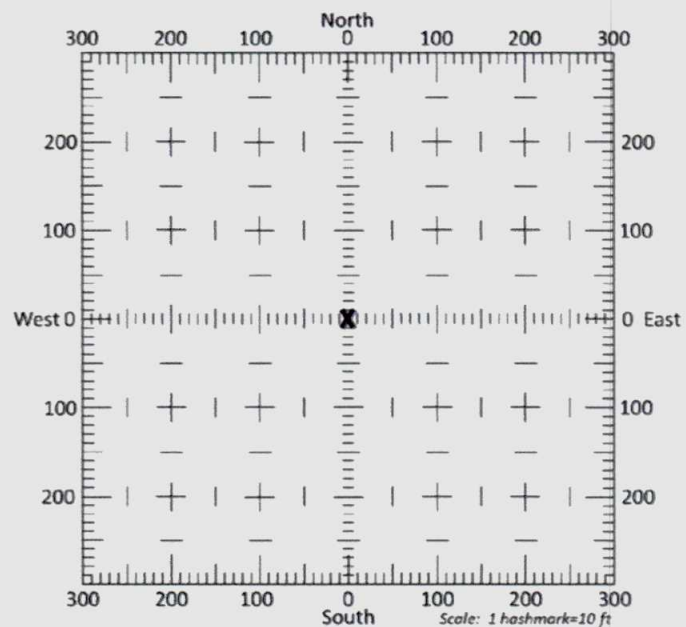
9. The change(s) (was)(will be) completed by?  
As soon as the change is approved.

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
We will plug the old south well.  
 (b) When will this be done? When change is approved.

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by CRC-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.)**

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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 CRUVE, Oklahoma, Kansas, this 17<sup>th</sup> day of MAY, 2024.

Melvin M Nelson Rev Trust  
By Rose M Bernard POA & Trustee  
(Owner) (Spouse)

MELVIN M. Nelson Rev Trust by Rose M Bernard POA & Trustee  
(Please Print) (Please Print)

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

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

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

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

State of ~~Kansas~~ OKLAHOMA }  
County of DELAWARE } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17 day of MAY, 2024.



Sajana Winkler  
Notary Public

My Commission Expires 3/18/28

**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

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**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. 31261

1. A change application was received on June 07, 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.
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 300 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 1818 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, 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.  Applicable  Not Applicable
8. **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.  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*

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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: July 5<sup>th</sup>, 2024

State of Kansas )

County of Stafford ) SS

Acknowledged before me on July 5<sup>th</sup>, 2024

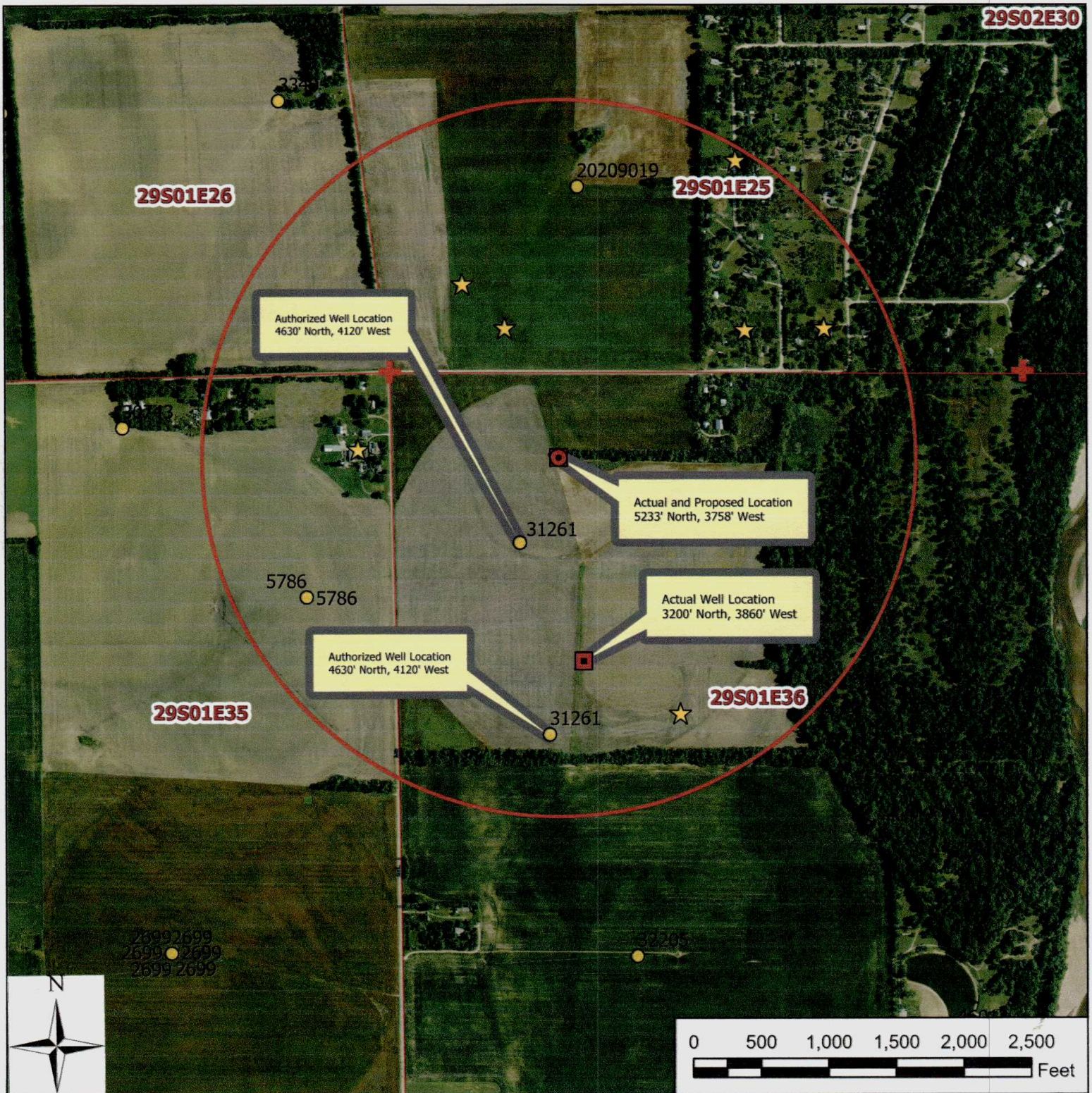
by Cameron Conant

Signature: Chelsi Snodgrass  
Notary Public

My commission expires: \_\_\_\_\_  
(Notary Seal)







**Legend**

- Authorized Well Location
- ★ Domestic Well
- ⊙ Proposed Point of Diversion
- Actual Well Location
- ⊕ Section Corner
- Section Line

**Water Right, File No. 31261**  
**Change in Point of Diversion Map**  
**36-29-01E // Sedgwick County**

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

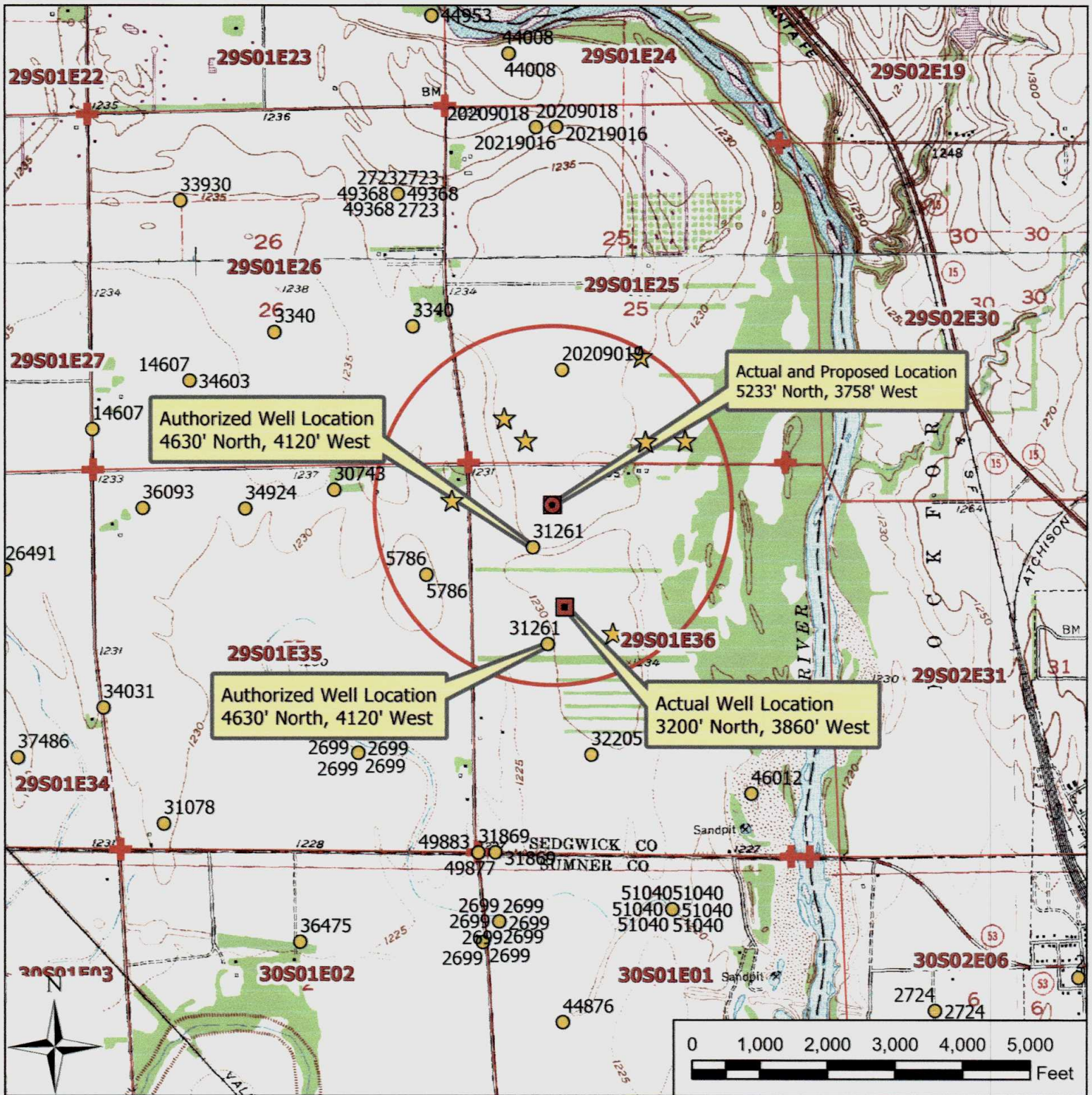
*Melvin M. Nelson by Rose M. Bernard*  
*Rev. Trust* *PPA + Trustee*  
*5/17/2024*

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 Division of Water Resources





**Legend**

- Authorized Well Location
- ★ Domestic Well
- ⊙ Proposed Point of Diversion
- Actual Well Location
- ⊕ Section Corner
- Section Line

**Water Right, File No. 31261**  
**Change in Point of Diversion Map**  
**36-29-01E // Sedgwick County**

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*Melvin M Nelson by Rose M Bernard*  
 Rev. Trust  
 P/OA + Trustee  
 5/17/2024

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 Division of Water Resources



**Change Application, File No. 31261**

1. Rita F Showalter  
650th E 111<sup>th</sup> St S  
Mulvane KS 67110
2. Trevor Garcia  
11145 Anthony Ln  
Mulvane KS 67110-9466
3. Charles Demeyer  
5530 E 111<sup>th</sup> St S  
Mulvane KS 67110-9243
4. Jesse Jr Brown & Jennifer E Ball  
11049 S Anthony Ln  
Mulvane KS 67110-9464
5. Kerry D & Kay L Gillespie  
11041 Anthony Ln  
Mulvane KS 67110-9464
6. Linda Serrano  
11023 S Anthony Ln  
Mulvane KS 67110-9464
7. Cheryl J Kraft  
10947 S Anthony Ln  
Mulvane KS 67110-9462
8. Loretta Ann Dicus & Lorrie Ann Lott  
10908 S Anthony Ln  
Mulvane KS 67110-9461
9. Gene Largent & Rita \* Shon Constance  
10952 S Anthony Ln  
Mulvane KS 67110-9461
10. Derilyn Queshawn Johnson  
2102 N Kansas St  
Wichita KS 67214-1725
11. Amie & Jesse Gibson  
11030 S Anthony Ln  
Mulvane KS 67110-9463



**Change Application, File No. 31261**

12. Kenneth Ray Deere  
1201 Money St, Lot 116  
Augusta KS 67010-1455
  
13. Douglas A Pierce & Patricia Miller  
11146 Anthony Ln  
Mulvane KS 67110-9465
  
14. Beksuya N Perez-Perez  
11137 Wilmer Dr  
Mulvane KS 67110-9568
  
15. Jennifer R Gardinier  
11060 S Wilmer Dr  
Mulvane KS 67110-9592
  
16. Michael K Esslinger  
11050 Wilmer Dr  
Mulvane KS 67110-9592
  
17. Steven A & Natalie n Heersche  
11253 S Oliver  
Mulvane KS 67110-9254
  
18. Debra L Heersche  
PO Box 4  
Mulvane KS 67110-0004
  
19. Donald & Susan Liv  
901 E Moss Wood St  
Derby KS 67037-9730
  
20. Gregg W Chimick  
4415 E 111<sup>th</sup> St S  
Mulvane KS 67110-9260
  
21. Pamela A & Brian M Schaefer  
4101 E 111<sup>th</sup> St S  
Mulvane KS 67110-9266



## CERTIFICATE OF SERVICE

On this **5th** day of **July, 2024**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **31261**, dated **July 5th, 2024** was mailed via First Class U.S. mail to the following:

Curt Hoobler  
1346 E 130<sup>th</sup> Ave N  
Mulvane, KS 67110

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

GMD

  
-----  
Staff