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 -- (705) 425 5.5 Garden City -- (620) 276-2901 Stockton -- (785) 425-6787

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

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.

than		or if pla	ace of	use wil															ion is greater osed point(s)
OI GIV	Cisiona	na/or pi	acc 01	usc.													REC	CEIV	/ED
						F	ile No	. <u>3349</u>	0		0		<u> </u>				AUG	052	1024
1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):  Stafford Field Office  Division of Water Resource										Office Resources									
ι	ınder the	water	right w	hich is	the su	ubject	of this	applic	ation ii	n acco	rdance	with t	he con	ditions	desci	ribed b	elow.		
	The sour						round					e wate							
	Name an 2004 S. V							gkamp		2 2 1	_ 4	g . ge12				- in Primary			
-	Phone N				100				Email	addres	ss: jjm	majbe	rg@gn	nail.co	m				
	Name ar					orresp	 onden						1000			- X1		- 2	
2	2004 S. V	Willow L	_ake R	d., Ha	lstead,	KS 67	7056				1 12 1		1	1	4 10	ARL TO			
F	Phone N	umber:	<u>(620)</u>	463-2	242				Email	addres	ss: jjm	<u>majbe</u>	rg@gn	nail.co	m				
3. The presently authorized place of use is:																			
Owner of Land NAME: Joseph H. & Joann A. Bergkamp Trust																			
			ADDRI									6							
(	If there is	more th	an one	landov	vner, at	tach su	ppleme	ntal sh	eets as	necess	sary.)								
	NE1/4 NW1/4		V1/4		SW1/4			1.05	SE	1/4	1,000	TOTAL ACRES							
Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE¼	AUNES
25	23S	3W					40	40	40	40	24	16					47.5		200
25	23S	3W									16	9	18	26					69
														47		17)			Total = 269
	f this ap Owner o				_	-						ace of	use be	chan	ged to		, 10	age de	7.7
		,	ADDRI	ESS:	2004 5	S. Willo	w Lak	<u>e Rd.,</u>	Halste	ead, K	S 6705	6							
	(If there is	more th	nan one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)							-	
			NE¼				NW¼				SW¼			SE1⁄4			TOTAL		
Sec	. Twp.	Range	NE¼	NW¼	SW¼	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
25	23S	3W	P 42	11	18		36	26	38	40	10	11		25.3		17.			190
25	23S	3W			λ						27	7	17	19		P 1 5		1 12	70
		7	7	. 1				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		4		Ö A	2	41.7			E	1	Total = 260
				-		_						0							1
	For Offi	ce Use	Only:	Code	CPI	↓ Fe	e \$ 7	200	D TR	#	et 1,	Re	ceipt	Date	1	-	Chec	k# (	2803

_	<b>5</b>											
5.			diversion: CURRENTI									
	One in the	SE	Quarter of the	NW	Quarter of the _	SW	Quarter					
	of Section	25	, Township	23	South, Range _	3W	(E/W),					
			unty, Kansas, <u>1584</u>									
			Authorized Quantity									
	(DWR use only: Computer ID No GPS _				follows: No change, point better described with GPS as follows:							
			Complete only if char									
	of Section		Quarter of the		Quarter of the _		Quarter					
	in		, Township	foot Nowth	South, Range _	-60	(E/VV),					
	Proposed Pate		Proposed Quantity	feet West of Southeast corner of section Proposed well depth (feet)								
	This point is:	Additional Mall	☐ Geo Center List	athan watan nin	Proposed well dep	int Meter Dielet # 0						
J	Triis point is. $\square$ P	tuditional vveii	☐ Geo Center List	other water rig	nts that will use this po	int <u>vvater Right # 3</u>	<u>2657                                    </u>					
6.	Presently author	ized point of (	diversion:									
0.					Output an af the		0					
	of Section		Quarter of the		Quarter of the _		Quarter					
	in	Col	, Township	foot North	South, Range _	of Courtle and a surre	(E/VV),					
			inty, Kansas,									
			Authorized Quantity									
(DWR use only: Computer ID No GPS feet North												
☐This point will not be changed ☐This point will be changed as follows: ☐ No change, point better described with GPS as f Proposed point of diversion: (Complete only if change is requested or if existing point is better described by												
	of Section		Quarter of the , Township		Quarter of the _		Quarter					
	in	Col	, rownship intv_Kansas	feet North	South, Range _	of Southoost corner	(⊏/VV),					
in County, Kansas, feet North feet West of Southeast corner of see Proposed Rate Proposed Quantity Proposed well depth (feet) This point is:  Additional Well  Geo Center List other water rights that will use this point						th (foot)	or section.					
						·						
L	тине решител	idditional Troil		other water rigi	113 triat will ase triis po	<u> </u>	·					
7. The changes herein are desired for the following reasons?												
	(please be specific)	Changing Place	ce of Use by adding area	<u>a to</u>	No	rth						
	the east of current a	authorized P/U	as owner bought land to	<u>the</u> 300	300 200 100 0 100 200 300 Empirition							
8.		hole log attach	ed? 🗌 Yes 🛛 No	E	_ ' _ ' _ ' _ ' _ '		<u>"</u>					
		noro rog attaon.	oa. 🗀 100 🔼 110	E			. 🗐					
9.	The change(s) (was	s)(will be) comp	eleted by?	200		1+1+	200					
	ASAP			E			킄					
				100	-   +   +   =		100					
10.	If the point of divers	ion is a well:		E			3					
	(a) What are you g	joing to do with	the old well?	W0 E	•[][]	•						
	N/A			westu	• • • • • • • • • • • • • • • • • • •	: ••••••••••••••••••••••••••••••••••••	O East					
				·			킄					
	(b) When will this I	be done? <u>N/A</u>		. 100	-++++	- + + +	100					
445	One we do not			<u>.</u> [			크					
11.			recommendation attache				1 = 3000					
	∐ Ye	es 🛛 No		200	-, + , + , -	- 1 + 1 +	200					
12.	Assisted by B. Barte	on, GMD2		E	- ,		. =					

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 existing point of diversion, indicate its location on the 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.)

13a.If the proposed point of diversion will be relocated more than 300

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.

14. If th	e proposed groundwater point of diversion is 300 or fewer feet fro	m the ex	disting point	of diversion, complete t	ne following:
(a)	Does the undersigned represent all owners of the currently author Yes ☐ No (If no, all owners must sign this applic		ace(s) of use	e identified in this applic	ation?
(b)	Will the ownership interest of any owner of the currently author affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign this appli		ce(s) of use	identified in this applic	ation be adversely
(c)	If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic		damage to p	roperty, public health or	safety?
or a cha	plication proposes a surface water change in point of diversion, a nge in place of use, the application must be signed by all owners ttach notarized statement authorizing representation).	ground of the c	water chang urrently auth	e in point of diversion g orized place of use, or	reater than 300 feet, their duly authorized
age and	y verify, being first duly sworn upon my oath or affirm d the owner, the spouse of the owner, or a duly authori ehalf, in regards to the water right(s) to which this app ned in this application are true, correct and complete.	zed ag	ent of the	owner(s) to make th	is application on
Dated a	t Hals Hed , Kansas, this	2rd	_ day of	August	, 20 24 .
	I was It Banks		A contract of the second		
	(Owner)	1	vide e ja	(Spouse)	the facilities of the
Joseph 1	H. Bergkamp Trustee of Joseph H. & Joann A. Bergkamp Rev. Trust (Please Print)	174	of Head	(Please Print)	ac comment
7	(Owner)		ine oncentral agricolineació som concentral	(Spouse)	
	(Please Print)		13 1 20 1 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	(Please Print)	Carlos II
	(Owner)	ic bah It best It ve us		(Spouse)	S Obreson 1.5 S (S Sanson S S S S S S S S S S S S S S S S S S S
	(Please Print)	3.7-7		(Please Print)	
	of HARVEY SS				2.10
l her	reby certify that the foregoing application was signed in 100000000000000000000000000000000000	my pres	sence and	sworn to before me	this day
My Con	nmission Expires 06 21 2026			Notary Public	<u> </u>
accurate the appr	OMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all information; maps, if necessary, must be included; signatures of all the a opriate fee must be paid.	ppropriate	e owners' mu	st be affixed to the applicat NOTARY PUBLIC - S REBECCA	ion and notarized; and tate of Kansas A WILSON
iorui iii	pplication to change the place of use or the point of diversion under the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	er this seent of A	·····		\$100
		1 · 1	AUG	0 5 2024	

14. If the proposed groundwater point of diversion is 30	00 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.)								
<ul> <li>(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?</li> <li>Yes</li> <li>No</li> <li>(If yes, all owners must sign this application.)</li> </ul>								
(c) If this application is not approved expeditiously ☐ Yes ☐ No (If no, all owners not approved expeditiously form).	y, will there be substantial damage to property, public health or safety? nust 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).								
age and the owner, the spouse of the owner, of their behalf, in regards to the water right(s) to contained in this application are true, correct								
Dated at Houstead	, Kansas, this day of Hugust, 2024.							
(Owner)	Joann A. Bergkami							
(Please Print)	(Please Print)							
(Owner)	(Spouse)							
(Please Print)	(Please Print)							
(Owner)	(Spouse)							
(Please Print)  State of Kansas County of SS	MICHELE BOCOOK NOTARY PUBLIC STATE OF KANSAS My Appl. 5 to C7							
of <u>Vitu</u> , 20 dq.	was signed in my presence and sworn to before me this <u>o</u> day							
My Commission Expires 07-1628	Notary Public							
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED	To be complete, all of the applicable portions of the application form must be completed with signatures of all the appropriate owners' must be affixed to the application and notarized; and							
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								
DWR 1-121 (Revised 04/5/2018)	Page 3 RECEIVED File No. 33490							

## 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. A change application was received on August 05, 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 the topographic map accompanying the application to change the place of use. Applicable ☐ Not 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 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 \_\_\_\_\_\_ feet from the previously authorized point(s) of diversion. 

Applicable Voltage Not Applicable 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. 

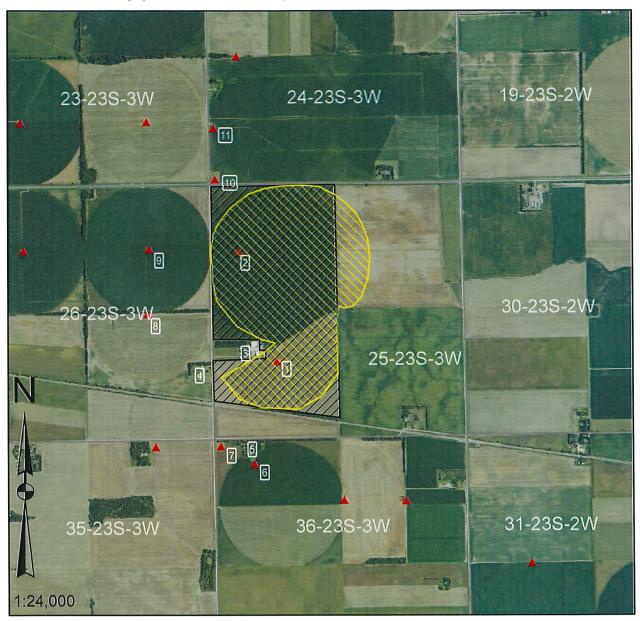
Applicable 
Not Applicable 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2024, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with 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 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. ✓ Not Applicable 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 **No** 11. Additional Conditions are attached. ☐ Yes 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 **APPLICATION APPROVED AND** SUMMARY ORDER ISSUED 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 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 Duly Authorized Designee of the Chief Engineer (Print Name): Division of Water Resources - Kansas Department of Agriculture Date of Issuance: \_\_\_ State of Kansas 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. ) SS County of \_\_\_\_ For Use by Register of Deeds Acknowledged before me on \_\_\_\_\_ by \_\_\_\_ RECEIVED Signature: \_\_\_\_ Notary Public AUG 0 5 2024 My commission expires: \_\_\_\_\_ Stafford Field Office Division of Water Resources (Notary Seal)

FOR OFFICE USE ONLY

## Application Map - File No. 33490



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the

proposed point of diversion have been plotted on the application map.

Signature

Signature **New Application** Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address) X Application No. 33490 To Change: RECEIVED See attached sheet for details Point of Diversion AUG 0 5 2024 Place of Use 2) Use Made of Water afford Field Office Proposed Point of Diversion 3) Existing Points of Diversion Proposed Place of Use

Authorized Place of Use

## Well owners within ½ mile

- Irrigation Well Water Permit No. 32657 (Overlaps No. 33490)
   Joseph H. & Joann A. Bergkamp Rev. Trust Applicant's 2004 S. willow Lake Rd.
   Halstead, KS 67056-9231
- Irrigation Well Water Permit No. 37898
   Joseph H. & Joann A. Bergkamp Rev. Trust Applicant's 2004 S. willow Lake Rd.
   Halstead, KS 67056-9231
- Domestic Well Joseph H. & Joann A. Bergkamp Rev. Trust – Applicant's 2004 S. willow Lake Rd. Halstead, KS 67056-9231
- Domestic Well Glenn R. & Kristin Mueller 2009 S. willow Lake Rd. Halstead, KS 67056-9232
- Domestic Well Craig A. & Jodi C. Koehn 17805 SW 24<sup>th</sup> St. Halstead, KS 67056-9233
- Irrigation Well Water Permit No. 32597 Raleigh N. & Cheris R. Koehn Trust 6610 S. Golden Prairie Rd. Halstead, KS 67056-9271
- Municipal Well Water Right No. 46081 City of Wichita Attn: Mike Jacobs 1815 W. Pine St. Wichita, KS 67203
- Irrigation Well Water Permit No. 42232 Gordon J. Bergkamp 18826 W. 1st St. Burrton, KS 67020-9016
- Irrigation Well Water Permit Nos. 7742 & 33810
   Joseph H. & Joann A. Bergkamp Rev. Trust Applicant's 2004 S. willow Lake Rd.
   Halstead, KS 67056-9231
- Municipal Well Water Right No. 45567 City of Wichita Attn: Mike Jacobs 1815 W. Pine St. Wichita, KS 67203
- Irrigation Well Water Permit No. 41812 Gordon W. Schmidt Trust 10320 N. Wheat State Rd. Inman, KS 67546-8109

RECEIVED

AUG 0 5 2024

Stafford Field Office Division of Water Resources