

FEB 19 2025

14:53

KS Dept. of Agriculture

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

File No. 50663

2. Name of applicant: Carlson Investments LLC

Address: PO Box 75337

City, State and Zip: Wichita KS 67275

Phone Number: () _____ E-mail address: jeff.campbell@jrussellco.com

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

Name of water use correspondent: Carlson Investments LLC

Address: PO Box 75337

City, State and Zip: Wichita KS 67275

Phone Number: () _____ E-mail address: jeff.campbell@jrussellco.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Modify place of use and point of diversion of groundwater pit to include land in NE1/4.

Please note that the authorized footages are reversed. They should be 1,757 ft N & 1,245 ft W -EKF

The change(s) will be completed by Spring 2025

(Date)

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>2</u>	Meets K.A.R. 5-5-1	<input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	Use	REC	Source	<input checked="" type="checkbox"/> G / <input type="checkbox"/> S	County	SG	By	KJN	Date	2/21/25
Code	<u>C-3</u>	Fee \$	<u>700</u>	TR #		Receipt Date	<u>2-19-25</u>	Check #	<u>1015</u>						

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4. The presently authorized place of use is:

Owner of Land — NAME: Carlson Investments LLC KS Dept of Agriculture
ADDRESS: PO Box 75337, Wichita KS 67275

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	
20	26S	1W	95 acre groundwater pit located in the E2 NE1/4 SW1/4 and SE1/4																

List any other water rights that cover this place of use. none

Owner of Land — NAME: _____

ADDRESS: _____

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	

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

(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: Carlson Investments LLC
ADDRESS: PO Box 75337, Wichita KS 67275

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	
20	26S	1W	groundwater pit located in the E2 NE1/4 SW1/4 and SE1/4 and																

List any other water rights that cover this place of use. none

Owner of Land — NAME: Gene & Kay Woodard Living Trust // GWK LLC

ADDRESS: 3940 N Solano St, Wichita KS 67205-2614 // PO Box 75337, Wichita KS 67275

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	
20	26S	1W	in the NW1/4																

List any other water rights that cover this place of use. 49337 (IRR)

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion is the geographic center of a groundwater pit
(Provide description and number of points)
7. The proposed point(s) of diversion is the geographic center of a groundwater pit
(Provide description and number of points)

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List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:** KS Dept. of Agriculture

One in the East Half of the Northeast Quarter of the Southwest Quarter of the --- Quarter of Section 20, Township 26 South, Range 1 W, in Sedgwick County, Kansas, 1,245* feet North 1,745* feet West of Southeast corner of section. Authorized Rate natural evaporation Authorized Quantity 158 AF *As noted on page 1, these numbers are in error. They should be 1,745 ft N and 1,245 ft W.

(DWR use only: Computer ID No. 48 GPS N/A feet North N/A 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 Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section 20, Township 26 South, Range 1 W, in Sedgwick County, Kansas, 2,450 feet North 1,325 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change

This point is: Additional Well Geo Center List other water rights that will use this point none

9. **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)

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 _____ 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. Proposed Rate _____ Proposed Quantity _____

This point is: Additional Well Geo Center List other water rights that will use this point _____

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)

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 _____ 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. 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. N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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12. The presently authorized use of water is for recreation purposes.
It is proposed that the use be changed to industrial purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
No changes are being made to the total number of surface acres authorized (95 acres), just where they can be. The
consumptive use of both the authorized and proposed use made of water is 100%
The place of use is proposed to be dredged within the boundaries shown on the map accompanying this application.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to --- (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to --- 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). 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.

No impairment is anticipated from this groundwater pit.

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.

A waiver of K.A.R. 5-22-2 Well Spacing is requested to nearby water appropriations.

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.

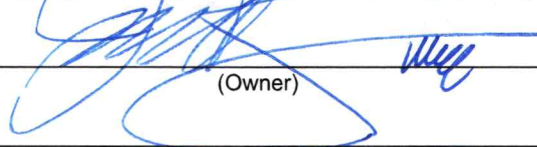
The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

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 WICHITA, Kansas, this 13TH day of FEBRUARY, 20 25.

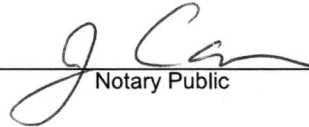
	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)

Jeffrey K. Campbell
Notary Public State of Kansas
My Appt Expires 4/13/28

State of Kansas }
County of SEDGWICK } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13TH day of FEBRUARY, 20 25.

My Commission Expires 4/13/28.


Notary Public

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:

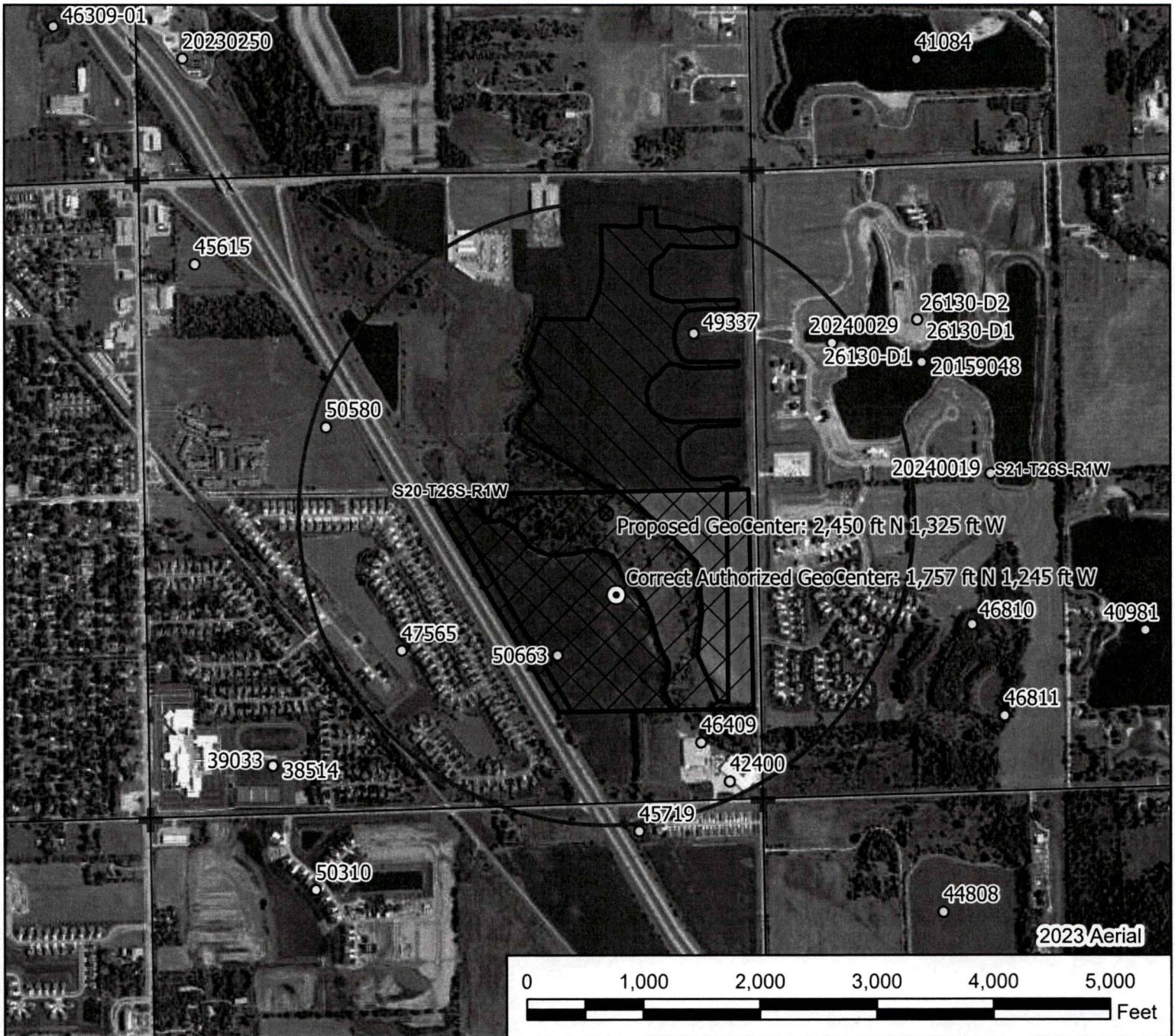
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

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
- Half Mile Circle
- ▨ Proposed Place of Use
- ▨ Authorized Place of Use

Water Appropriation, File No. 50663

Change Application Map 20-26S-1W // Sedgwick County

If needed, assistance with a public notice is requested.



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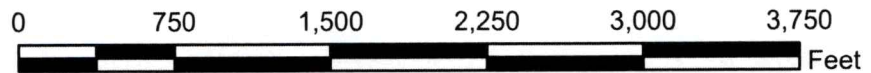
Signature / Date

2/11/2025 EKF/SFFO 1:15,000 scale



Legend

- Water Appropriation
- Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- ▨ 330 ft Buffer
- ▩ Proposed Place of Use
- ▧ Authorized Place of Use



Water Appropriation, File No. 50663

Change Application Map

330 ft Domestic Well Spacing Buffer Zone
 20-26S-1W // Sedgwick County

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2/11/2025 EKF/SFFO 1:10,000 scale

KS Dept. of Agriculture

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

February 26, 2025

CARLSON INVESTMENTS LLC
PO BOX 75337
WICHITA KS 67275

RE: File No(s). **50663**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program