

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: PU WORKSHEET

1. File Number: 49,238	2. Status Change Date:	3. Change Num:	4. Field Office: 03	5. GMD:	
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 4/19/18	
8a. Applicant(s) New to system <input type="checkbox"/> LARRY D & JODY D LANGER 120 E 4TH ST SUPERIOR, NE 68978-1730		Person ID 56708 Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> LARRY D & JODY D LANGER 120 E 4TH ST SUPERIOR, NE 68978-1730		
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/>		
9. Documents and Enclosure(s): <input type="checkbox"/> DWR Meter(s) Date to Comply: _____ <input type="checkbox"/> N & P Date to Comply: _____ <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: 4/23/18 Date to Comply: _____					
10. Use Made of Water From: _____ To: _____					
Date Prepared: 4/20/18 By: BILLINGER Date Entered: _____ By: _____					

File No. **49,238** 11. County: **JW** Basin: **REPUBLICAN** Stream: **REPUBLICAN RIVER** Formation Code: **144** Special Use:

12. Points of Diversion										Rate and Quantity							
CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	83902	SE SW SE	11	01S	07W	1	413	1983					800	163	800	163	
DEL	85058	SW SW SE	11	01S	07W	2	375	2000	BATT 1 OF 4								
DEL	85059	SE SW SE	11	01S	07W	3	475	1900	BATT 1 OF 4								
DEL	85060	SE SW SE	11	01S	07W	4	275	1900	BATT 1 OF 4								
DEL	85061	SE SW SE	11	01S	07W	5	375	1800	BATT 1 OF 4								

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
MOD	66593	11	01S	07W	1									4	12	35	15	2	4	34	19	125	56708	N	NONE								

Base Acres: _____ Year: _____ Minimum Reasonable Quantity: _____
 Comments: **PU CHANGE AND ADD CONDITION REDUCING FROM BATT OF 4 TO SINGLE WELL.**

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192



PHONE: (785) 425-6787
FAX: (785) 425-6842
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 23, 2018

LARRY D & JODY D LANGER
120 E 4TH ST
SUPERIOR NE 68978-1730

Re: Appropriation of Water, File No. 49,238

Dear Mr. & Mrs. Langer:

Enclosed is the order executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the terms, conditions, and limitations specified in this approval for change. Also, the approval of the order requires the installation of a water flow meter(s) on the point(s) of diversion authorized under the above referenced file number by **December 31, 2018**. Please complete and return the enclosed Notice of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters are found in K.A.R. 5-1-4 through K.A.R. 5-1-12 along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address:

<http://agriculture.ks.gov/meters>

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water 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 (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: <http://kdheks.gov/waterwell>

Since this order modifies the original certificate, it should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

This document is a summary order by this agency regarding this matter. This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

(over)

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,



Mark Billinger
Assistant Water Commissioner

MB:rfh
Enclosures

CERTIFICATE OF SERVICE

On this 23rd day of April, 2018, I hereby certify that the attached **SUMMARY ORDER APPROVING APPLICATION FOR CHANGE in PLACE OF USE** for Appropriation of water, File No. 49,238, dated on the 23rd day of April, 2018, was mailed postage prepaid, first class, U.S. mail, to the following:

LARRY D & JODY D LANGER
120 E 4TH ST
SUPERIOR NE 68978-1730


Staff

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

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.

APPLICATION NO. 42318
 Reviewer MB

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

File No. 49,238

APR 19 2018
 3:36 P.M.
 Stockton Field Office
 Division of Water Resources

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

2. Name and address of Applicant: Larry D & Jody D Langer

120 E 4th St Superior NE, 68978

Phone Number: (702)879-5746 (402)879-5746 Email address: ll54441@windstream.net

Name and address of Water Use Correspondent: _____

Same as above

Phone Number: () _____

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Larry D & Jody D Langer

ADDRESS: 120 E 4th St Superior NE, 68978

(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	
11	01	07w									5	5	35	10	5	10	35	20	125

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: Larry D & Jody D Langer

ADDRESS: 120 E 4th St Superior NE, 68978

(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	
11	01	07w									4	12	35	15	2	4	34	19	125

For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

5. **Presently authorized point of diversion: Geo-center Battery of 4 Wells**

One in the SE Quarter of the SW Quarter of the SE Quarter of Section 11, Township 1 South, Range 7 (W), in Jewell County, Kansas, 375 feet North 1900 feet West of Southeast corner of section. Authorized Rate 800gpm Authorized Quantity 163 AF Depth of well 140 (feet)

(DWR use only: Computer ID No. 1 GPS 413 feet North 1983 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 (1) well in the SE Quarter of the SW Quarter of the SE Quarter of Section 11, Township 1 South, Range 7 (W), in Jewell County, Kansas, 413 feet North 1983 feet West of Southeast corner of section. Proposed Rate no chg Proposed Quantity no chg Proposed well depth (feet) n/a

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

6. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____, in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. 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 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 _____ 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 _____ Proposed well depth (feet) _____

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

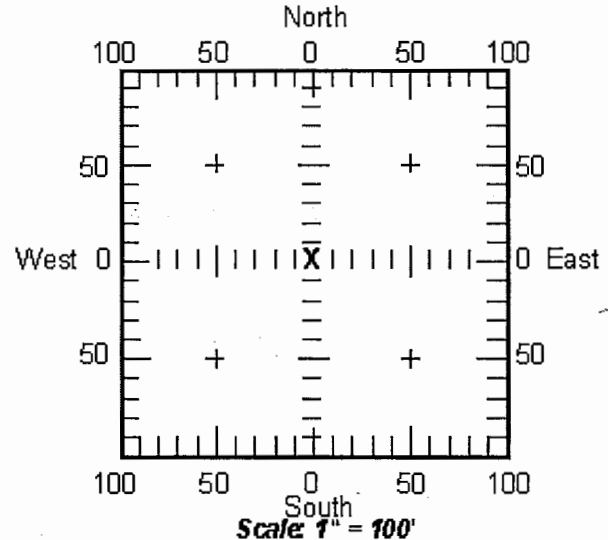
7. The changes herein are desired for the following reasons? (please be specific) Modify place of use to cover pivots as completed. NOTE: Operator completed 1 well of approved 4 well battery - see additional conditions

8. If a well, is the test hole log attached? Yes No
9. The change(s) (was)(will be) completed by? on approval
10. If the point of diversion is a well:
 (a) What are you going to do with the old well? n/a
 (b) When will this be done? n/a

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by jkB - Stock FO

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 Superior, ~~Kansas~~ ^{Nebraska,} this 16th day of April, 2018.

[Signature]
 (Owner)

Larry Langer
 (Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

[Signature]
 (Spouse)

Jody Langer
 (Please Print)

(Spouse)

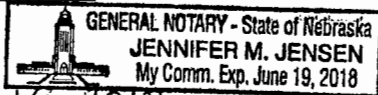
(Please Print)

(Spouse)

(Please Print)

State of ~~Kansas~~ ^{Nebraska} }
 County of Nuckolls } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16th day of April, 2018.



My Commission Expires 6-19-2018

[Signature]
 Notary Public

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

RECEIVED

APR 19 2018

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. 49,238

1. A change application was received on 4-14-18 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 n/a foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than n/a feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. 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
6. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20**_____, 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
7. **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.
 Applicable Not Applicable
8. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
9. 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
10. Additional Conditions are attached. Yes No
11. 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

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

BY: *Mark Billinger*
Duly Authorized Designee of the Chief Engineer
(Print Name): Mark Billinger
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 4-23-18

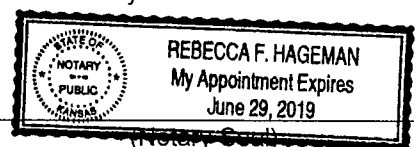
State of Kansas _____)
County of Rooks _____) SS

Acknowledged before me on 4-23-18

by Mark Billinger

Signature: *Rebecca F. Hageman*
Notary Public

My commission expires: 6-29-19



ADDITIONAL CONDITION TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the point of diversion currently described as:

a battery of four (4) wells with a geographic center located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 11, more particularly described as being near a point 375 feet North and 1,900 feet West of the Southeast Corner of said section, Township 1 South, Range 7 West, Jewell County, Kansas,

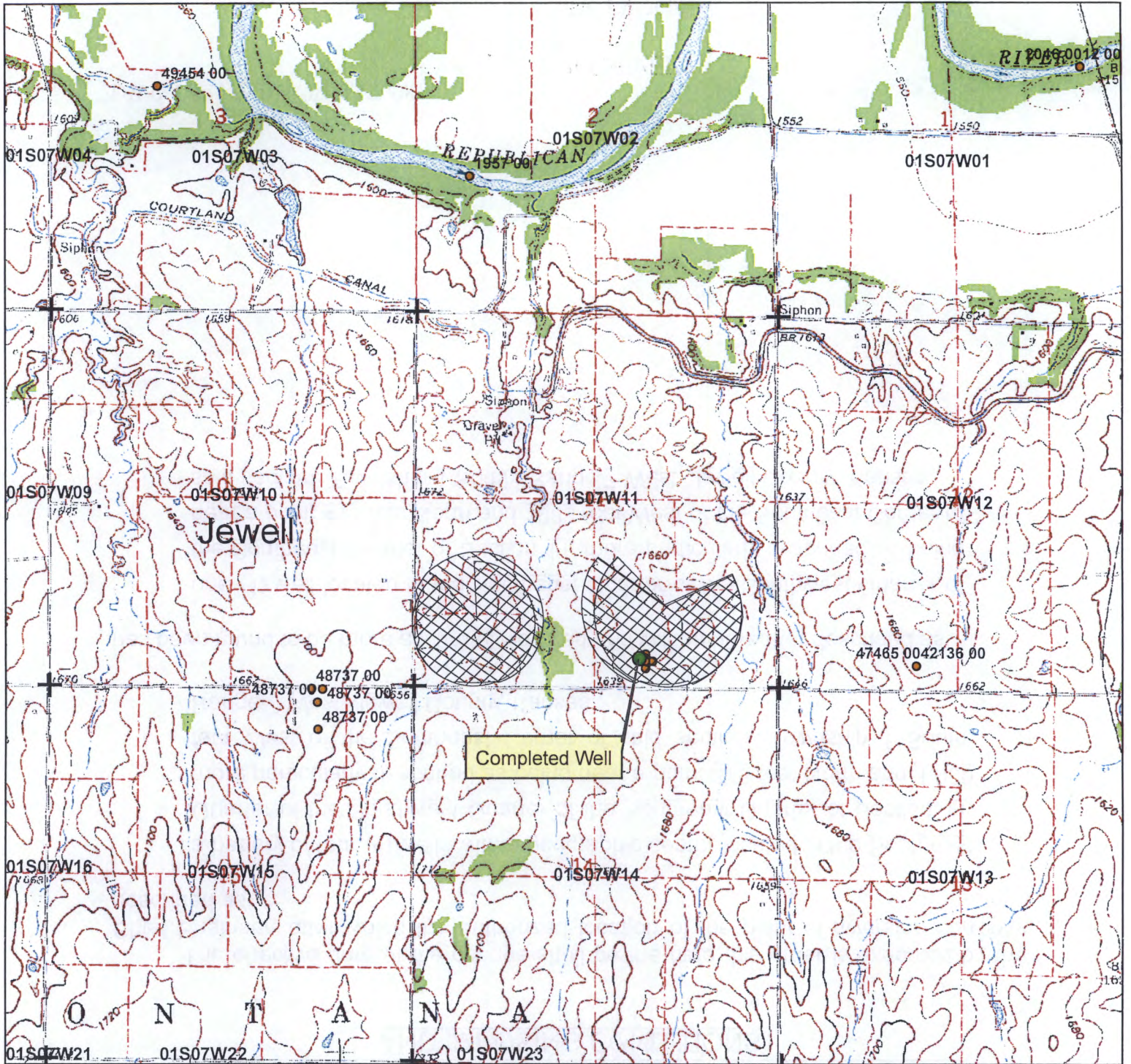
has been found to be more accurately located and will be hereafter described as:

one (1) well located in the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 11, more particularly described as being near a point 413 feet North and 1983 feet West of the Southeast Corner of said section, Township 1 South, Range 7 West, Jewell County, Kansas.

RECEIVED

APR 19 2018

Application for Change in Place of Use,
Appropriation of Water, File No. 49,238



Authorized Place of Use



Proposed Place of Use

1:24,000



RECEIVED

APR 19 2018

[Signature]
Signature

4/11/18
Date

Stockton Field Office
Division: Water Resources

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.