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.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater

	100 fee (s) of div						nged,	include	e a top	ograp	hic ma	ap or o	detaile	d plat	showi	ng the			ind proposed
						1	File No	. <u>613</u>											4 2018 7 P.m.
1. /										Stockton Field Office Division of Water Resource									
ı	under th	e water	right w	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdanc	e with	the co	ndition	s desc	cribed	below.		
	The sou	rce of su	ipply is	s:			Ground	water		$\boxtimes$	Surfa	ce wat	er						
20	<b>Name</b> an							leaf R	evoca	ole Tru	ıst Agr	eemer	nt						
1	Phone N Name ar 112 S. B	nd addre	ess of	Water	Use C		onden					akleaf@ arson		l.com					
3.	Phone Notes of the pres	lumber: sently a	(620) thoriz	242-35 ed pla	ce of u	ise is:	akleaf	Revoc				ent							
	If there is	1	ADDRI	ESS:	10030	Delm	ar Ln.	Overla	and Pa	rk, KS	6620								
			NE1/4					NW1/4				SW1/4			SE1/4				TOTAL ACRES
Sec.	Twp.	Range 5 W	NE1/4 10	10	SW1/4 39	SE1/4 18	NE¼	NW1/4	SW1/4	SE1/4 32	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	109
							1												
(	f this ap	f Land -	NA	AME:	The Te	Delm	akleaf ar Ln.	Revoc Overla	able T	rust A	6620	ent	use be	e chan	ged to	:			
				NE¼				NW1/4			SI		N1/4			SE1/4			TOTAL
Sec	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
27	17	5 W	10	10	39	18				32									109

For Office Use Only: Code

Fee \$

Receipt Date

Presently authorized	point of diversion:				
One in the	Quarter of the		Quarter of the	(	Quarte
	, Township				
in	County, Kansas,	feet No	th feet West of So	utheast corner of se	ction.
	Authorized Quantity				
(DWR use only: Con	nputer ID No GPS	i	feet North	feet West)	
	be changed			,	
	version: (Complete only if change				
	Quarter of the			(	Quarte
	, Township				
in .	County, Kansas,	feet No	th feet West of So	utheast corner of se	ction
	Proposed Quantity				
	ional Well Geo Center List oth				
This point is. Addit	ioriai vveii 🔲 Geo Ceriter List oti	iei watei	rights that will use this point		
Presently authorized	point of diversion:				
			Overtor of the	,	Juanta
one in the	Quarter of the		Quarter of the		Juane
of Section	, Township	* - 1 NI	South, Range		VVES
in	County, Kansas,	teet Noi	tn feet vvest of So	utneast corner of se	ction.
Authorized Rate	Authorized Quantity		Depth of well	(feet)	
	nputer ID No GPS			feet West)	
	be changed				
Proposed point of di	version: (Complete only if change	is requ	ested)		
	Quarter of the				
of Section	, Township		South, Range	1	WEST
in	County, Kansas,	feet No	th feet West of So	utheast corner of se	ction.
	Proposed Quantity				
vvny do you need a nev	w point of diversion? n/a	ısa.	If the proposed point of diversio feet of the existing point of dive the diagram below in relation to (PLEASE NOTE: The "X" in	ersion, indicate its locate the existing point of d	cation liversi
			represents presently authorize	ed point of diversion	1.)
			North		
If a well, is the test hole	e log attached? Yes No		100 50 0	50 100	
When do you propo diversion?	se to complete the new point of	of	= =	====	
n/a			50 - + -	+ = 50	
If the point of diversion	is a well:				
·	g to do with the old well?		West 0 -		est
n/a			50 = + =	+ = 50	
			30 F + -	+ =====================================	
(b) When will this be d	one? n/a		English =	E	
	gement District recommendation	n	100 50 0	50 100	
attached?	⊠ No		South Scale: 1"	= 100'	
Assisted by <u>DLM</u>		13b.	If the proposed point of diversion 100 feet but within 1320 feet diversion, attach a topographic For groundwater sources, show within one-half mile of the proponames and mailing addresses water sources, show the narlandowner(s) one-half mile downer(s)	n will be relocated met from the existing or map or aerial photal wells (including dised point of diversion of the owners. For mes and addresses whatream and one-	point otogra lomes and surfa
			upstream from your property line	S.	

14. If the proposed groundwater point of diversion is 300 or fewer feet	t from existing point of diversion, complete the	e following:
(a) Does the undersigned represent all owners of the currently at ☐ Yes ☐ No (If no, all owners must sign this ap		lication?
<ul> <li>(b) Will the ownership interest of any owner of the currently aut affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this a</li> </ul>		ication be adversely
(c) If this application is not approved expeditiously, will there be s  ☐ Yes ☐ No (If no, all owners must sign this ap	substantial damage to property, public health oplication.)	or safety?
If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).		
I hereby verify, being first duly sworn upon my oath or affinage and the owner, the spouse of the owner, or a duly auth their behalf, in regard to the water right(s) to which this a contained in this application are true, correct and complete	orized agent of the owner(s) to make to pplication pertains. I further verify the	his application or
Dated at Worland Park Kansas, th	nis 22 day of De	.2016
Dated at	uay of	, 2016
Jany R Walland		
(Owner)	(Spouse)	
Please Print)	(Please Print)	
(Flease Fillit)	(Flease Fillit)	
(Owner)	(Spouse)	
(Please Print)	(Please Print)	
(Owner)	(Spouse)	
(Please Print)	(Please Print)	
State of Kansas County of Johnson SS		
thereby certify that the foregoing application was signed in 201	my presence and sworn to before me t	this 22 day of
	0: km;	
E   22   2016	Notary Public	
My Commission Expires 5/23/2019		
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.		
Each application to change the place of use or the point of diversion up		application fee set
forth in the schedule below: Make checks payable to: Kansas Depar	tment of Agriculture	
<ul> <li>(1) Application to change a point of diversion 300 feet or less</li> <li>(2) Application to change a point of diversion more than 300 feet</li> </ul>	eet	\$100
RECEIVED	JESSICA FREEMAN	
NEOLIVED	Notary Public State of Kansas	
APR <b>0 4 2018</b>	My Commission Expires 5 23 20 19	

Stockton Field Office

Page 3

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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. 5-14-3 and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 613 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 Not Applicable radius of the authorized point(s) of diversion. ☐ Applicable ☐ Not Applicable \_\_ feet from the previously The point(s) of diversion authorized herein shall not actually be located more than \_\_\_ ☐ Not Applicable authorized point(s) of diversion. ☐ 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 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 Installation of the works for diversion of water shall be completed on or before December 31, 20\_ 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 The completed well log shall be submitted with the required notice. ☐ Applicable ☐ Not Applicable 8. 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 Additional Conditions are attached. ☐ 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. 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 You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, within 15 days after the date Duly Authorized Designee of the Chief Engineer shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary (Print Name): Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: For Use by Register of Deeds State of Kansas SS County of \_ Acknowledged before me on \_\_\_\_\_ Signature: Notary Public My commission expires: \_\_ (Notary Seal)

Page 4

File No. 613

DWR 1-121 (Revised 06/16/2014)

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

#### FILE NO. 613

MAKE ADDITIONAL COPIES AS NECESSARY

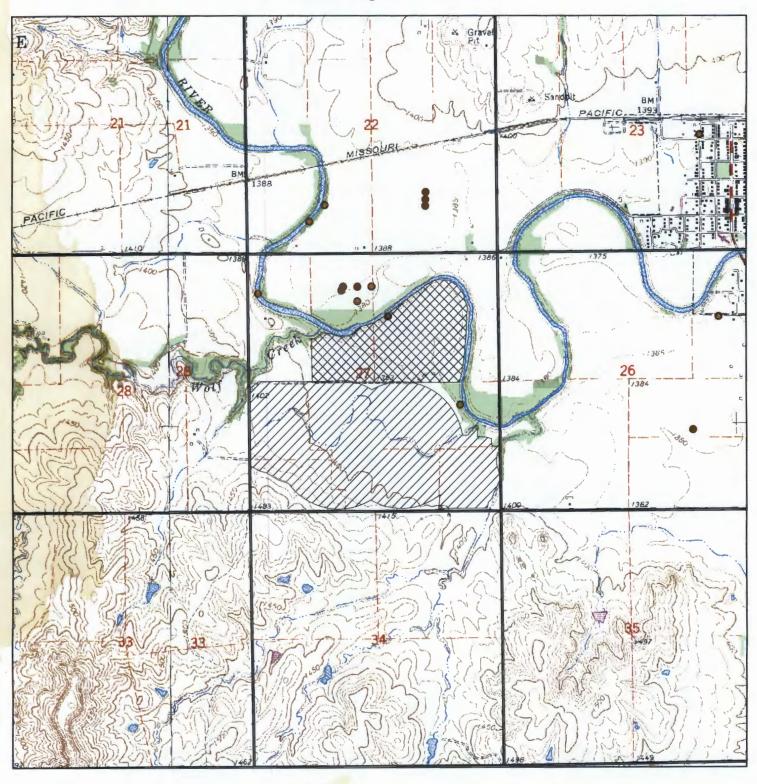
#### RECEIVED

APR 04 2018

Stockton Field Office

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Ow	vner o	f Land -	NA ADDRI																
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## Application to Change the Place of Use For Water Right File No. 613





Authorized Place of Use

Proposed Place of Use

RECEIVED

APR 04 2018

Stockton Field Office

1:24,000



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 9, 2018

JAMES D CLOUATRE 426 SIOUX RD MCPHERSON, KS 67460

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Sir:

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the *place of use & point of diversion* under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

You can find the complete application posted by water right file number as referenced above at <a href="www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a> Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Mark Billinger

Assistant Water Commissioner

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 9, 2018

PEGGY WICKSTROM 1827 5<sup>TH</sup> AVE MCPHERSON, KS 67460

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Madam:

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## GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

April 9, 2018

JENNIFER JOHNSON KINZEL PO BOX 866 MCPHERSON, KS 67460

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Assistant Water Commissioner

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## GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

April 9, 2018

GREGORY T KEENAN 649 NAVAJO RD MCPHERSON, KS 67460

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GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

April 9, 2018

JOSHUA D & CASIE A NELSON 2596 4<sup>TH</sup> AVE MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Mr. & Mrs. Nelson:

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the *place of use & point of diversion* under the above referenced application.

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Mark Billinger

Assistant Water Commissioner

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

April 9, 2018

DEAN L ELVIN 520 N CHESTNUT ST LINDSBORG, KS 67456

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Mark Billinger

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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 9, 2018

ROBERT A & WILLA M LODER 2884 4TH AVE MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Mr. & Mrs. Loder:

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the *place of use & point of diversion* under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

You can find the complete application posted by water right file number as referenced above at <a href="www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a> Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely

Mark Billinger

Assistant Water Commissioner

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JACKIE McClaskey, Secretary of Agriculture

April 9, 2018

ENGEL E & REBECCA YODER S 2584 3RD AVE MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Mr. & Mrs. Yoder:

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### GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

April 9, 2018

ELVIN, DONNA F TRUST TTEE 320 WELLS FARGO RD MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Sir or Madam:

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Sincerely,

Mark Billinger

Assistant Water Commissioner

## 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.

#### Kansas Department of Agriculture / Division of Water Resources <u>Stockton</u> Field Office

10: <u>HEADQUARTERS</u>	
RE	priation of Water;
File No(s). MPZ1, 613, 4835-02, 7901, 20	275 County <u>wP</u>
Enclosed are the following checked items:	
AFIR	I Inspection Return to Field Office Init Meter Order: GMD#4
☐ A Compliance Check Inspection on ☐ Meter Install ☐ New App ☐ Chg App ☐ In Compliance ☐ Not in Compliance, why _ Modify Point of Diversion ☐ No ☐ Yes, document of the compliance of the compl	Other ment attached
An application and judgment sheet with recommen A memorandum dated A request for an extension of time to perfect or con A verified report. A closure request. A field investigation report.  Notice of Non-Compliance	nplete.
Violation  An ownership change (name(s) and address(es) be A water use report for  A letter dated	Date
☐ A copy of an <u>Approval</u> to Change the ☐ place of u ☐ Filing Fee attached.	se and/or  point of diversion,
An Advanced copy of a change application and office. # 2374	the filing fee, to be processed at the field
An original field office change <u>application</u> and review and further processing.	the filing fee needing headquarters office
Other:	
May BIL	4-6-18
Assistant Water Commissioner	Date