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 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.

1	Applicat	ion is he	areby	nade f	or app			D. <u>MP-(</u>		er to ch	ande	the (ct	ack o		oth):		L		
1. /	hplicat	01113 110	lebyi	nauer	or app	-	lace o		Ingine	_		of Dive			Jourj.	L	IVISION	or wat	er nesource
	under the water right which is the subject of this application in accordance with the conditions described below.																		
	The sou				5 110 5			water				ce wat		Idition	3 0030	in Dear	00104.		
	Name ai							deaf R	evoca	ble Tru	ust Agr	eemer	nt				_		
	10030 Delmar Ln. Overland Park, KS 66207           Phone Number:         (913)221-1292           Email address:         toakleaf@gmail.com																		
1	lame a	nd addr	ess of	Water	Use C	orresp	onder	nt: Ro											
	Name and address of Water Use Correspondent: Ronald W. & Kelly L. Larson 412 S. Bridge St. Marguette, KS 67464																		
F	hone N	lumber:	(620)	242-3	503				Email	addre	SS:								
3. 1	The pres	sently a	uthoriz	ed pla	ce of u	use is:													
(	Owner o	f Land -	N/	AME:	The T	erry Oa	akleaf	Revoc	able T	rust A	greem	ent							
		,	ADDR	ESS:	10030	Delma	ar Ln.	Overla	and Pa	ark, KS	6620	7							
(	If there is	s more th	nan one	andov	wner, a	ttach su	pplem	ental sh	neets as	s neces	sary.)								
				N	E1/4			N	N1/4			SV	N1/4			SI	E1/4		TOTAL
Sec.	Twp.	Range	NE <sup>1</sup> / <sub>4</sub>	NW1/4	SW1/4	SE1/4	NE <sup>1</sup> / <sub>4</sub>	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE <sup>1</sup> / <sub>4</sub>	NW1/4	SW1/4	SE1/4	ACRES
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															-				
(	f this ap Owner o If there is	f Land -	ADDR	AME: ESS:	The T	erry Oa	akleaf ar Ln.	Revoc Overla	able T and Pa	rust Ad	6620	ent	use be	e chan	ged to	:			
				N	E1/4	_		N	N1/4			SV	N1/4			SI	E1/4		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	NE¼	NW1/4	SW1/4	SE1/4	ACRES
27	17	5 W	10	10	39	18				32									109
											-								
			No.																

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

5.	Presently authorized point of c	liversion:					
	One in the	Quarter of the		Quarter	of the		_ Quarter
	of Section	, Township		South, R	ange		_WEST,
	in Cou	nty, Kansas,	feet No	th fee	t West of Sout	heast corner of	section.
	Authorized Rate	Authorized Quantity		Depth of w	ell	(feet)	
	(DWR use only: Computer ID I	No GI	PS	feet Nort	h	feet West)	
	This point will not be chang	ed 🗌 This point wi	II be chan	ged as follows:			
	Proposed point of diversion: (	Complete only if chan	ge is requ	ested)			
	One in the						
	of Section						
	in Cou						
	Proposed Rate						
L	This point is: Additional Well	Geo Center List	other wate	r rights that will use	this point		·
- T	Presently authorized point of a	liversion					
6.	Presently authorized point of c One in the			Quarter	of the		Quarter
	of Section						
	in Cou	, Township	feet No	th fee	t West of Sout	heast corner of	section
	Authorized Rate	Authorized Quantity	ICELINO	Depth of w	all	(feet)	Section.
	(DWR use only: Computer ID I						
	This point will not be chang					icer westy	
	Proposed point of diversion: (						
					of the		Questor
	One in the of Section						
	in Cou						
	Proposed Rate	Droppood Quantity	Ieet NO	Dreposed	well donth (foot	heast comer or	Section.
L	This point is: Additional Well	Geo Center List	other wate	ringhts that will use			· ·
7.	Why do you need a new point of d	iversion? <u>n/a</u>	13a.	If the proposed poi feet of the existing the diagram below (PLEASE NOTE: represents preser	point of divers in relation to th The "X" in atly authorized	sion, indicate its e existing point c center of diag	location or of diversion. ram below
8.	If a well, is the test hole log attache	ed? TYes No		100 5	North	50 100	
				PILI	11111411		
9.	When do you propose to con	mplete the new point	of	F	=	7	
	diversion?			50 -	+ -	+	
	n/a		-	F	_	-	
10.	If the point of diversion is a well:			E	. =		
	(a) What are you going to do with	the old well?		West 0 - III	1111 <u>X</u> 11		East
	(a) what are you going to do with			F		-	
	n/a		_	50 E	. =	+ = = 50	
				50 -	+ _	+	
	(b) When will this be done? n/a		_	E	_	-	
				<b>b</b> 111	LUUTU		
11.	Groundwater Management	District recommenda	tion	100 5	50 0	50 100	
	attached? Yes No				South		
			405	If the memoread as	Scale 1" =		I manual Alexander
12.	Assisted by <u>DLM</u>		-	If the proposed poi 100 feet but with diversion, attach a For groundwater so within one-half mile names and mailing water sources, si landowner(s) one- upstream from you	in 1320 feet a topographic ources, show a of the propose g addresses o how the name half mile down	from the existin map or aerial p ill wells (including ed point of divers f the owners. I the owners. I es and address nstream and on	ng point or bhotograph g domestic ion and the For surface ses of the

2

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- 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?

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 regard 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 Kansas,	this 22 day of Dec , 20 16
7 0,0001	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of <u>Jphn50n</u> SS I hereby certify that the foregoing application was signed in <u>Acc</u> , 20	250
My Commission Expires 5/23 2019	Netary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complet accurate information; maps, if necessary, must be included; signatures of all t the appropriate fee must be paid.	e, all of the applicable portions of the application form must be completed with the appropriate owners' must be affixed to the application and notarized; and
FEE SCH	IEDULE
Each application to change the place of use or the point of diversion forth in the schedule below: Make checks payable to: Kansas Depa (1) Application to change a point of diversion 300 feet or les (2) Application to change a point of diversion more than 300	under this section shall be accompanied by the application fee set
RECEIVED	JESSICA FREEMAN Notary Public State of Kansas My Commission Expires 5,23,2019

Page 3

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

Stockton Field Office

APR 04 2018

File No. MP-021

#### 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. MP-021

- 1. 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.
- 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
- 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 Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_\_\_ feet from the previously authorized point(s) of diversion. \_\_\_\_\_ 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.
- 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.
- 8. The completed well log shall be submitted with the required notice. 
  Applicable 
  Not Applicable
- 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 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 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 Order will become effective on the 15<sup>th</sup> day after the date shown on the Certificate of Service.

For Use by Register of Deeds

VAMSTAR STOLEN

(Print Name)	
Division of Water Resource	es - Kansas Department of Agriculture
Date of Issuance:	
State of Kansas	) ) SS
County of	
Acknowledged before me on	)
by	2619
Signature:	
	Notary Public

FOR OFFICE USE ONLY APPLICATION APPROVED AND

SUMMARY ORDER ISSUED

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

(Notary Seal)

## RECEIVED

APR 04 2018

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. MP-021 MAKE ADDITIONAL COPIES AS NECESSARY

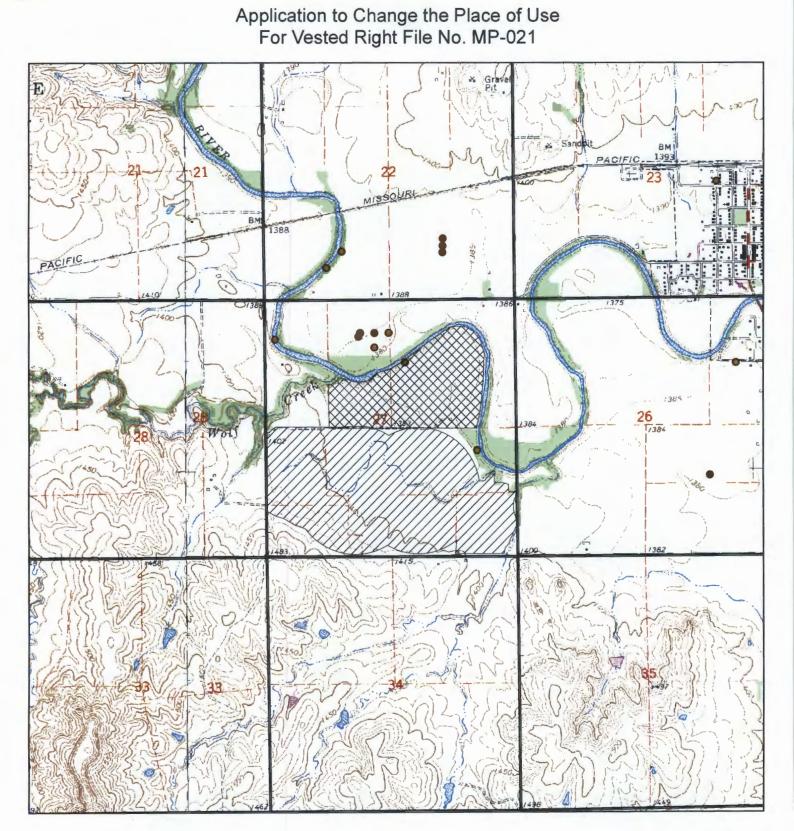
Stockton Field Office **Division of Water Resources** 

3.	Continued:	The pr	esently	authorized	place	of	use	is
	Owner of La	and	NAME					

ADDRESS.

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Authorized Place of Use

Proposed Place of Use

RECEIVED

APR 04 2018

Stockton Field Office Division of Water Resources 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 <u>www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</u> 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

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You can find the complete application posted by water right file number as referenced above at <u>www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</u> 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

JENNIFER JOHNSON KINZEL PO BOX 866 MCPHERSON, KS 67460

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

Dear Madam:

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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> Sincerely, Mark Belly

Mark Billinger 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

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

Dear Sir:

820 S. WALNUT

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

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



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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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Sincerely,

Bellinger

Mark Billinger Assistant Water Commissioner

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



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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

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

Dear Sir :

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Sincerely,

Mark Billinger Assistant Water Commissioner



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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:

DEPARTMENT OF AGRICULTURE

DIVISION OF WATER RESOURCES STOCKTON FIELD OFFICE

STOCKTON, KS 67669-0192

820 S. WALNUT

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Sincerelv₄ Mark Billi-

Mark Billinger Assistant Water Commissioner



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GOVERNOR JEFF COLYER, M.D. 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:

DEPARTMENT OF AGRICULTURE

DIVISION OF WATER RESOURCES

STOCKTON, KS 67669-0192

STOCKTON FIELD OFFICE 820 S. WALNUT

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Sincerely

Mark Billinger Assistant Water Commissioner



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GOVERNOR JEFF COLVER, 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:

DEPARTMENT OF AGRICULTURE

DIVISION OF WATER RESOURCES

STOCKTON FIELD OFFICE 820 S. WALNUT

STOCKTON, KS 67669-0192

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Sincerely,

Billy

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

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TO: HEADQUARTERS
RE 🗍 Vested Right; 🗍 Water Right; 🗍 Appropriation of Water; 🗍 Application
File No(s). MP21, 613, 4835-02, 7901, 26275 9221, 29247, 36308
Enclosed are the following checked items:
A FIR Full Partial Inspection Return to Field Office Proposed Certificate to deliver to Certificate Unit Meter Order: GMD#4 Lower Smoky A Compliance Check Inspection on Other Meter Install New App Chg App Other
In Compliance Not in Compliance, why
<ul> <li>An application and judgment sheet with recommendation.</li> <li>A memorandum dated</li> <li>A request for an extension of time to perfect or complete.</li> <li>A verified report.</li> <li>A closure request.</li> <li>A field investigation report.</li> <li>Notice of Non-Compliance</li> </ul>
Violation       Date         An ownership change (name(s) and address(es) below).
A copy of an <u>Approval</u> to Change the place of use and/or point of diversion, Filing Fee attached.
An Advanced <u>copy</u> of a change application and the filing fee, to be processed at the field office. # 2374 \$2000.00
An original field office change <u>application</u> and the filing fee needing headquarters office review and further processing.
Other:
Marh 12/1- 4-6-18
Assistant Water Commissioner Date

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