

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

Document Signature _____

1. File Number: 22,747	2. Status Change Date: 5/1/2017	3. Change Num: C1	4. Field Office: 01	5. GMD:
6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 01-FEB-2017
8a. Applicant(s) New to system <input type="checkbox"/> SCOTT A & DAPHNE D SCHOEMANN 4375 SCHOEMANN RD BELVUE KS 66407		Person ID 64306 Add Seq# 1	8d. Landowner(s) New to system <input type="checkbox"/> LEE W & WILLA D KENSING 7450 NW KIRO CT TOPEKA KS 66608	
8b. Landowner(s) New to system <input type="checkbox"/> SCOTT A & DAPHNE D SCHOEMANN 4375 SCHOEMANN RD BELVUE KS 66407		Person ID 64306 Add Seq# 1	8e. Landowner(s) New to system <input checked="" type="checkbox"/> HARGRAVE CHAROLAIS RANCH INC 22080 PITNEY RD BELVUE KS 66407	
8c. Landowner(s) New to system <input type="checkbox"/> CARL D & LEOTA R GOLDEN 8624 SW 10TH TOPEKA KS 66615		Person ID 58834 Add Seq# 1	8f. WUC New to system <input type="checkbox"/> SCOTT A & DAPHNE D SCHOEMANN 4375 SCHOEMANN RD BELVUE KS 66407 NO CHANGE	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/17 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input 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: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 04/06/17 By: RAK Date Entered: 5/2/2017 By: ULM				

File No. **22,747** 11. County: **PT** Basin: **KANSAS RIVER** Stream: Formation Code: **113** Special Use:

12. Points of Diversion Rate and Quantity
 MOD Authorized Additional
 DEL PDIV Rate Quantity
 ENT Qualifier S T R ID N W Comment Rate Quantity Rate Quantity Overlap PD Files
 gpm AF gpm af

MOD 42462 SW¼ SE¼ NW¼ 1 10 11E 2 2721 3959 1250 g.p.m. 207.35 AF 1250 g.p.m. 207.35 AF NO

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

14. Limitation: _____ 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		
MOD	DEL	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
ENT	PUSE	S	T	R	ID	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼						
MOD	14258	1	10	11E	2					35.00	35.00		40.00		38.00	36.00				184.00	8B	NO	NO
ENT	68344	1	10	11E					1.00											1.00	8C	YES	NO
ENT	68345	1	10	11E					0.50											0.50	8D	YES	NO
ENT	68346	1	10	11E									3.00							3.00	8E	YES	NO
DEL	57620	1	10	11E	5							20.00								20.00	8C		
DEL	57621	1	10	11E	6							20.00									8D		

Comments:

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
MEMORANDUM

TO: Files

DATE: April 20, 2017

FROM: Richelle A. Krueger

RE: Water Right
File No. 22,747

Scott A. and Daphne D. Schoemann, Carl D. and Leota R. Golden, and Lee W. and Willa D. Kensing, water right owners, filed an application for approval to change the authorized place of use for the referenced file number, authorized groundwater for irrigation use in the Kansas River Basin. This application should be processed with Application, File No. 49,459.

The referenced file does not appear abandoned as per K.S.A. 82a-718.

File No. 22,747 is authorized 226 acre-feet of groundwater at a diversion rate of 1,250 gallons per minute for irrigation of 226 acres in the West Half (W $\frac{1}{2}$) of Section 1, Township 10 South, Range 11 East, Pottawatomie County, Kansas. There are no present overlaps in the authorized point of diversion or place of use. The referenced change application will remove the overlap in place of use with the place of use proposed for Application, File No. 49,459. One and one-half (1.5) acres owned by the Golden and Kensing will be retained and three (3) new acres owned by Hargrave Charolais Ranch Inc. will be added. Please see the June 27, 2016 letter to the Schoemanns by Brett Bunker, Assistant Water Commissioner of the Topeka Field Office for further information. The place of use will be reduced from 226 acres to 188.50 acres and the quantity will be reduced from 226 acre-feet to 207.35 acre-feet to comply with K.A.R. 5-3-23. The proposal appears to meet K.A.R. 5-5-11(b) since the proposal will not exceed base acres (226 acres indicated on application) by 10 acres or 10 percent, whichever is less.

The total 207.35 acre-feet available under the referenced file can potentially irrigate the proposed 188.50 acres with 1.10 acre-feet per acre, which appears reasonable in Pottawatomie County.

Since the referenced change in place of use does not propose adding more than 10 acres or 10% of the base acres to the authorized place of use, water well owners within one-half mile of the authorized point of diversion were not notified of the proposed change in place of use in order to comply with Senate Bill No. 337 enacted by the Legislature of the State of Kansas, effective July 1, 2016.

The authorized point of diversion will be better described with g.p.s. feet distances obtained during the January 20, 2017 compliance investigation and as shown in WRIS.

The same local source of supply will not change, which appears to be Main Stem Alluvium (113).

In an e-mail dated April 20, 2017, Katherine Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced change application.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the application be approved.


Richelle Krueger
Environmental Scientist

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

May 2, 2017

FILE COPY

SCOTT A & DAPHNE D SCHOEMANN
4375 SCHOEMANN RD
BELVUE KS 66407

RE: Water Right, File No. 22,747

Dear Mr. and Mrs. Schoemann:

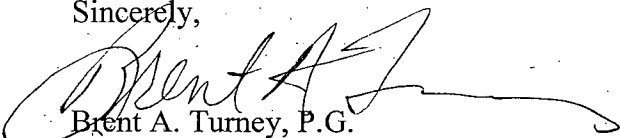
Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number. Please return the required notification of completion of the installation of the required meter as soon as these actions are completed.

Since the order for the referenced file number modifies the original document referred to above it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,


Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Topeka Field Office
Carl D. and Leota R. Golden
Lee W. and Willa D. Kensing
Hargrave Charolais Ranch Inc.

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE AND ORDER
REDUCING THE AUTHORIZED QUANTITY AND
BETTER DESCRIBING THE LOCATION OF THE
AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 22,747**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Scott A. and Daphne Schoemann, 4375 Schoemann Road, Belvue, Kansas, 66407, Carl D. and Leota R. Golden, 8624 Southwest 10th, Topeka, Kansas, 66615, Lee W. and Willa D. Kensing, 7450 Northwest Kiro Court, Topeka, Kansas, 66608, and Hargrave Charolais Ranch Incorporated, 22080 Pitney Road, Belvue, Kansas, 66407, received in this office on February 1, 2017, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order effectively reduces the authorized quantity to 207.35 acre-feet in accordance with the Application for Approval to Change the Place of Use, Water Right, File No. 22,747, received in the office of the Chief Engineer on February 1, 2017.

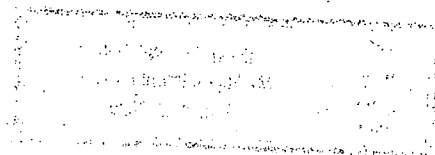
The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1	10S	11E					35.00	35.00	1.50	40.00	3.00	38.00	36.00					188.50	

a total of 188.50 acres in Township 10 South, Range 11 East, Pottawatomie County, Kansas, located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion is better described as:

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Northwest Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 1, more particularly described as being near a point 2,721 feet North and 3,959 feet West of the Southeast corner of said section, in Township 10 South, Range 11 East, Pottawatomie County, Kansas.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.



CERTIFICATE OF SERVICE

On this ^{2nd} day of *May*, 2017, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 22,747, dated *1, May, 2017* was mailed postage prepaid, first class, US mail to the following:

SCOTT A & DAPHNE D SCHOEMANN
4375 SCHOEMANN RD
BELVUE KS 66407

with true and correct copies to:


CARL D & LEOTA R GOLDEN
8624 SW 10TH
TOPEKA KS 66615

LEE W & WILLA D KENSING
7450 NW KIRO CT
TOPEKA KS 66608

HARGRAVE CHAROLAIS RANCH INC
22080 PITNEY RD
BELVUE KS 66407

with photocopies to:

Topeka Field Office



Division of Water Resources

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.

WATER RESOURCES
 RECEIVED

FEB 01 2017
 1:58
 KS DEPT OF AGRICULTURE

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

File No. 22747

2. Name of applicant: SCOTT A & DAPHNE D SCHOEMANN

Address: 4375 SCHOEMANN RD

City, State and Zip: BELVUE KS 66407

Phone Number: (785)437-2425 E-mail address: _____

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

Name of water use correspondent: SAME AS APPLICANT

Address: _____

City, State and Zip: _____

Phone Number: _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO ADD APPROXIMATELY 3 ACRES OF LAND THAT ARE BEING IRRIGATED THAT ARE NOT COVERED UNDER THIS WATER RIGHT. SOME LAND IS BEING TAKEN OFF THIS WATER RIGHT TO AVOID AND INCOMPLETE OVERLAP WITH AN APPLICATION FILED UNDER 49459.

The change(s) (was) (will be) completed by N/A _____ (Date)

For Office Use Only:									
F.O. Code	GMD	Meets K.A.R. 5-5-1	(YES/NO)	Use	Source	S County	By	Date	
	CPU		(YES)	IRRC		IT	AW	2/1/17	
		Fee \$	200	TR #	Receipt Date	2/1/17	Check #	7085	

DWR 1-120 (Revised 06/16/2014)
 APPLICATION COMPLETE
 4/20/17
 Reviewer RAK

Assisted by: BLB/TFO 6-24-16

2/2/2017 UM SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: **SCOTT A & DAPHNE D SCHOEMANN**

ADDRESS: **4375 SCHOEMANN RD BELVUE KS 66407**

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	
1	10	11E					37	35		40			39	35					186

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

Owner of Land — NAME: **LEOTA R & CARL GOLDEN / LEE W & WILLA DEAN KENSING**

ADDRESS: **8624 SW 10TH TOPEKA KS 66615 / 7450 NW KIRO CT TOPEKA KS 66608**

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	
1	10	11E							20										20
1	10	11E							20										20

List any other water rights that cover this place of use. **APPLICATION 49459 (PARTIAL)**

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: **SCOTT A & DAPHNE D SCHOEMANN (184 ACRES)/ HARGRAVE CHAROLAIS RANCH INC (3 ACRES)**

ADDRESS: **4375 SCHOEMANN RD BELVUE KS 66407 / 22080 PITNEY RD BELVUE KS 66407**

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	
1	10	11E					35	35		40			38	36					184
1	10	11E									3								3

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

Owner of Land — NAME: **LEOTA R & CARL GOLDEN (1 ACRE) / LEE W & WILLA DEAN KENSING (.5 ACRES)**

ADDRESS: **8624 SW 10TH TOPEKA KS 66615 / 7450 NW KIRO CT TOPEKA KS 66608**

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	
1	10	11E							1										1
1	10	11E							.5										.5

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

List all presently authorized point(s) of diversion:

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

One in the SW Quarter of the SE Quarter of the NW Quarter of Section 1, Township 10 South, Range 11E (EW), in POTTAWATOMIE County, Kansas, 2660 feet North 3860 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. * 2 GPS 2721 feet North * 3959 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 _____ (EW), 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 _____

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

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (EW), 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 _____ (EW), 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 _____ (EW), 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 _____ (EW), 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

WATER RESOURCES RECEIVED

* per GPS Feet distances 1/20/17 compliance investigation
 * RAK/dwn 4/20/17

FEB 01 2017

12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to NO CHANGE purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
THE CONSUMPTIVE USE WILL NOT BE INCREASED AS THE NUMBER OF ACRES PROPOSED WILL NOT BE MORE THAN 10 ACRES OR 10% (WHICHEVER IS LESS) ABOVE THE DEFINED BASE ACRES OF 226.
BASE = 226 YEAR = 1976
-
- (Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to 207.35 ACRE-FEET (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to N/A 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.
- If a change in the location of the point(s) of diversion is proposed, show:
 - 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.
 - If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within ½ 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 ½ mile, please indicate so on the map.
 - If the source of supply is surface water, the names and mailing addresses of all landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
 - 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.

THIS IS A CHANGE IN PLACE OF USE, SO IMPAIRMENT OF OTHER WATER RIGHTS SHOULD NOT BE AN ISSUE

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.

N/A

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 775 #6 St Marys, Kansas, this 19th day of July, 20 16

[Signature]
(Owner)

[Signature]
(Spouse)

Scott A. Schoemann
(Please Print)

Daphne Schoemann
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Pottawatomie } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19th day of July, 20 16

[Signature]
Notary Public

My Commission Expires August 18, 2018

NOTARY PUBLIC - STATE OF KANSAS
MELANIE BATTERTON
My Appt. Exp. 8-18-18

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.**

WATER RESOURCES RECEIVED

FEB 01 2017

KS DEPT OF AGRICULTURE

SCANNED

Schoemann/Golden/Kensing Irrigation Agreement

December 31, 2016

This irrigation agreement is between Scott & Daphne Schoemann of Belvue, Kansas and Carl & Leota Golden of Topeka, Kansas. And Lee & Willa Kensing of Silver Lake Kansas

1. Carl & Leota Golden give Scott & Daphne Schemann the right to run a pivot over the Northeast portion of their land located as such: N1/2 SW1/4 NW1/4 of 1-10-11E located in Pottawatomie County Kansas This right shall not interfere or overlap with the Golden's ability to install a pivot on their land in said location above. This irrigation agreement does convey with the land for each party.

2. The Golden's do require that pivot stops be placed on Schoemann's pivot so as to not run the pivots into each other. The Golden's further give the Schoemann's the approval to keep their pivot pad where it is currently located. If further down the road the pivot pad is to be replaced it shall be Goldens choice of having a certified survey done at thier expence. Or working out an agreement that is agreeable by both parties.

3. Lee & Willa Kensing give Scott & Daphne Schoemann permission for the south pivot that is crossing the Southeast portion of their land the right to cross said corner. It is located as such: S1/2 SW1/4 NW1/4 of 1-10-11E (South East corner) . This irrigation agreement does convey with the land for each party.

4. This irrigation agreement is further subject to Scott & Daphne Schemann removing their water rights from the said location above so that Carl & Leota Golden can get new water rights. (Exact location is on Kansas Department of water Resources paperwork)

Scott Schoemann
Scott Schoemann

12/31/2016
Date

Lee W Kensing 1/28/2017
Lee Kensing Date

Daphne Schoemann
Daphne Schoemann

12-31-16
Date

Willa Kensing 1-28-17
Willa Kensing Date

Leota Golden
Leota Golden

JAN 28 2017
Date

Steven R. Haly 1-28-17
Witnessed by Date

Carl Golden
Carl Golden

JAN 28 2017
Date

WATER RESOURCES
RECEIVED

FEB 01 2017

KS DEPT OF AGRICULTURE

* Nak/om 4/25/17

SCANNED

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 _____, Kansas, this _____ day of _____, 20_____.

Leota R Golden
(Owner)

Leota R Golden
(Please Print)

Carl D Golden
(Owner)

CARL D. GOLDEN
(Please Print)

(Owner)

(Please Print)

Carl D Golden
(Spouse)

CARL D. GOLDEN
(Please Print)

Leota R Golden
(Spouse)

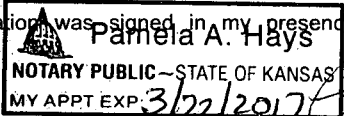
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Pottawatomie } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20th day of July, 2016.



Pamela A Hays
Notary Public

My Commission Expires 3/22/2017

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.**

4. The presently authorized place of use is:

Owner of Land — NAME: **SCOTT A & DAPHNE D SCHOEMANN**

ADDRESS: **4375 SCHOEMANN RD BELVUE KS 66407**

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	
1	10	11E					37	35		40			39	35					186

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

Owner of Land — NAME: **LEOTA R & CARL GOLDEN / LEE W & WILLA DEAN KENSING**

ADDRESS: **8624 SW 10TH TOPEKA KS 66615 / 7450 NW KIRO CT TOPEKA KS 66608**

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	
1	10	11E								20									20
1	10	11E								20									20

List any other water rights that cover this place of use. **APPLICATION 49459 (PARTIAL)**

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: **SCOTT A & DAPHNE D SCHOEMANN (184 ACRES)/ HARGRAVE CHAROLAIS RANCH INC (3 ACRES)**

ADDRESS: **4375 SCHOEMANN RD BELVUE KS 66407 / 22080 PITNEY RD BELVUE KS 66407**

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	
1	10	11E					35	35		40			38	36					184
1	10	11E											3						3

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

Owner of Land — NAME: **LEOTA R & CARL GOLDEN (1 ACRE) / LEE W & WILLA DEAN KENSING (.5 ACRES)**

ADDRESS: **8624 SW 10TH TOPEKA KS 66615 / 7450 NW KIRO CT TOPEKA KS 66608**

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	
1	10	11E								1									1
1	10	11E								.5									.5

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
One in the SW Quarter of the SE Quarter of the NW Quarter of Section 1, Township 10 South, Range 11E (E/W), in POTTAWATOMIE County, Kansas, 2660 feet North 3860 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 _____

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

12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
THE CONSUMPTIVE USE WILL NOT BE INCREASED AS THE NUMBER OF ACRES PROPOSED WILL NOT BE MORE THAN 10 ACRES OR 10% (WHICHEVER IS LESS) ABOVE THE DEFINED BASE ACRES OF 226.
BASE = 226 YEAR = 1976

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 207.35 ACRE-FEET (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N/A 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.

THIS IS A CHANGE IN PLACE OF USE, SO IMPAIRMENT OF OTHER WATER RIGHTS SHOULD NOT BE AN ISSUE

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.

N/A

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 _____, Kansas, this _____ day of _____, 20_____.

Lee W. Kensing
(Owner)
LEE W. KENSING
(Please Print)
Willie D. Kensing
(Owner)
Willie D. Kensing
(Please Print)

(Owner)

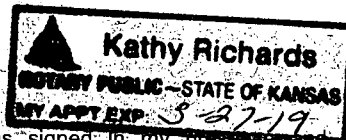
(Please Print)

Willie D. Kensing
(Spouse)
Willie D. Kensing
(Please Print)
Lee W. Kensing
(Spouse)
LEE W. KENSING
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Shawnee } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of July, 2016.

Kathy Richards
Notary Public

My Commission Expires 3-27-19

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.**

For Office Use Only:

O.C. GMD Meets K.A.R. 5-5-1 (YES / NO) Use _____ Source G / S County _____ By _____ Date _____
Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

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. 22747

2. Name of applicant: SCOTT A & DAPHNE D SCHOEMANN

Address: 4375 SCHOEMANN RD

City, State and Zip: BELVUE KS 66407

Phone Number: (785)437-2425 E-mail address: _____

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

Name of water use correspondent: SAME AS APPLICANT

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

TO ADD APPROXIMATELY 3 ACRES OF LAND THAT ARE BEING IRRIGATED THAT ARE NOT COVERED UNDER THIS WATER RIGHT. SOME LAND IS BEING TAKEN OFF THIS WATER RIGHT TO AVOID AND INCOMPLETE OVERLAP WITH AN APPLICATION FILED UNDER 49459.

The change(s) (was) (will be) completed by N/A

(Date)

4. The presently authorized place of use is:

Owner of Land — NAME: **SCOTT A & DAPHNE D SCHOEMANN**

ADDRESS: **4375 SCHOEMANN RD BELVUE KS 66407**

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	
1	10	11E					37	35		40			39	35					186

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

Owner of Land — NAME: **LEOTA R & CARL GOLDEN / LEE W & WILLA DEAN KENSING**

ADDRESS: **8624 SW 10TH TOPEKA KS 66615 / 7450 NW KIRO CT TOPEKA KS 66608**

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	
1	10	11E								20									20
1	10	11E								20									20

List any other water rights that cover this place of use. **APPLICATION 49459 (PARTIAL)**

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: **SCOTT A & DAPHNE D SCHOEMANN (184 ACRES)/ HARGRAVE CHAROLAIS RANCH INC (3 ACRES)**

ADDRESS: **4375 SCHOEMANN RD BELVUE KS 66407 / 22080 PITNEY RD BELVUE KS 66407**

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	
1	10	11E					35	35		40			38	36					184
1	10	11E											3						3

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

Owner of Land — NAME: **LEOTA R & CARL GOLDEN (1 ACRE) / LEE W & WILLA DEAN KENSING (.5 ACRES)**

ADDRESS: **8624 SW 10TH TOPEKA KS 66615 / 7450 NW KIRO CT TOPEKA KS 66608**

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	
1	10	11E								1									1
1	10	11E								.5									.5

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

6. The presently authorized point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)
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 This point is: Additional Well Geo Center List other water rights that will use this point _____

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 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.
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11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____
N/A

12. The presently authorized use of water is for IRRIGATION purposes.

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BASE = 226 YEAR = 1976

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to 207.35 ACRE-FEET (acre-feet or million gallons).

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- 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.

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N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment (Water well Contractors) Topeka, Kansas 66620

1. Location of well:	County POTT	Fraction SW 1/4 SE 1/4 NW 1/4	Section number 1	Township number T 10 S R 11	Range number EW
2. Distance and direction from nearest town or city: 2 E 1/2 S			3. Owner of well: Joe Schumann		
Street address of well location if in city: of Belvue, Kansas			R.R. or street: Belvue		
City, state, zip code: Belvue					
4. Locate with "X" in section below: Sketch map:			6. Bore hole dia. 30 in. Completion date 6-2-76 Well depth 59 ft.		
			7. <input type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary		
			8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other		
5. Type and color of material			9. Casing: Material AC Height: Above or below		
			Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Surface 12 in.		
			RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight 34 lbs./ft.		
			Dia. 1 1/2 in. to 59 ft. depth Wall Thickness: inches or		
			Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. 34		
			10. Screen: Manufacturer's name Johnson		
			Type Trangite Dia. 16		
			Slot/gauge 1/8 Length 26'		
			Set between 33 ft. and 59 ft.		
			Gravel pack? YES Size range of material 1/8-1/4"		
			11. Static water level: <input type="checkbox"/> mo./day/yr. 18 ft. below land surface Date 12-6-75		
			12. Pumping level below land surfaces: 25 ft. after 1/2 hrs. pumping 1300 g.p.m.		
			____ ft. after ____ hrs. pumping ____ g.p.m.		
			Estimated maximum yield 2500 g.p.m.		
			13. Water sample submitted: <input type="checkbox"/> mo./day/yr. Yes <input checked="" type="checkbox"/> No Date		
			14. Well head completion: <input type="checkbox"/> Pitless adapter 12 Inches above grade		
			15. Well grouted? YES With: <input type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input checked="" type="checkbox"/> Concrete Depth: From 0 ft. to 10 ft.		
			16. Nearest source of possible contamination: ft. 1500 Direction W Type HOUSE Well disinfected upon completion? Yes <input checked="" type="checkbox"/> No		
			17. Pump: <input type="checkbox"/> Not installed Manufacturer's name WLR Model number EM HP 40 Volts Length of drop pipe 53 ft. capacity 1500 g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other		
			(Use a second sheet if needed)		
18. Elevation:		19. Remarks: Corrected report sent in earlier after customer grouted well according to required regulations		20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Joe Cox License No. 250 Business name Clifton Kansas Address Belvue, Kansas Signed Francis Cox Date 6-2- Authorized representative	
Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input checked="" type="checkbox"/> Valley					

10 110 1
SUSSEAU
1/4 1/4 1/4

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5

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 _____, Kansas, this _____ day of _____, 20_____.

Leota R Golden
(Owner)

Leota R Golden
(Please Print)

Carl D Golden
(Owner)

CARL D. GOLOEB
(Please Print)

(Owner)

(Please Print)

Carl D Golden
(Spouse)

CARL D. GOLDEN
(Please Print)

Leota R Golden
(Spouse)

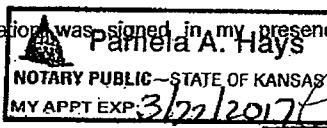
(Please Print)

(Spouse)

(Please Print)

State of Kansas
County of Pottawatomie } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20th day of July, 2016.



Pamela A Hays
Notary Public

My Commission Expires 3/22/2017

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.

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 _____, Kansas, this _____ day of _____, 20_____.

Lee W. Kensing
(Owner)

LEE W. KENSING
(Please Print)

Willie D. Kensing
(Owner)

Willie D. Kensing
(Please Print)

(Owner)

(Please Print)

Willie D. Kensing
(Spouse)

Willie D. Kensing
(Please Print)

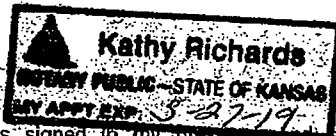
Lee W. Kensing
(Spouse)

LEE W. KENSING
(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Shawnee } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of July, 2016.

Kathy Richards
Notary Public

My Commission Expires 3-27-19

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.

Turney, Brent

From: Tietsort, Katie
Sent: Thursday, April 27, 2017 1:05 PM
To: Letourneau, Lane; Baum, Kristen
Cc: Turney, Brent
Subject: May 1 crop insurance application Holz- 49459

Good Afternoon,

This application with accompanying change under 22747 is on Lane's desk for signature. Steve Holz called about it today because he needs the approval for crop insurance. I told him Lane will be out of his office until next Monday/Tuesday, so it definitely wouldn't be signed before then but that someone would call him at 785-456-3303 when it gets signed so he can sign his crop insurance papers.

Thanks so much, K

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

Krueger, Richelle

From: Tietsort, Katie
Sent: Thursday, April 20, 2017 8:13 AM
To: Krueger, Richelle
Cc: Bunger, Brett; Schemm, Doug
Subject: RE: Request for Recommendation Chg PU File No. 22747 Schoemann

Yes, I am sorry that wasn't clear.

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Krueger, Richelle
Sent: Wednesday, April 19, 2017 5:20 PM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>
Subject: RE: Request for Recommendation Chg PU File No. 22747 Schoemann

Hiya Katie,
Thought I better touch base, are you guys good for me to proceed with this one?
Thanks,
Richelle

From: Tietsort, Katie
Sent: Tuesday, April 11, 2017 4:44 PM
To: Bunger, Brett <Brett.Bunger@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>; Krueger, Richelle <Richelle.Krueger@ks.gov>
Subject: RE: Request for Recommendation Chg PU File No. 22747 Schoemann

Brett- this is the one to address that partial overlap and get this file to stand alone right and the one near Janice's well?

Katie Tietsort

Kansas Department of Agriculture
6531 SE Forbes Ave Ste B
Topeka, KS 66619
katie.tietsort@ks.gov
Phone 785-296-5733

From: Krueger, Richelle
Sent: Tuesday, April 4, 2017 4:04 PM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>

Cc: [Bunger, Brett <Brett.Bunger@ks.gov>](mailto:Brett.Bunger@ks.gov); [Schemm, Doug <Doug.Schemm@ks.gov>](mailto:Doug.Schemm@ks.gov)

Subject: Request for Recommendation Chg PU File No. 22747 Schoemann

Hi Katie,

Attached is the memo for the referenced pu change proposing to remove the overlap in pu with New App File No. 49459
– Doug just wrapped up the new app. Do you recommend approval of the referenced change app?

Thanks,
Richelle

Turney, Brent

From: Schemm, Doug
Sent: Monday, March 13, 2017 1:16 PM
To: Turney, Brent
Cc: Bunger, Brett
Subject: RE: File No. 22,747 Change App
Attachments: 20170313120306546.tif

Brent,
Here's the other landowner signature pages.
Doug

From: Turney, Brent
Sent: Monday, March 13, 2017 8:33 AM
To: Schemm, Doug <Doug.Schemm@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: RE: File No. 22,747 Change App

Doug,
We have the change. Richelle is going to go ahead and have it worked up when the new app is complete.
Brent

Brent A. Turney, P.G.
Kansas Department of Agriculture
Division of Water Resources
1320 Research Park Drive
Manhattan Kansas 66502
(785) 564-6645
Brent.Turney@ks.gov
www.agriculture.ks.gov

From: Schemm, Doug
Sent: Thursday, March 9, 2017 9:02 AM
To: Turney, Brent <Brent.Turney@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: File No. 22,747 Change App

Brent,
Send this change app out here, I have the new app.
Thanks.

Krueger, Richelle

From: Bunger, Brett
Sent: Tuesday, March 14, 2017 7:22 AM
To: Krueger, Richelle
Cc: Schemm, Doug
Subject: RE: Change in PU File No. 22747 Schoemann etal File No. 49459
Attachments: 22747prop.tif; 22747auth.tif

Richelle, I have attached the aerials for your change

From: Krueger, Richelle
Sent: Monday, March 13, 2017 5:02 PM
To: Schemm, Doug <Doug.Schemm@ks.gov>; Bunger, Brett <Brett.Bunger@ks.gov>
Cc: Turney, Brent <Brent.Turney@ks.gov>
Subject: Change in PU File No. 22747 Schoemann etal File No. 49459

Hi Doug and Brett,

Brent gave me the change in pu app to work on this one, Doug I understand you are working the new app. The package is proposing to remove the overlap between the files with the exception of a few acres, Brent gave me the Golden and Kensing signature pages. The only thing I am missing is the map for the change application. Do you guys happen to have a copy of the change app map you could e-mail me?

I will get a memo ready for Katie stat if I can get a map to put in with the change application.

Thanks as always for your help!

Richelle



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

FILE COPY

February 2, 2017

SCOTT A & DAPHNE D SCHOEMANN
4375 SCHOEMANN RD
BELVUE, KS

RE: File No. 22747

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: dlw
pc: TOPEKA Field Office GMD 0



Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietz, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

June 27, 2016

SCOTT SCHOEMANN
4375 SCHOEMANN RD
BELVUE KS 66407

Re: Water Right
File No. 22747

Dear Scott:

On September 11, 2015, an Application for Permit to Appropriate Water was submitted under File No. 49459. The proposal under this application is to pump water from a new irrigation well located in the Southwest Quarter of the Northwest Quarter of Section 1, Township 10 South, Range 11 East, and irrigate 35.5 acres within the same 40 acre tract. The North Half of this 40 acre tract is owned by Leota R & Carl Golden and the South Half is owned by Lee & Willa Dean Kensing. As it stands the application has a partial overlap with the land associated with your water right referenced above. To follow current regulations, the Kensing's and the Golden's have shown an interest in submitting the documents necessary to remove their land (38.5 acres) from your water right and resolve the partial overlap between your water right and their application. It has been reported to me that it is their intention to leave about 1.5 acres of their land on your water right which will allow your South pivot to cross a small portion of their land and also leave a small portion of the NE corner of their tract which will allow you to legally swing your North pivot across their ground and continue to water most of the land that you have historically done.

There are a couple ways of resolving this matter, but I have chosen the enclosed application as a best fit because it was discovered that your North pivot is watering land owned by Hargrave Charolais Ranch Inc, but this land is not covered by your water right. To bring your water right into compliance you will need to submit the enclosed application which proposes to add the "Hargrave" land and at the same time will authorize removal of the land owned by the Kensing's and the Golden's from your water right. As noted in the enclosed application, the total place of use will be reduced to 188.5 acres from the previously authorized 226 acres. With this reduction in the number of acres under your water right, the quantity of water authorized must also be reduced. Regulations currently allow 1.1 acre-feet per irrigated acre in Pottawatomie County. Therefore, the quantity will be reduced from the current 226 acre-feet down to 207.4 acre-feet which is 1.1 acre-feet per acre for the remaining 188.5 acres.

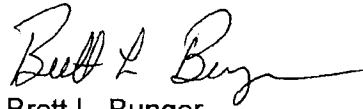
Please note that you do have the option of installing a "stop" to keep your pivot from traveling on the "Hargrave" land. Should you choose this route, this would negate

the need for this application which has a filing fee of \$200. To resolve the overlap issue between the water rights, a simple request to reduce the Kensing/Golden land off of your water right can be prepared by this office and does not carry a filing fee. This avenue would still create a need to reduce the quantity of water down to 1.1 acre-feet per acre remaining under your water right.

Due to the compliance issue related to the watering of the "Hargrave" land, it is requested that you contact this office within 15 days of this letter so that we can resolve the issues noted above as soon as possible and avoid any complications during the upcoming irrigation season.

If you have any questions, please contact me at (785) 296-7064.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett L. Bungler". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brett L. Bungler
Assistant Water Commissioner

BLB
Enclosures

SCOTT SHOEMANN, FILE NO. 22747

w/ 1/20/17
computer
img



1:12,000



Authorized Place of Use
File No. 22747

1:12,000



Proposed Place of Use
File No. 22747

1:12,000

