

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**



*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.

10/15/2024, 10:06 AM

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)

Water Resources
Received

KS Dept Of Agriculture

File No. 48551

2. Name of applicant: Neil Gantz

Address: 15802 13th St

City, State and Zip: Perry KS 66073

Phone Number: (785) 925-6165 E-mail address: nwgantz@gmail.com

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 make a complete overlap in

Place of use With the new application that has been filed for a new point of diversion

The change(s) (was) (will be) completed by 9/1/24

(Date)

For Office Use Only:
F.O. 1 GMD - Meets K.A.R. 5-5-1 YES NO Use IRR Source G S County JF By KJN Date 10/15/24
Code CPU Fee \$ 200 TR # PY2410R853L Receipt Date 10/15/2024 Check # _____

6. The presently authorized point(s) of diversion (is) (are) 1 well 10/15/2024
(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) 1 well Water Resources Received
(Provide description and number of points)

List all presently authorized point(s) of diversion:

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

One in the SE Quarter of the NE Quarter of the SE Quarter of Section 26, Township 11 South, Range 17E (E/W), in Jefferson County, Kansas, 1435 feet North 577 feet West of Southeast corner of section. Authorized Rate 1100 Authorized Quantity 118

(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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
This change is to create a complete overlap with 2 new applications

(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources
Received

File No. 48551

KS Dept 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 First State Bank Trust 3:35pm, Kansas, this 7th day of October, 20 24.

Neil Gantz
(Owner)

Nancy Gantz
(Spouse)

NEIL GANTZ
(Please Print)

Nancy Gantz
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

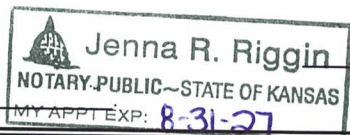
(Please Print)

(Please Print)

State of Kansas }
County of Jefferson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of October, 20 24.

My Commission Expires 8-31-27



Jenna R. Riggins
Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

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

Make check payable to Kansas Department of Agriculture.

10/15/2024

Water Resources
Received

KS Dept Of Agriculture

**IRRIGATION USE
SUPPLEMENTAL SHEET**

File No. _____

Name of Applicant (Please Print): Gantz Farms LC

1. Please supply the name and address of each landowner, the legal description of the lands to be irrigated, and designate the actual number of acres to be irrigated in each forty acre tract or fractional portion thereof:

Landowner of Record NAME: Gantz Farms LC

ADDRESS: 15802 13th ST Perry KS 66073

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
25	11	17E						11	40				40	33					124	
26	11	17E			31	31.5										31	40	39.5	33.5	206.5
35	11	17E	10.5	27																37.5
																			Total 368	

Landowner of Record NAME: Russel Revocable TRST Robert E JR

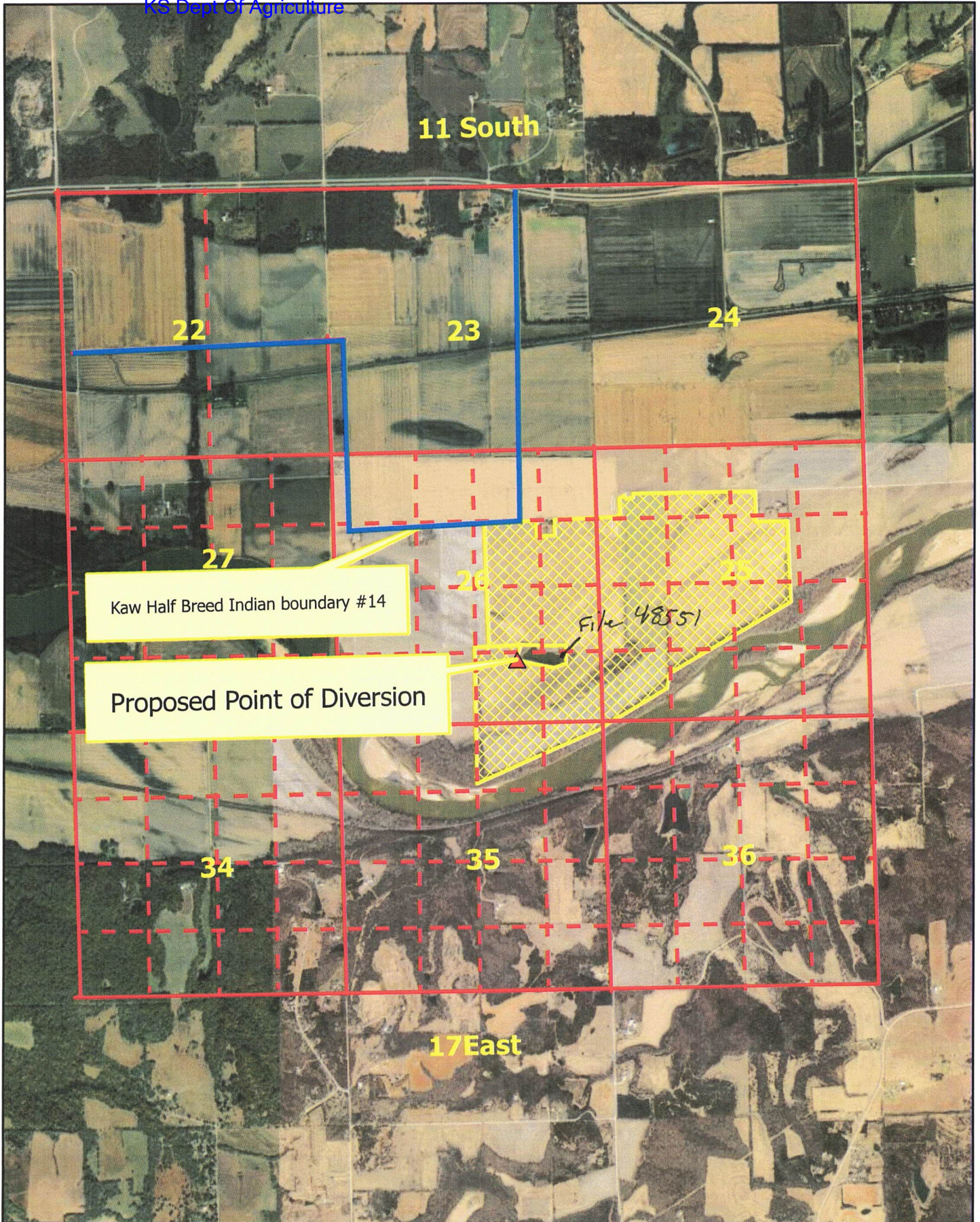
ADDRESS: 10802 Rosemont CT Fort Myers FL 33908

S	T	R	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
25	11	17E		5.5	32.5		14			40	40						18			150
																			Total 150	

Total Acres 518

Application Map

N



11 South

22

23

24

27

Kaw Half Breed Indian boundary #14

26

25

File 48551

Proposed Point of Diversion

34

35

36

17 East

MWI, LLC

10/15/2024

PREPARED BY:

Water Resources
Received

Darcy Nightingale

KS Dept Of Agriculture

*Please copy any applicant correspondence to the
email and address below:*

1215 Oregon St.
Hiawatha, KS 66534
785-285-8065
Darcy@mwivalley.com



Gantz Farms LC



MWI, LLC