

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

WATER METER REQUIRED

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.

File No. 35422

RECEIVED
 9:44am
 SEP 26 2016

Stafford Field Office
 Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: Donald L. & Dianne Froese Trusts

104 Bluestem Dr., Inman, KS 67546

Phone Number: (620) 242-9266

Email address: _____

Name and address of Water Use Correspondent: Donald L. & Dianne Froese Trusts

104 Bluestem Dr., Inman, KS 67546

Phone Number: (620) 242-9266

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Donald L. & Dianne Froese Trusts

ADDRESS: 104 Bluestem Dr., Inman, KS 67546

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼													
	20-21S-3W		40	40														80	
	17-21S-3W													35			35	70	
<i>150</i>																			

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: A) Weir Farms LLC B) Donald L. & Dianne Froese Trusts (Being purchased by Weir Farms LLC)

ADDRESS: A) 7025 Mize Road, Shawnee, KS 66226 B) 104 Bluestem Dr., Inman, KS 67546

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼													
A)	20-21S-3W				40	40	40	40										160	
B)	20-21S-3W		40	40														80	
B)	17-21S-3W													35			35	70	
<i>310</i>																			

For Office Use Only: Code _____ Fee \$ 200 - TR # _____ Receipt Date _____ Check # 20008

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the NE Quarter of Section 20, Township 21 South, Range 3W (EW), in McPherson County, Kansas, 5240 feet North 50 feet West of Southeast corner of section.
 Authorized Rate 1200 GPM Authorized Quantity 119 AF Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **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 _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? NA

8. If a well, is the test hole log attached? Yes No

9. When do you propose to complete the new point of diversion?
NA

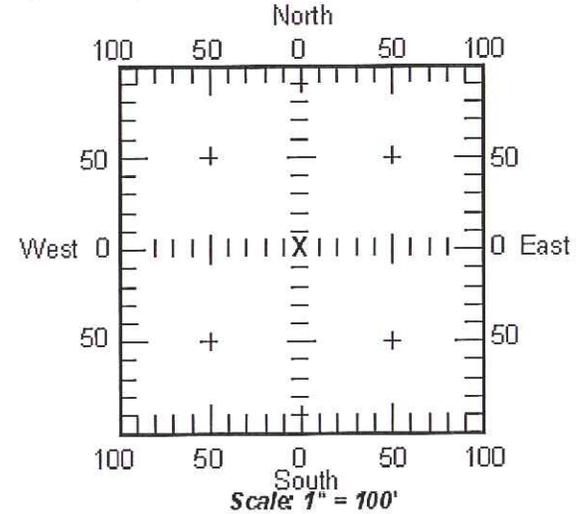
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
NA

(b) When will this be done? NA

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by T. Boese, GMD2

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



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.

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

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in 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 Inman, Kansas, this 14th day of September, 2016.

<p><u>Donald L. Froese</u> (Owner)</p> <p>Donald L. Froese, Trustee of the Donald L. Froese Trust (Please Print)</p> <p><u>Dianne Froese</u> (Owner)</p> <p>Dianne Froese, Trustee of the Dianne Froese Trust (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

State of Kansas }
 County of McPherson } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of September, 2016.

Stephanie L. Thiesen
 Notary Public

My Commission Expires 09-19-2019

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: **Make checks payable to: Kansas Department of Agriculture**

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

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 Division of Water Resources

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

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 Yes No (If no, all owners must sign this application.)
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Dated at Merriam, Kansas, this 19th day of September, 2016.

[Signature]
(Owner) - Purchaser

Jim Weir, President, Weir Farms LLC
(Please Print)

(Spouse)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Johnson } SS

CONNIE M. PUGH
Notary Public-State of Kansas
My Appt. Expires 1/23/18

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19 day of September, 2016.

Connie M Pugh
Notary Public

My Commission Expires January 23, 2018

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

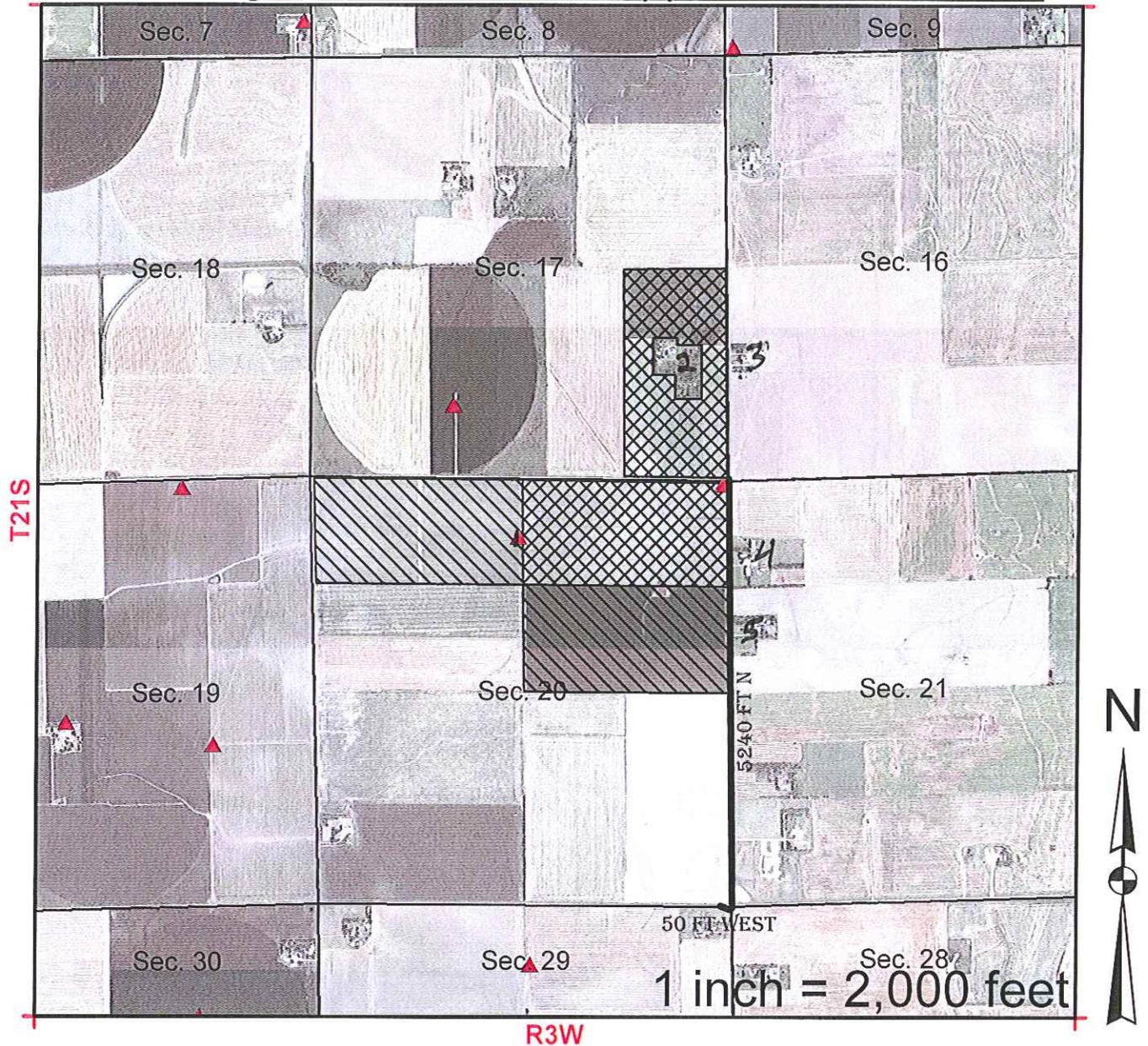
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Change in Place of Use Application No. 35422



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Donald L. Francis
Signature

9-14-16
Date

- New Application
- Application No. 35422 To Change:
 - Point of Diversion
 - Place of Use
 - Use Made of Water

- Proposed Point of Diversion
- Existing Points of Diversion
- Proposed Place of Use
- Authorized Place of Use

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See attached list for surrounding well owners

Water Wells Within ½ Mile

1. Irrigation Well – Water Right Nos. 20340 & 29634
Weir Farms LLC
7025 Mize Road
Shawnee, KS 66226

2. Domestic Well
Philip & Barbara Dierks
331 14th Avenue
Inman, KS 67546

3. Domestic Well
Wesley & Deanna Ediger
330 14th Avenue
Inman, KS 67546

4. Domestic Well
Harry J. Neufeldt
280 14th Avenue
Inman, KS 67546

2. Domestic Well
Joshua & Sarah Kroeker
262 14th Avenue
Inman, KS 67546

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