

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.

Call for address:

Topeka -- (785) 296-5733
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED

File No. 49,266

JUL 18 2016
 10:43 am.
 Stockton 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: JAMES M BEHRENDT

277 STONEYKIRK DR BELLA VISTA AR, 72715

Phone Number: (785)392-7640

Email address: jmbehrendt@hotmail.com

Name and address of Water Use Correspondent: JAMES M BEHRENDT TRUST

JAMES BEHRENDT TRUSTEE 277 STONEYKIRK DR BELLA VISTA, AR 72715

Phone Number: (785)392-7640

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: JAMES M BEHRENDT TRUST

ADDRESS: JAMES BEHRENDT TRUSTEE 277 STONEYKIRK DR BELLA VISTA, AR 72715

(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 | | | | | |
| 29 | 10S | 03W | | | | | | | | | | | | | | | | | 31 | 31 | 31 | 31 | 124 |
| | | | | | | | | | | | | | | | | | | | | | | | |

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: NO CHANGE

ADDRESS: _____

(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 | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |

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

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the SE Quarter of the SE Quarter
 of Section 29 , Township 10 South, Range 03 WEST,
 in OTTAWA County, Kansas, 990 feet North 660 feet West of Southeast corner of section.
 Authorized Rate 800 GPM Authorized Quantity 160 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 5 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 SW Quarter of the NE Quarter of the SE Quarter
 of Section 29 , Township 10 South, Range 03 WEST,
 in OTTAWA County, Kansas, 1493 feet North 1254 feet West of Southeast corner of section.
 Proposed Rate 800 GPM Proposed Quantity 160 AF 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: BATT 1 OF 4**
 One in the NW Quarter of the SE Quarter of the SE Quarter
 of Section 29 , Township 10 South, Range 03 WEST,
 in OTTAWA County, Kansas, 1190 feet North 1190 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: **BATT 1 OF 4**
Proposed point of diversion: (Complete only if change is requested)
 One in the SE Quarter of the NW Quarter of the SE Quarter
 of Section 29 , Township 10 South, Range 03 WEST,
 in OTTAWA County, Kansas, 1693 feet North 1464 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? ORIGINAL
LOCATIONS DID NOT PRODUCE

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

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

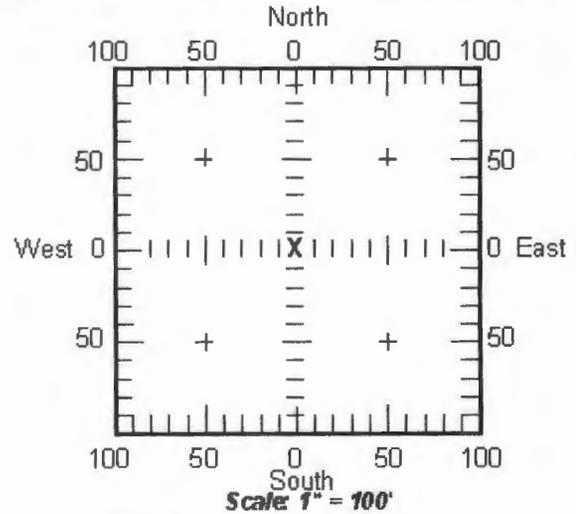
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
N/A NO WELL DRILLED AT ORIGINAL LOCATION

(b) When will this be done? _____

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by M. BILLINGER

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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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 BEAUVISTA, AR, Kansas, this 14th day of JULY, 20 16.

James M Behrendt
(Owner)

(Spouse)

JAMES M BEHRENDT
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of ARKANSAS }
County of BENTON } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 14th day of JULY, 20 16.

Elaine Grace Oray-Pere
Notary Public

My Commission Expires SEP. 25 2022.

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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APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 49,266

Stockton Field Office Division of Water Resources

Presently authorized point of diversion: One in the NW Quarter of the SE Quarter of the SE Quarter of Section 29, Township 10 South, Range 03 WEST, in OTTAWA County, Kansas, 1190 feet North 790 feet West of Southeast corner of section. Authorized Rate Authorized Quantity Depth of well (feet) (DWR use only: Computer ID No. 2 GPS feet North feet West) This point will not be changed This point will be changed as follows: UPDATE point of diversion better described with GPS as: Proposed point of diversion: (Complete only if change is requested) BATT 1 OF 4 One in the SW Quarter of the NE Quarter of the SE Quarter of Section 29, Township 10 South, Range 03 WEST, in OTTAWA County, Kansas, 1693 feet North 1044 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

Presently authorized point of diversion: One in the NW Quarter of the SE Quarter of the SE Quarter of Section 29, Township 10 South, Range 03 WEST, in OTTAWA County, Kansas, 790 feet North 1190 feet West of Southeast corner of section. Authorized Rate Authorized Quantity Depth of well (feet) (DWR use only: Computer ID No. 3 GPS feet North feet West) This point will not be changed This point will be changed as follows: UPDATE point of diversion better described with GPS as: Proposed point of diversion: (Complete only if change is requested) BATT 1 OF 4 One in the NE Quarter of the SW Quarter of the SW Quarter of Section 29, Township 10 South, Range 03 WEST, in OTTAWA County, Kansas, 1293 feet North 1464 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

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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: UPDATE point of diversion better described with GPS as: 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

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

JUL 18 2016

FILE NO. 49,266

MAKE ADDITIONAL COPIES AS NECESSARY

Stockton Field Office Division of Water Resources

3. Continued: The presently authorized place of use is:

Owner of Land ---- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) and a TOTAL ACRES column.

Owner of Land ---- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) and a TOTAL ACRES column.

Owner of Land ---- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) and a TOTAL ACRES column.

4. Continued: 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: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) and a TOTAL ACRES column.

Owner of Land ---- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) and a TOTAL ACRES column.

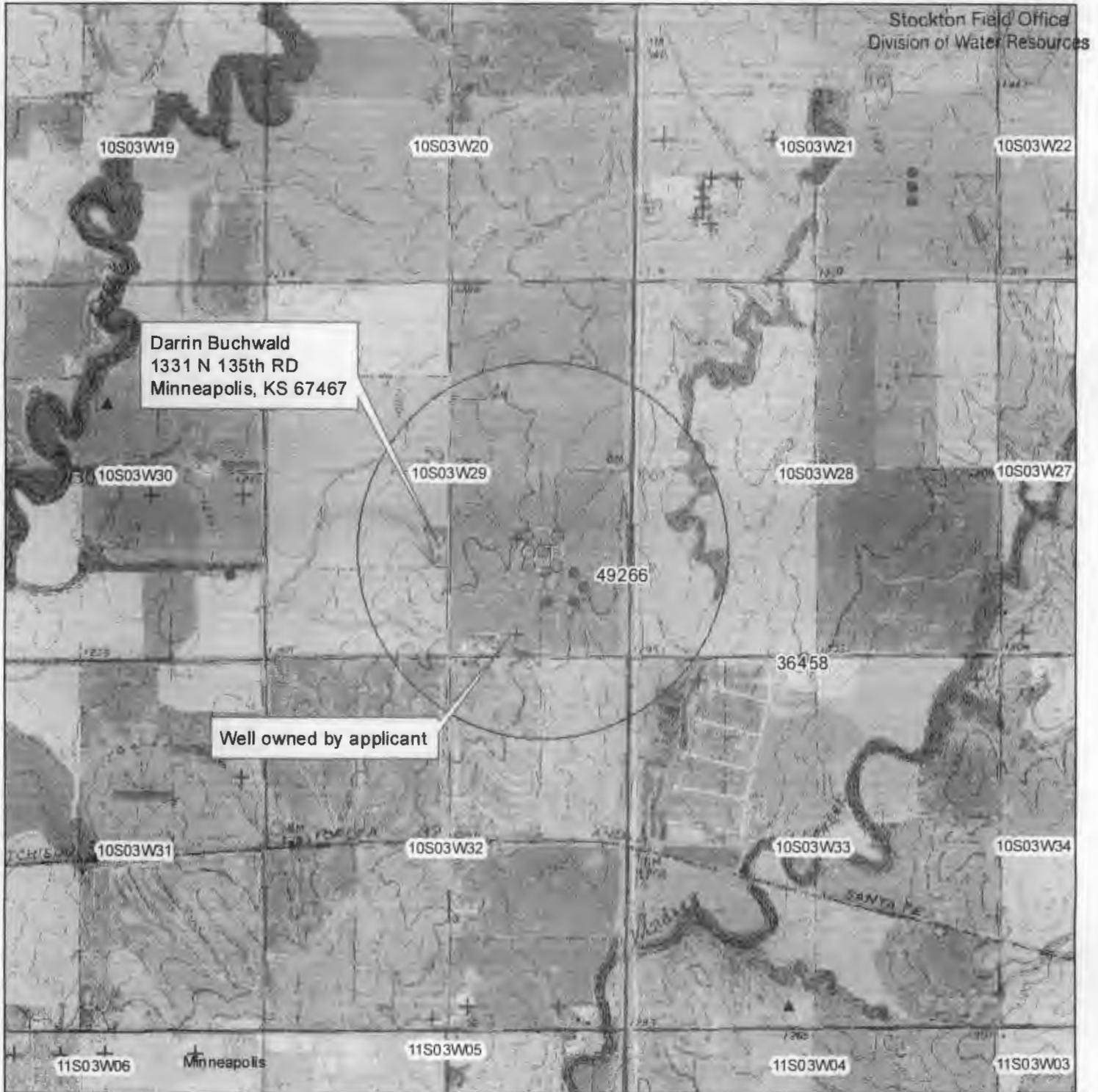
Owner of Land ---- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) and a TOTAL ACRES column.

Application to Change the Point of Diversion
For Water Right File # 49,266

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Stockton Field Office
Division of Water Resources

Darrin Buchwald
1331 N 135th RD
Minneapolis, KS 67467

Well owned by applicant

49266

36458

● Proposed geocenter & battery wells

▲ Surface Water Point of Diversion

1:24,000

● Groundwater Point of Diversion

300 ft

○ 1/2 mile

+ WWC-5 Records

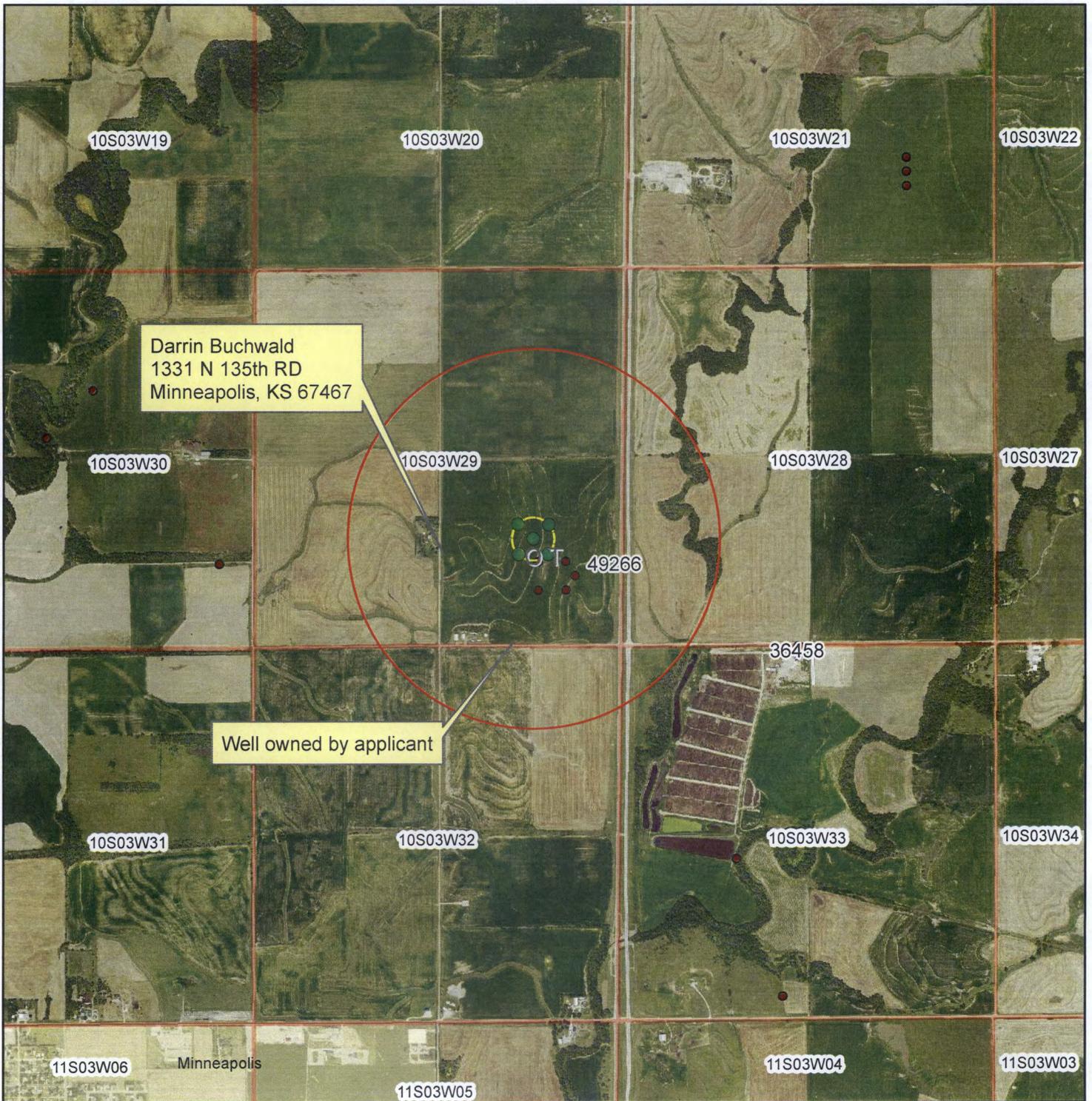
Signature Required

James M Behrendt

By signing this I am stating that to the best of my knowledge that all wells within 1/2 mile of proposed well location are identified on this map.



Application to Change the Point of Diversion For Water Right File # 49,266



● Proposed geocenter & battery wells

▲ Surface Water Point of Diversion

1:24,000

○ 300 ft

● Groundwater Point of Diversion

○ 1/2 mile

+ WWC-5 Records

Signature Required



By signing this I am stating that to the best of my knowledge
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