

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

1. File Number: <b>3545</b>	2. Status Change Date: <b>6/6/18</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>5/23/18</b>
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <b>15990</b> Add Seq# _____  <b>LYDIA SCHWEER</b> <b>8343 DANBURY LN</b> <b>HUDSON FL 34667-6527</b>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____  <b>NC</b>	8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____  <b>nc</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/18**     N & P Date to Comply: **12/31/18**

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter  
 Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **5/23/18**    By: **TPM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **3545**      11. County: FI      Basin: ark      Stream:      Formation Code: 211      Special Use:

12. Points of Diversion  
 Rate and Quantity  
 Authorized      Additional  
 Rate      Quantity      Rate      Quantity  
 gpm/cfs      af/mgy      gpm/cfs      af/mgy      af/mgy      Overlap PD Files  
 Comment (AKA Line)      'W'      'N'      'W'      2614

ent      nw sw se      30      23      32 w      757      2614

del      26514

13. Storage: Rate \_\_\_\_\_ NF \_\_\_\_\_ Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF \_\_\_\_\_ Additional Quantity \_\_\_\_\_ ac/ft

14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ 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 CHK MOD DEL ENT	P U S E	S T R I D	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Total	Owner	Chg?	Overlap Files
			NE 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4				
inc																		

Base Acres: \_\_\_\_\_ Year: \_\_\_\_\_ Minimum Reasonable Quantity: \_\_\_\_\_  
 Comments: \_\_\_\_\_

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
GARDEN CITY FIELD OFFICE  
2508 JOHNS STREET  
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901  
FAX: (620) 276-9315  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 6, 2018

LYDIA SCHWEER  
8343 DANBURY LN  
HUDSON FL 34667-6527

RE: Change in Point of Diversion Water Right, File No 3545

Dear Ms. Schweer:

Enclosed you will find a *Summary Order Approving Application for Change in Points of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by **December 31, 2018**. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens  
Assistant Water Commissioner


TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 7<sup>th</sup> day of June 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 3545 dated June 6, 2018 was mailed postage prepaid, first class, US mail to the following:

LYDIA SCHWEER  
8343 DANBURY LN  
HUDSON FL 34667-6527

Copy provided to GMD#3

  
\_\_\_\_\_  
Division of Water Resources

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  
 5:00pm  
 MAY 23 2018

File No. 3545

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office  
Division of Water Resources

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: LYDIA SCHWEER

8343 DANBURY LN HUDSON FL 34667-6527

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: LYDIA SCHWEER

8343 DANBURY LN HUDSON FL 34667-6527

Phone Number: (    )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ----- NAME: LYDIA SCHWEER & ARLENE R FUQUA

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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			

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 to acres irrigated

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	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code \_\_\_\_\_ Fee \$ 100 TR # \_\_\_\_\_ Receipt Date 5/23/18 Check # 000157

5. **Presently authorized point of diversion:**  
 One in the     nw     Quarter of the     sw     Quarter of the     se     Quarter  
 of Section     30    , Township     23     South, Range     32     W,  
 in Finney 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.   2   GPS   968   feet North   2626   feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the     nw     Quarter of the     sw     Quarter of the     se     Quarter  
 of Section     30    , Township     23     South, Range     32     W,  
 in Finney County, Kansas,   757   feet North   2614   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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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. The changes herein are desired for the following reasons?  
 (please be specific)           
old well needs to be replaced

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

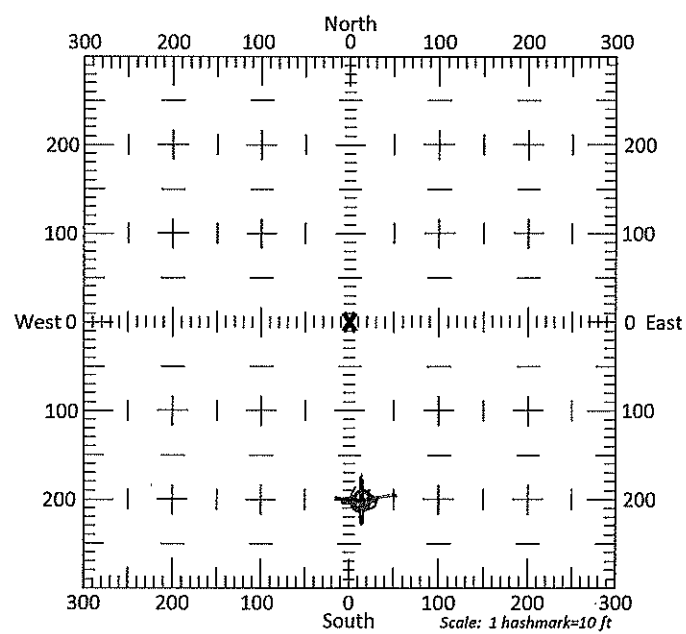
9. The change(s) (was)(will be) completed by?  
June 15, 2018

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
plug  
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by tpm

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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).

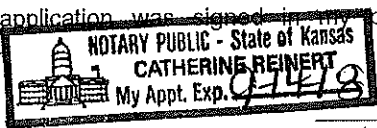
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at GARDEN CITY, Kansas, this 23<sup>RD</sup> day of MAY, 2018

<u>X</u> <u>[Signature]</u> (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }  
County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23<sup>RD</sup> day of MAY, 2018



Catherine Reinert  
Notary Public

My Commission Expires 9-14-18

**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

**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 3345.

1. A change application was received on MAY 23, 2018 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
8. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. By March 1, 2019 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
9. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
11. Additional Conditions are attached.  Yes  No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

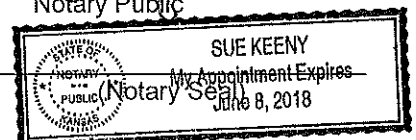
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND  
SUMMARY ORDER ISSUED**

By: *TL*  
Duly Authorized Designee of the Chief Engineer  
(Print Name): THOMAS P. MAKOWSKI  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: JUNE 6, 2018  
State of Kansas )  
County of Finnway ) SS  
Acknowledged before me on June 6, 2018  
by Thomas P. Makowski  
Signature: *Sue Keeny*  
Notary Public

My commission expires: \_\_\_\_\_





HYDRO RESOURCES

# MIDWEST WELL & PUMP

PO BOX 692, Garden City, Kansas 67846

(620)275-1920

Owner Name: ~~ARS~~ **ARF** Trust (Lydia Scheer)  
 Address: 8343 Danbury Ln.  
 City, St. Zip: Hudson, FL 34667  
 GPS: N.38.02045 W 100.87463  
 Contact #: Jeff Mai (620-272-1224)  
 Location: SE ¼ 30-23-32 Finney County  
 From Old Well: About 25' South 71' East

Date: 5/18  
 Test Hole: 1-18  
 Driller: Soukup  
 Dig Safe#18179846  
 Static Water Level About: 151'  
 Total Depth: 330'  
 20' SUMM

## WELL LOCATION

FROM:	TO:	STRATA:
0	2	Top Soil
2	5	Brown Clay
5	25	Soft Brown Sandy Clay
25	42	Medium To Coarse Sand, Small Gravel And Medium Rock
42	48	Brown Clay
48	52	Blue Clay
52	92	Light Brown Sticky Clay
92	102	Light Brown Sticky Clay With Gypsum Streaks
102	124	Light Brown Sticky Clay With Gypsum Streaks And Cemented Sand Streaks
124	138	Medium To Coarse Sand Small Gravel (Loose)
138	146	Light Brown Clay With Medium Rock Streaks
146	162	Fine To Medium Sand Some Small Gravel (Tight)
162	182	Fine To Coarse Sand Small Gravel With Cemented Sand Streaks
182	197	Brown Clay With White Broken Rock Few Small Fine Sand Streaks
197	202	Fine Sand (Loose)
202	203	Brown Clay
203	222	Medium To Coarse Sand Small Gravel
222	236	Very Fine To Fine Sand With Brown Clay Streaks
236	242	Very Fine To Medium Sand Some Small Gravel
242	250	Medium To Coarse Sand Small Gravel With Cemented Streaks
250	258	Fine To Medium Sand Small Gravel With Brown Clay Streaks
258	274	Medium To Coarse Sand Small Gravel With White Broken Rock
274	282	Brown Clay With White Broken Rock Few Small Fine Sand Streaks
282	286	Fine to Medium Sand With White Broken Rock Chips And Brown Clay Streaks
286	310	Medium To Coarse Sand Small Gravel White Broken Rock And Brown Rock
310	322	Brown Clay
322	332	Yellow Soap Stone
332		Black Shale

RECEIVED

MAY 14 2018

3545

Garden City Field Office  
Division of Water Resources

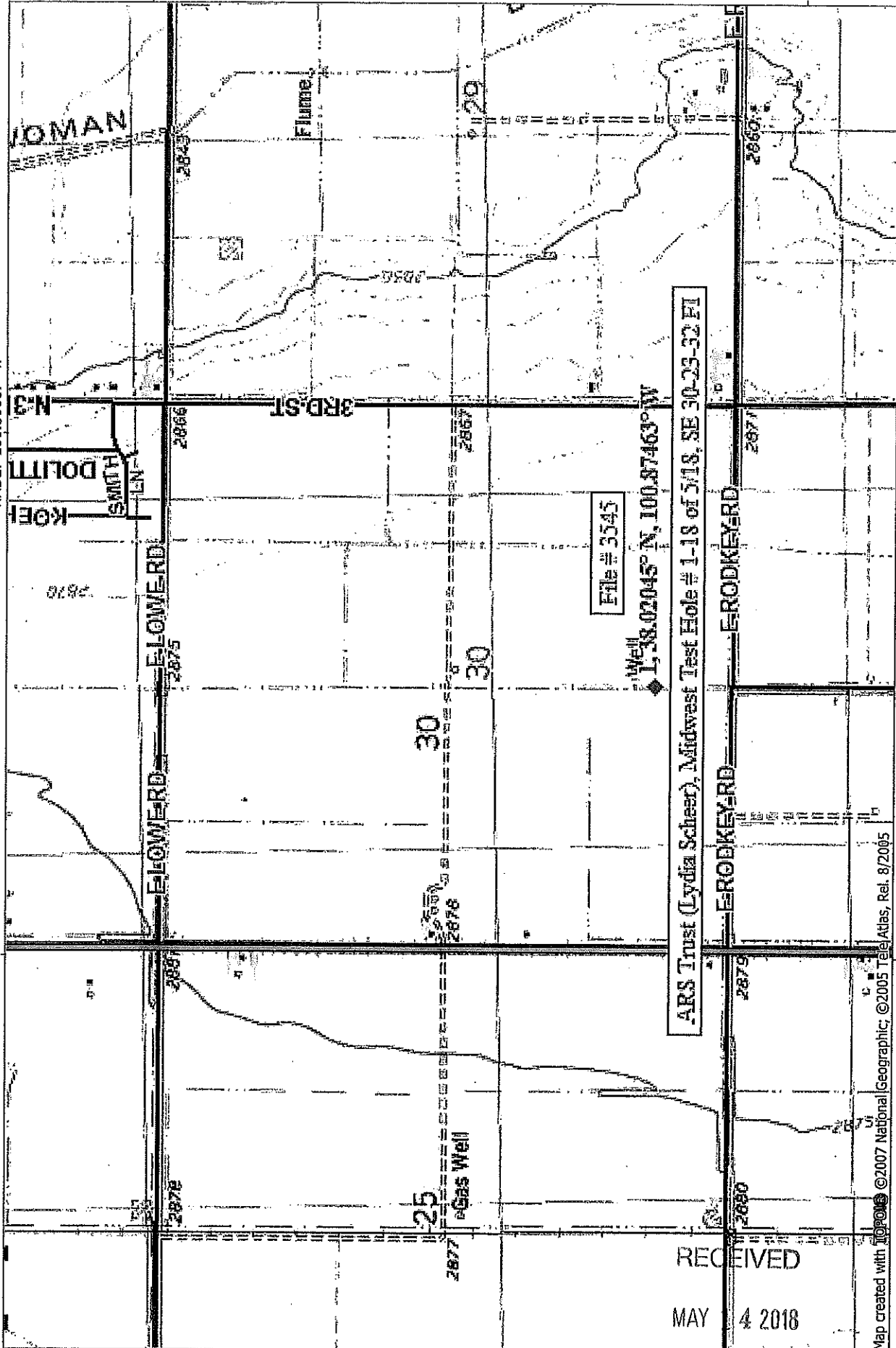
TOPO! map printed on 05/13/18 from "Untitled.tpo"

100.88333° W NAD27 100.86667° W

100.88333° W

38.03333° N

38.01667° N



38.03333° N

Garden City File # 38.01667° N  
Division of Water Resources

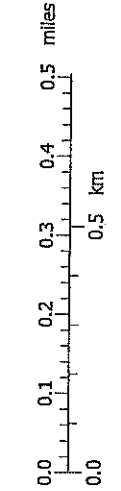
RECEIVED  
MAY 4 2018

Map created with TOPO! ©2007 National Geographic; ©2005 Tele Atlas, Rel. 8/2005

100.88333° W

NAD27 100.86667° W

NATIONAL  
GEOGRAPHIC



TN MN  
5 1/2°  
05/13/18