## Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/D WORKSHEET** 

1. File Number: <b>23668</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved Deni	ed by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: <b>12/12/2019</b>
8a. Applicant(s)/ WUC/ Landowner(s) New to system   DENNIS L & JANICE K K 1742 RD 105	Add Seq#	. 10.27 2.42		Person ID 39063 Add Seq#
LAKIN, KS 67860-9538		1604 R		
8b. Landowner(s) New to system   FRITZ & BETTY SCHREI 504 TAMPA ST LAKIN, KS 67860-9784	Person ID 15867 Add Seq# BVOGEL	RT 2 B	stem □ & DONNA HUTCI	Person ID 58878 Add Seq#  HESON
9. Documents and Enclosure(s):	Seal	⊠ N & P Form	☑ Water Tube	Comply: 12/31/2021 riller Copy H & E Letter Comply:
10. Use Made of Water From:		To: _		
			Date Prepared: <b>12/13</b> Date Entered:	<b>/2019</b> ву: <b>АМ</b> Ву:

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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

December 13, 2019

DENNIS L & JANICE K KOEHN 1742 RD 105 LAKIN, KS 67860-9538

RE:

Water Right, File No. 23668

Dear Sir or Madam:

Enclosed is the order executed by the designee of 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 and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

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

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

Sincerely

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc:

Fritz & Betty Schreibvogel
Lakin Mennonite Church
Jack & Donna Hutcheson
GROUNDWATER MANAGEMENT DISTRICT NO. 3

### CERTIFICATE OF SERVICE

On this 13<sup>th</sup> day of December, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 23,668 dated 13<sup>th</sup> day of December, 2019 was mailed postage prepaid, first class, US mail to the following:

DENNIS L & JANICE K KOEHN 1742 RD 105 LAKIN, KS 67860-9538

Pc:

FRITZ & BETTY SCHREIBVOGEL 504 TAMPA ST LAKIN, KS 67860-9784

LAKIN MENNONITE CHURCH Attn: CORWIN SMITH 1604 RD 45 LAKIN, KS 67860

JACK & DONNA HUTCHESON RT 2 BOX 9 LAKIN, KS 67860

GROUNDWATER MANAGEMENT DISTRICT NO. 3

Division of Water Resources Staff

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.

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5.	Presently authorized point of diversion:				
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<b>e</b> [	of Section 6 , Township	25	South, Range	35	_ (W),
	in KE County, Kansas, 2541 fee	et North	5189 feet West of S	outheast corner of se	ction.
- 1	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				llows:
	Proposed point of diversion: (Complete only if change is				
	One in the Quarter of the	NW	Quarter of the	SW(	Quarter
	of Section6, Township	25	South, Range	35	(W),
	in KE County, Kansas, 2366 fee	et North	5132 feet West of S	outheast corner of se	ction.
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1	This point is: Additional Well Geo Center List other	water right	s that will use this point _	ar se ve salian souns	<u> Pro- 1979</u>
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6.	Presently authorized point of diversion:				
	One in the Quarter of the of Section , Township		Quarter of the	(	Quarter
	of Section, Township		South, Range		(E/W),
	in County, Kansas, fee	et North	feet West of S	outheast corner of se	ction.
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	Proposed point of diversion: (Complete only if change is	requested	d or if existing point is I	better described by	GPS)
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	of Section, Township		South, Range		(E/W),
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	Proposed Rate Proposed Quantity	11814	Proposed well depth (	feet)	
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9.	If a well, is the test hole log attached?   Yes No The change(s) (was)(will be) completed by?  UPON APPROVAL  If the point of diversion is a well:  (a) What are you going to do with the old well?  PLUG/CAP  (b) When will this be done? UPON COMPLETION	100	200 100 North		200
11.	Groundwater Management District recommendation attached?  Yes No	200	·   +   +   = = = = = = = = = = = = = = =		200
12.	Assisted by AM/GCFO	300	200 100 0	100 200 300	0
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	of the diagra divers	existing point of diversion shown above in relation. (PLEASE NOTE: 1 represents the presents the	on, indicate its location to the existing The "X" in center of	n on the point o diagran

14. If the proposed g	roundwater point of diversion is 3	00 or fewer feet fro	om the existing point of	diversion, complete the	following:
(a) Does the und ⊠ Yes	dersigned represent all owners of No (If no, all owners m			lentified in this application	on?
	ership interest of any owner of the is application is approved as requered. No (If yes, all owners re	ested?		entified in this application	on be adversely
(c) If this applica ⊠ Yes	ation is not approved expeditiously  No (If no, all owners m			perty, public health or sa	ifety?
or a change in place of	oses a surface water change in p of use, the application must be sig d statement authorizing represen	ned by all owners			
age and the owner their behalf, in reg	ing first duly sworn upon my r, the spouse of the owner, o gards to the water right(s) to application are true, correct a	or a duly author which this app	zed agent of the ow	mer(s) to make this	application or
Dated at	ROENCITE		12 day of	DECEMBER	_, 20_19
> Dennis	(Owner)		and the same of the same	(Spouse)	21 11 11
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I hereby certify to	01112	was signed in r IOTARY PUBLIC - State of CATHERINE REI M Appl. Exp.	f Mansas	orn to before me the	is/2TH day
	LICATIONS WILL BE PROCESSED.  aps, if necessary, must be included; si be paid.				
forth in the schedule to (1) Application (2) Application (2)	nange the place of use or the poin pelow: Make checks payable to: on to change a point of diversion on on to change a point of diversion r on to change the place of use	Kansas Departme 300 feet or less nore than 300 feet	r this section shall be a ent of Agriculture		\$100 \$200
JULIE JONES My Appaintment Expires December 15, 2022	Parity Santa Andreas				
DWR 1-121 (Revised 04	/5/2018)	Page 3		File	No

#### 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 seg. 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. 23668 A change application was received on December 12, 2019 requesting that the place of us diversion authorized under the above-referenced file number be changed as described in the application. requesting that the place of use and / or point of On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on ☐ Applicable the topographic map accompanying the application to change the place of use. Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as 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 The point(s) of diversion authorized herein shall not actually be located more than \_ authorized point(s) of diversion. 

☑ Applicable ☐ Not Applicable 5. feet from the previously 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 29, 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 Applicable Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 50, or within any authorized extension of time. By March 1, 20 \_\_\_\_ 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 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 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within **30** days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): Hustin McCollason review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: December 13,2019 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. State of Kansas SS For Use by Register of Deeds County of Acknowledged before me on Signature: Jones Notary Public

DWR 1-121 (Revised 04/5/2018)

Page 4

My commission expires:

JULIE JONES
(Note: Appointment Expires
December 15, 2022

STATE OF

File No. 23668

3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



PO Box 639 Garden City, KS 67848 Fax: 620-277-0224

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