

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

File No. 9408

**RECEIVED**  
 10:00 AM  
**OCT 21 2020**

**Garden City 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: HENRY D & MARGARET W WIEBE

1813 MANITOBA DR. SUBLETTE, KS. 67877

Phone Number: (620)260 7919

Email address: henryWiebe13018@gmail.com

Name and address of Water Use Correspondent: HENRY D & MARGARET W WIEBE

1813 MANITOBA DR. SUBLETTE, KS. 67877

Phone Number: (620)260 7919

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

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	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

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 \$ 200.00 TR # \_\_\_\_\_ Receipt Date 10-21-20 check # visa card

5. **Presently authorized point of diversion:**

One in the NE Quarter of the NE Quarter of the SW Quarter of Section 14, Township 29 South, Range 34 (W), in HASKELL County, Kansas, 2520 feet North 2740 feet West of Southeast corner of section. Authorized Rate 970 GPM Authorized Quantity 320 AF 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:  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 NW Quarter of the SW Quarter of Section 14, Township 29 South, Range 34 (W), in HASKELL County, Kansas, 2554 feet North 4867 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 \_\_\_\_\_ (W), 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 \_\_\_\_\_ (W), 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) lack of production on current PD

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

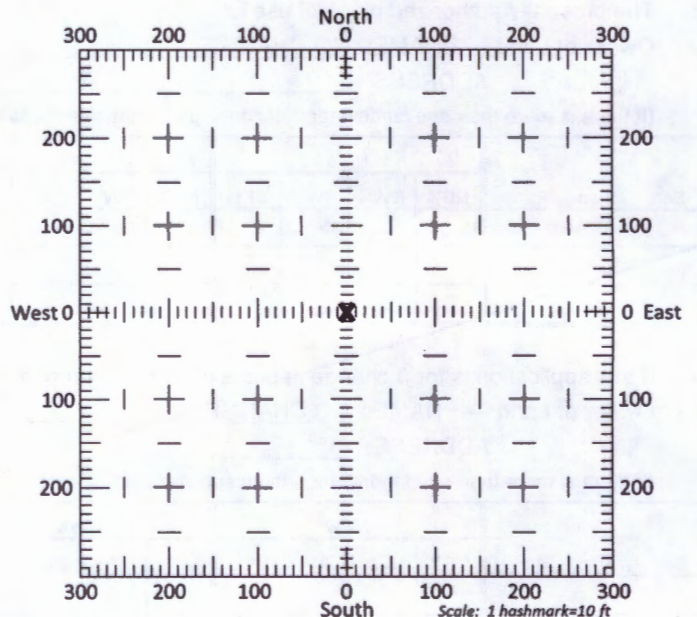
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by CAC

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 21<sup>st</sup> day of October, 20 20.

Henry Wiebe  
(Owner)

\_\_\_\_\_  
(Spouse)

Henry Wiebe  
(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 21<sup>st</sup> day of October, 20 20.



My Commission Expires \_\_\_\_\_

Julie Jones  
Notary Public

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.

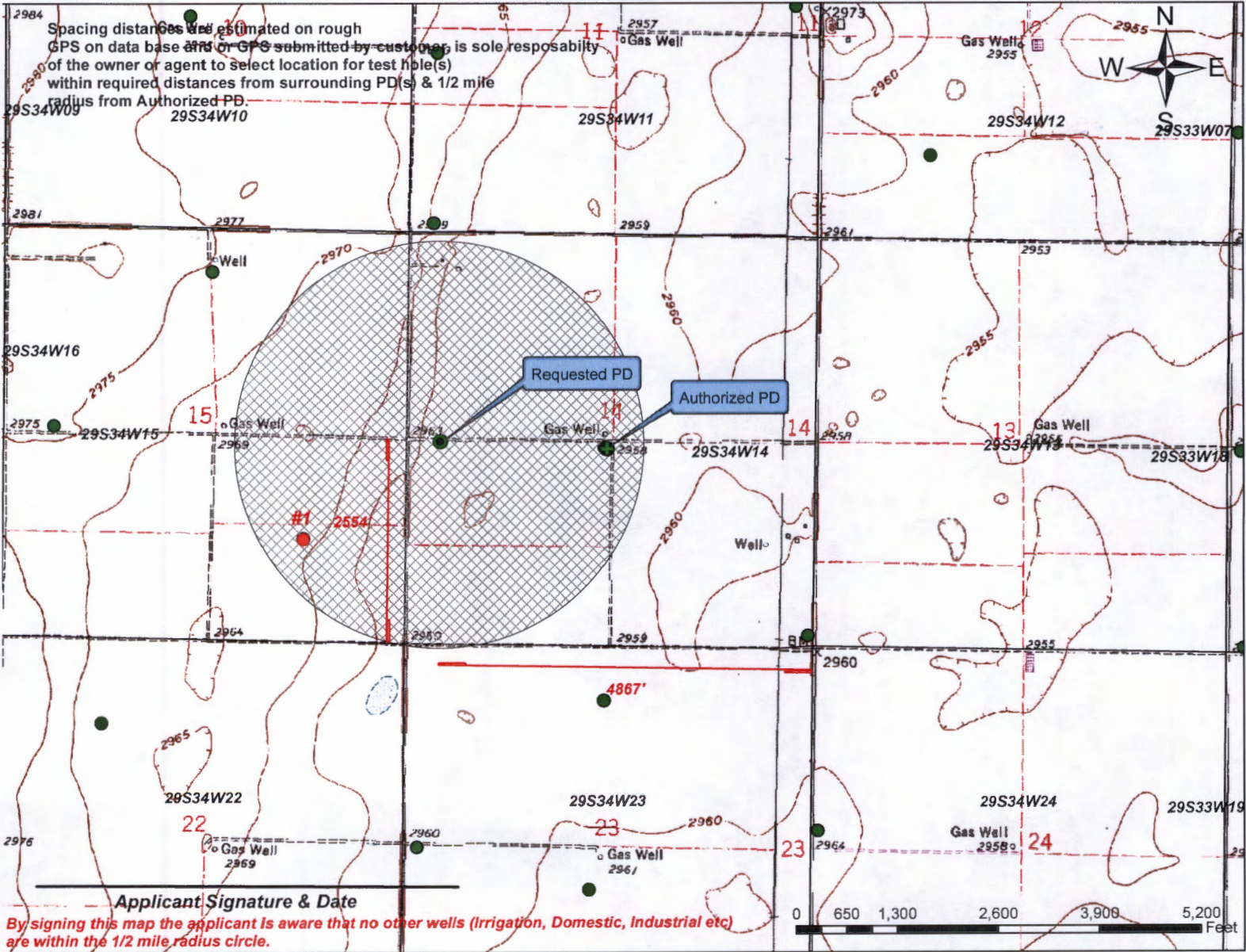
**FEE SCHEDULE**

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



**Point of Diversion Change  
WR 9408  
T29 R34W Section 14  
Haskell Co.**



- Authorized PD
- Requested PD
- Point of Diversion
- ⊘ Half Mile Radius
- Active Water Right w/in 1/2 mile
- + domestic well w/in 1/2 mile
- ▨ Authorized PU
- ▨ Requested PD

**Water Right w/in 1/2 mile & Owner(if apply)**      **Domestic well w/in 1/2 mile & Owner (if apply)**

● #1 Water Right No. 11394 Owner Robert G Barnhardt Jr.      + A.- Domestic well

# WELL LOG

DATE: 10/2/2020

## Downey Drilling Inc.



CUSTOMER NAME: HENRY WIEBE TH#1

WEST

LEGAL: SW 14-29S-34W

COUNTY: HASKELL CO

GPS: 37.525608

-101.015640

LOGGER:

DRILLER: ROGELIO

WO:

20-1029

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	2	TOPSOIL	SOFT	BROWN	FAST		SMOOTH
	2	10	BROWN CLAY	SOFT	BROWN	FAST		SMOOTH
	10	28	SANDY CLAY W/ CALICHE	SOFT	TAN	FAST		SMOOTH & LITTLE VIBRATION
	28	54	FINE-MED-COARSE SAND W/ FINE GRAVEL	FIRM	RED / TAN	FAST		FAST CHATTER
	54	65	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	65	73	FINE-MED-COARSE SAND W/ SMALL GRAVEL	STIFF	RED / TAN	FAST		FAST CHATTER
	73	78	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	78	110	FINE-MED GRAVEL W/ BIG ROCKS	SEMI-FIRM	RED / TAN	FAST		CHATTER
	110	114	TAN CLAY	SOFT	TAN	FAST		SMOOTH
	114	120	FINE-MED-COARSE W/ FINE GRAVEL	STIFF	RED / TAN	FAST		FAST CHATTER
	120	129	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	129	137	FINE-MED GRAVEL W/ BIG ROCKS	HARD	RED / TAN	FAST		CHATTER
	137	166	FINE-MED-COARSE SAND W/ SMALL MED GRAVEL	SEMI-FIRM	RED / TAN	FAST		CHATTER
	166	172	CLAY	STICKY	BROWN	FAST		SMOOTH
	172	196	FINE-MED-COARSE SAND W/ SMALL & MED GRAVEL	SOFT	RED / TAN	FAST		FAST CHATTER
	196	210	SANDY CLAY W/ FINE-MED SAND LAYERS	SOFT	TAN / BROWN	FAST		SMOOTH & VIBRATION
	210	221	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	221	269	BROWN STICKY CLAY W/ FINE-MED SAND LAYERS	STICKY	BROWN	FAST		SMOOTH & VIBRATION
	269	274	BROWN STICKY CLAY	STICKY	BROWN	FAST		SMOOTH
	274	304	BLUE CLAY W/ SILTY CLAY	SOFT	BLUE	FAST		SMOOTH
	304	345	BLUE CLAY	FIRM	BLUE	FAST		VIBRATION
	345	390	MED-COARSE SAND, FINE GRAVEL	SOFT	RED / TAN	FAST		CHATTER
	390	408	FINE-MED-COARSE SAND W/ SANDY CLAY	SEMI-SOFT	TAN	FAST		CHOPPY
	408	433	MED-COARSE SAND, TR. FINE GRAVEL	SEMI-SOFT	TAN	FAST		FAST CHATTER
	433	470	FINE-MED-COARSE SAND W/ LIMEROCK & SILTY CLAY	FIRM	WHITE & BROWN	FAST		CHOPPY & SMOOTH
	470	482	MED SAND, SANDY CLAY	SOFT	BROWN	FAST		SMOOTH
X	482	489	FINE-MED-COARSE SAND W/ LIMEROCK, SANDSTONE & BROWN ROCK	SEMI-FIRM	WHITE & BROWN	FAST		FAST CHATTER
	489	536	FINE-MED-COARSE SAND W/ BROWN ROCK	SEMI-FIRM	BROWN	FAST		FAST CHATTER
X	536	550	BROWN ROCK W/ BLACK SOAPSTONE & SILTY CLAY	SEMI-SOFT	BROWN / BLACK	FAST		CHATTER
X	550	565	FINE-MED-COARSE SAND W/ SMALL GRAVEL/ BROWN ROCK & SANDSTONE	HARD	BROWN & GRAY	SEMI-SLOW		FAST CHATTER
	565	609	SOAPSTONE W/ FINE SAND & SANDSTONE	FIRM	GRAY	FAST		VIBRATION
X	609	622	SANDSTONE W/ SILTY CLAY & IRON PYRITE	FIRM	WHITE & BROWN	FAST		CHATTER
X	622	633	SANDSTONE W/ IRON PYRITE LENSES	FIRM	TAN / GRAY	SLOWER		CHATTER / CHOPPY @ TIMES
	633	636	IRON PYRITE	HARD	GRAY	SLOW		ROUGH / CHOPPY
	636	639	SAND, SANDSTONE	SEMI-FIRM	GRAY / TAN	FASTER		LT CHATTER
	636	639	GRAY SILTY CLAY	SOFT	GRAY	FAST		SMOOTH

STATIC - 380'

10  
18  
25  
15  
12  
7  
47  
8  
15  
44  
13  
11  
3

778





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](http://www.agriculture.ks.gov)  
Laura Kelly, Governor

Mike Beam, Secretary

October 22, 2020

ROBERT G BARNHARDT JR  
PO BOX 188  
BUCKLIN, KS 67834-0188

RE: Water Right, File No. 9408

Dear Sir:

This is to advise you that Henry Wiebe has filed application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion (well) under the above referenced file number. The proposed well location is within one half mile of an existing well that our records show is under your ownership.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices).

You are notified on this proposed points of diversion (well) so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM  
pc:

Groundwater Management District No. 3