

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 To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
CHANGE THE PLACE OF USE, THE
POINT OF DIVERSION OR THE USE
MADE OF THE WATER UNDER AN
EXISTING WATER RIGHT**



Filing Fee Must Accompany the Application
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

5/22/2023

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use
(Check one or more) Point of Diversion
 Use Made of Water

Water Resources
Received
4:15
KS Dept Of Agriculture

File No. 12114

2. Name of applicant: RANDY MORRIS

Address: PO BOX 462

City, State and Zip: JOHNSON KS 67855

Phone Number: (620) 492-1855 E-mail address: RAMORRIS@PLD.COM

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: SAME AS ABOVE

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

CREATE A COMPLETE PLACE OF USE OVERLAP W/ WR # 5966-D1 & 5966-D2

REARRANGE ACRES TO BETTER FIT OPERATION

5/18/2023

Received

The change(s) (was) (will be) completed by UPON APPROVAL

(Date)

Garden City Field Office
Division of Water Resources

For Office Use Only:
F.O. 4 GMD 3 Meets K.A.R. 5-5-1 (YES) / (NO) Use IRR Source G / S County ST By ALB Date 5/30/23
Code CPU Fee \$ 200.00 PTR # _____ Receipt Date 5-18-23 Check # 1599

4. The presently authorized place of use is:

Owner of Land — NAME: ROBERT & MARY LOU FIGGINS

KS Dept Of Agriculture

ADDRESS: PO BOX 462 JOHNSON KS 67855

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	
21	28S	42W	36	13	36	40									40	36	13	36	250
22	28S	42W					13	36	40	36	36	40	36	13					250
27	28S	42W					40	40	40	40									160

List any other water rights that cover this place of use. 5966-D2

Owner of Land — NAME: _____

ADDRESS: _____

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	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: KELLUM FAMILY TRUST

ADDRESS: CHANDLER OK 74834 - 0402

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	
21	28S	42W					30	30	30	30	30	30	30						240

List any other water rights that cover this place of use. 5966-D1; 5966-D2 & 12114

Owner of Land — NAME: ROBERT & MARY LOU FIGGINS

ADDRESS: PO BOX 462 JOHNSON KS 67855

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	
21	28S	42W	40	40	40	40								40	40	40	40	320	
22	28S	42W							20		40	40	40	40					180
27	28S	42W					40	40	40	40									160

List any other water rights that cover this place of use. 5966-D1; 5966-D2 & 12114

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

5/22/2023

6. The presently authorized point(s) of diversion (is) (are) ONE WELL; PUMP; MOTOR
(Provide description and number of points)
7. The proposed point(s) of diversion (is) (are) ONE WELL; PUMP; MOTOR
(Provide description and number of points)

Water Resources
Received

List all presently authorized point(s) of diversion:

KS Dept Of Agriculture

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

One in the NE Quarter of the SW Quarter of the NW Quarter of Section 22, Township 28 South, Range 42 (W), in STANTON County, Kansas, 3450 feet North 4260 feet West of Southeast corner of section. Authorized Rate 755 GPM Authorized Quantity 682 AF
(DWR use only: Computer ID No. 03 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) UPDATE BASED ON GPS

One in the NE Quarter of the SW Quarter of the NW Quarter of Section 22, Township 28 South, Range 42 (W), in STANTON County, Kansas, 3554 feet North 4228 feet West of Southeast corner of section. Proposed Rate 755 GPM Proposed Quantity 682 AF
 This point is: Additional Well Geo Center List other water rights that will use this point NONE

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

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
(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 _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____
(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 _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N / A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

12. The presently authorized use of water is for IRRIGATION purposes. 5/22/2023
It is proposed that the use be changed to N / A purposes.

Water Resources
Received

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
5966-D1 BASE ACRES = 240 ACRES
5966-D2 & 12114 BASE ACRES = 660 ACRES
TOTAL BASE = 900 TOTAL PROPOSED ACRES = 900
LIMITATION REMAINS AS IS

KS Dept Of Agriculture

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to N / A (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to N / A gallons per minute (____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGE IN LOCAL SOURCE OF SUPPLY

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

N / A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Water Resources Received

KS Dept Of Agriculture

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Johnson, Kansas, this 9th day of February, 2023.

Robert Figgins (Owner)
Mary Lou Figgins POA (Please Print)
Mary Lou Figgins POA (Owner)

Mary Lou Figgins (Spouse)
Mary Lou Figgins (Please Print)
Mary Lou Figgins (Spouse)

(Please Print)
(Owner)
(Please Print)
(Owner)
(Please Print)

(Please Print)
(Spouse)
(Please Print)
(Spouse)
(Please Print)

State of Kansas
County of Stanton } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9th day of February, 2023.

Signature of Barbara A. Morris, Notary Public

My Commission Expires March 28, 2024.

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
(4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

Water Resources Received

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at CHANDLER, OKLAHOMA, Kansas, this 24th day of MARCH, 2023.

Mae L Kellum (Owner) MAE L. KELLUM (Please Print)

None (Spouse) (Please Print)

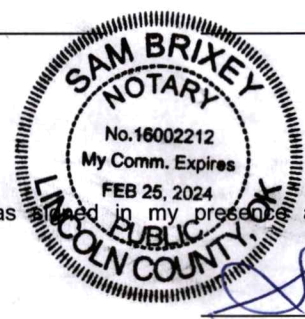
(Owner) (Please Print)

(Spouse) (Please Print)

(Owner) (Please Print)

(Spouse) (Please Print)

OKLAHOMA State of Kansas } SS County of LINCOLN



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24th day of MARCH, 2023.

Sam Brixey Notary Public

My Commission Expires 02-25-2024

FEE SCHEDULE

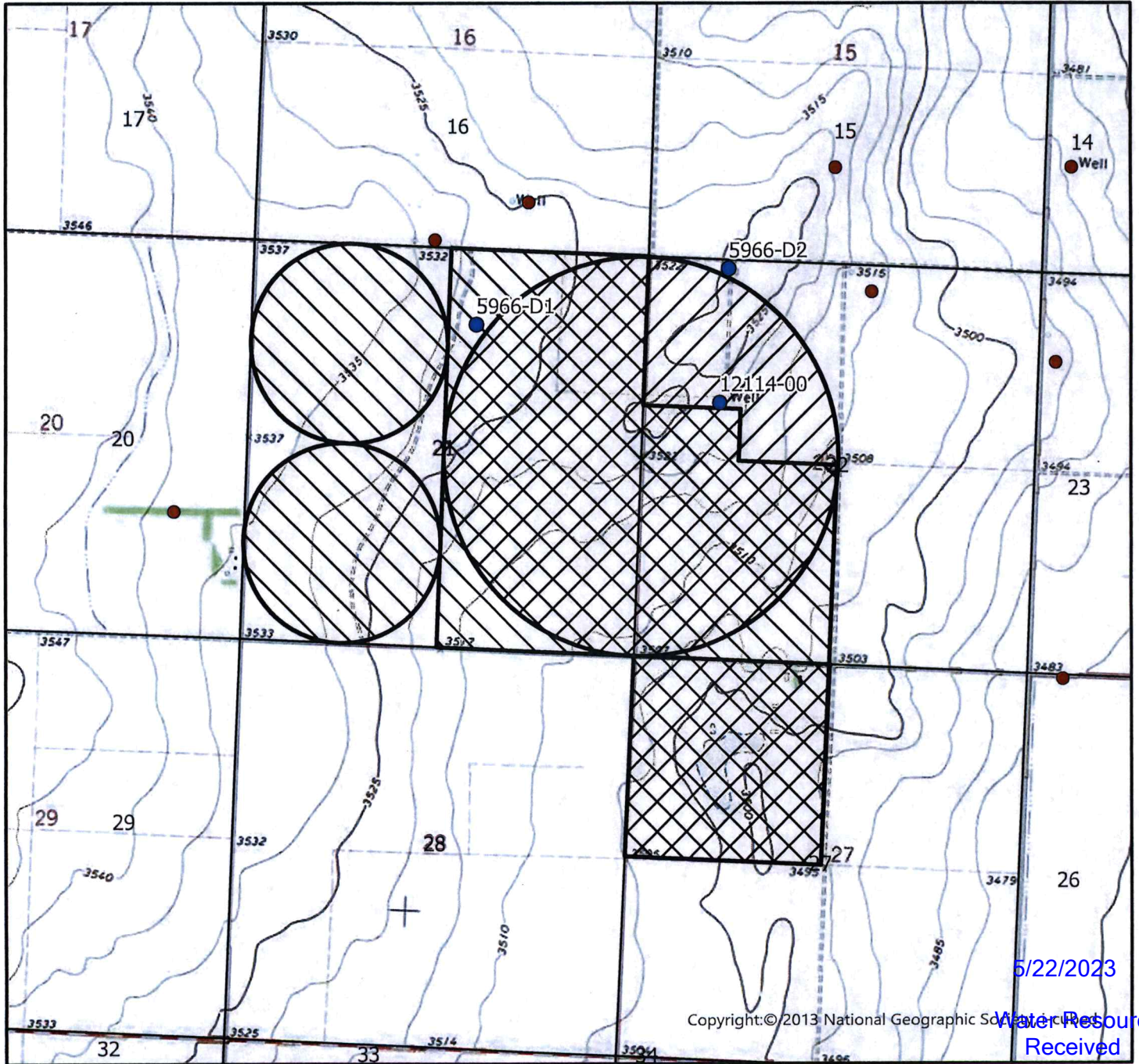
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
(4) Application to change the use made of the water \$300

Make check payable to Kansas Department of Agriculture.

CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 5966-D2 & 12114

Township 28 South Range 42 West Stanton County

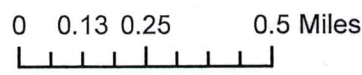


5/22/2023

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Water Resources Received

- Authorized Point of Diversion
- Permitted Water Right
- ★ Domestic Well within 1/2 mile
- / / / / Authorized Place of Use
- \ \ \ \ Proposed Place of Use



KS Dept Of Agriculture



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

(Signature) _____ Date _____ Date AM/GCFO 1:24,000 Scale