

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 **WATER METER REQUIRED**



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
2:30pm
AUG 04 2017

File No. 14931

Stafford 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: Kevin Schultz

2048 280th Ave, Haviland KS 67059

Phone Number: (620)995-4072

Email address: kevin@sandhillfarms.com

Name and address of Water Use Correspondent: Ronald R Schultz

2107 290th Ave, Haviland KS 67059-4724

Phone Number: (620)348-4863

Email address: _____

3. The presently authorized place of use is:

Owner of Land -NAME:A.) Ronald Ray & Arnita Loise Schultz Trust // B.) Kevin R & Vera M Rev Trusts, Kevin R & Vera M Shultz-Trustees

ADDRESS:A.) 2107 290th Ave, Haviland KS 67059 // B.) 2048 280th Ave, Haviland KS 67059

(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	
A.) 15	24S	16W	40	40	40	40													160
B.) 15	24S	16W												40	40	40	40		160

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 - TR # _____ Receipt Date _____ Check # 1692

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC NE Quarter
 of Section 15, Township 24 South, Range 16 W,
 in Edwards County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate 745 GPM Authorized Quantity 162 AF Depth of well 94 (feet)
 (DWR use only: Computer ID No. 1 GPS 3964 feet North 1337 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 NC NE Quarter
 of Section 15, Township 24 South, Range 16 W,
 in Edwards County, Kansas, 3964 feet North 1337 feet West of Southeast corner of section.
 Proposed Rate No Change Proposed Quantity 188.5 Proposed well depth (feet) N/A
 This point is: Additional Well Geo Center List other water rights that will use this point None

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the NC SE Quarter
 of Section 15, Township 24 South, Range 16 W,
 in Edwards County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate 935 GPM Authorized Quantity 215 AF Depth of well 85 (feet)
 (DWR use only: Computer ID No. 2 GPS 1333 feet North 1295 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 NC SE Quarter
 of Section 15, Township 24 South, Range 16 W,
 in Edwards County, Kansas, 1333 feet North 1295 feet West of Southeast corner of section.
 Proposed Rate No Change Proposed Quantity 188.5 AF Proposed well depth (feet) N/A
 This point is: Additional Well Geo Center List other water rights that will use this point None

7. The changes herein are desired for the following reasons?
 (please be specific) Moving 26.5 AF worth of quantity from
the south well to the north well. There will not be a new
well proposed under this application.

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

9. The change(s) (was)(will be) completed by?
Upon approval of this applicaiton

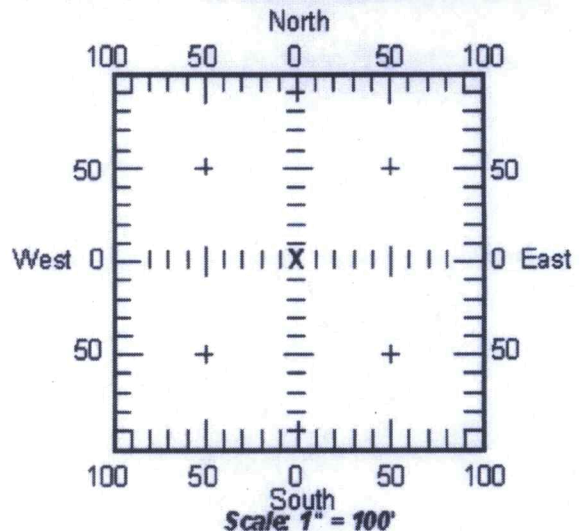
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
N/A

(b) When will this be done? N/A

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by TJS - SFFO

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.

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 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 Macksville, Kansas, this 3 day of August, 2017.

Ronald Ray Schultz trustee
(Owner)

Arnita Louise Schultz trustee
(Spouse)

Ronald Ray Schultz trustee
(Please Print)

Arnita Louise Schultz, trustee
(Please Print)

Kevin R Schultz trustee
(Owner)

Vera M Schultz trustee
(Spouse)

Kevin R Schultz Trustee
(Please Print)

Vera M. Schultz trustee
(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Stafford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3rd day of August, 2017.

Taylor Skinner
Notary Public

My Commission Expires 6/23/2018

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. 14931

- 1. A change application was received on 8/4/2017 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than 2932 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
- 5. 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
- 6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2017**, 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
- 7. Installation of the works for diversion of water shall be completed on or before **December 31, 2017**, or within any authorized extension of time. By March 1, 2018 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
- 8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
- 9. 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
- 10. Additional Conditions are attached. Yes No
- 11. 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: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

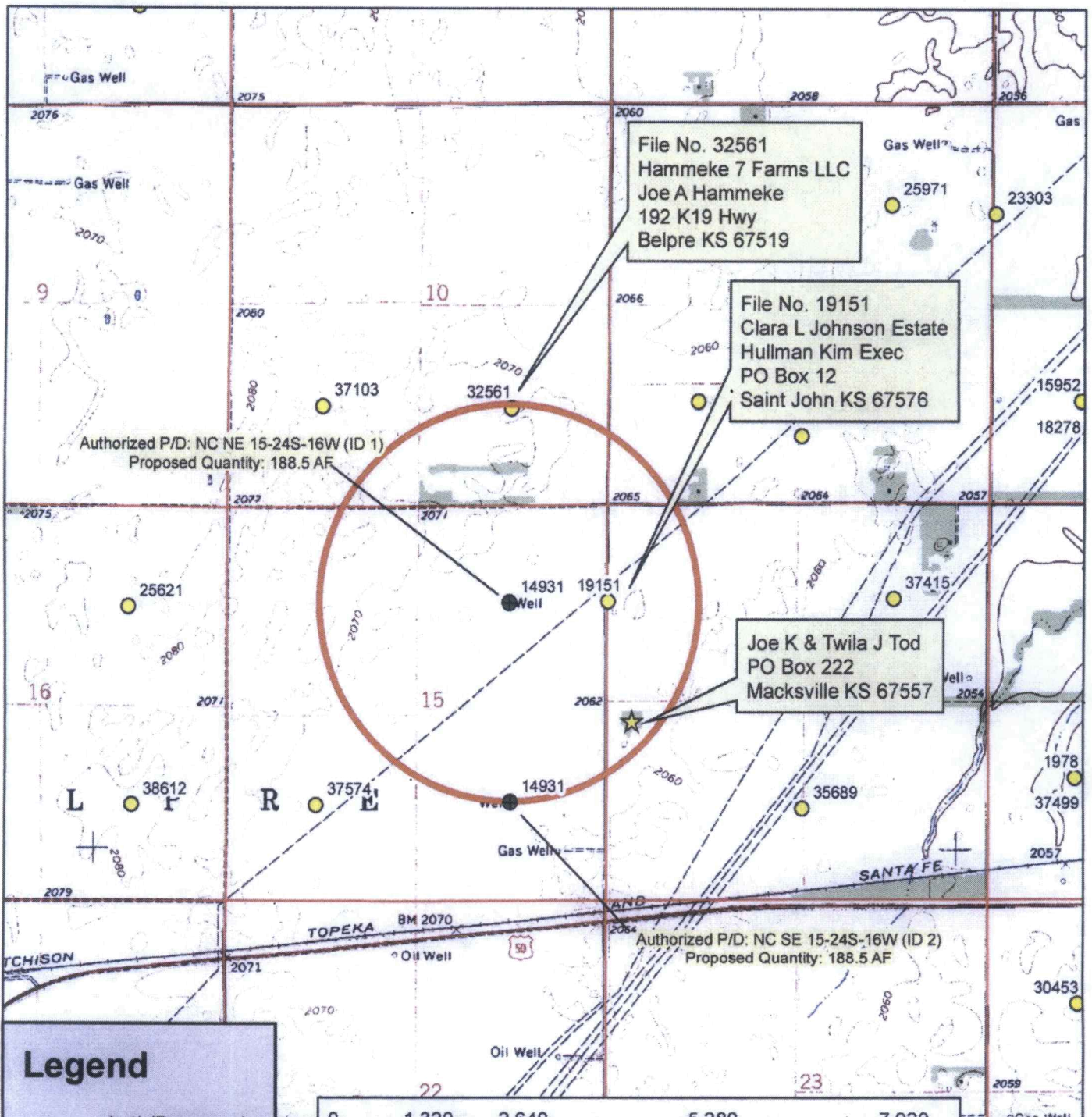
State of Kansas)
) SS
County of _____)

Acknowledged before me on _____
by _____

Signature: _____
Notary Public

My commission expires: _____

(Notary Seal)



File No. 32561
 Hammeke 7 Farms LLC
 Joe A Hammeke
 192 K19 Hwy
 Belpre KS 67519

File No. 19151
 Clara L Johnson Estate
 Hullman Kim Exec
 PO Box 12
 Saint John KS 67576

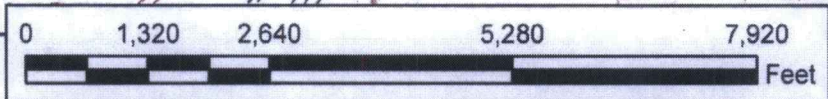
Joe K & Twila J Tod
 PO Box 222
 Macksville KS 67557

Authorized P/D: NC NE 15-24S-16W (ID 1)
 Proposed Quantity: 188.5 AF

Authorized P/D: NC SE 15-24S-16W (ID 2)
 Proposed Quantity: 188.5 AF

Legend

- Auth/Proposed P/D
- Water Appropriations
- ⊕ Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer

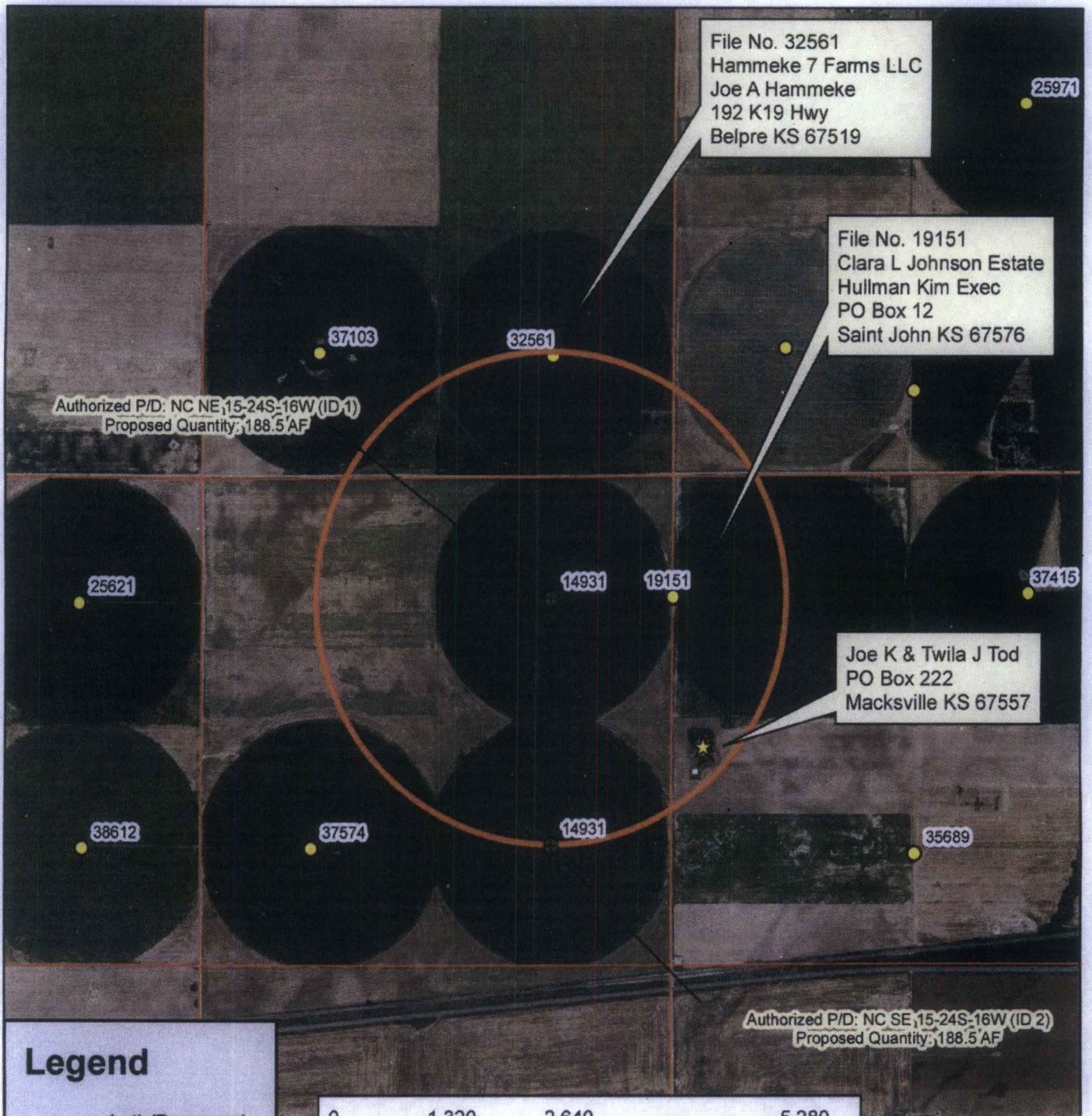


Water Right, File No. 14,931
 Change in Point of Diversion Application Map
 Moving Quantity Only
 15-24S-16W // Edwards County

To the best of my knowledge, all water wells including domestic, within 1/2 mile of the proposed point of diversion have been shown.

Kevin R. Schultz





File No. 32561
 Hammeke 7 Farms LLC
 Joe A Hammeke
 192 K19 Hwy
 Belpre KS 67519

File No. 19151
 Clara L Johnson Estate
 Hullman Kim Exec
 PO Box 12
 Saint John KS 67576

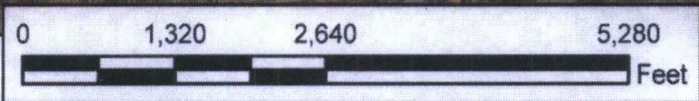
Joe K & Twila J Tod
 PO Box 222
 Macksville KS 67557

Authorized P/D: NC NE,15-24S-16W (ID 1)
 Proposed Quantity: 188.5 AF

Authorized P/D: NC SE,15-24S-16W (ID 2)
 Proposed Quantity: 188.5 AF

Legend

- Auth/Proposed P/D
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ★ Domestic Well
- 1/2 Mile Buffer



Water Right, File No. 14,931
 Change in Point of Diversion Aerial Map
 Moving Quantity Only
 15-24S-16W // Edwards County

