

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 30874

Field Office No. 2

GMD No. 5

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable

2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO

If applicable, list Place of Use Overlap File Nos. None

3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO

Name of Former WUC --- Name of New WUC ---

4. a. **Point of diversion computer ID No(s).** 3 **for point(s) being changed.**

b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

| Action | PDIV ID | Geo Ctr? | Sec | Twp | Rng | 'N | 'W | County | Qualifiers |
|--------|---------|----------|-----|-----|-----|------|------|--------|------------|
| DEL | 41517 | NO | 1 | 20S | 12W | 3760 | 2180 | Barton | NW SW NE |
| ENT | | NO | 1 | 20S | 12W | 3794 | 2273 | Barton | NW SW NE |
| | | | | | | | | | |

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

| Old PDIV ID | Authorized Rate | Additional Rate | Authorized Quantity | Additional Quantity |
|-----------------|-------------------------|-------------------------|------------------------|------------------------|
| <u> </u> | <u> </u> gpm/cfs | <u> </u> gpm/cfs | <u> </u> af/mgy | <u> </u> af/mgy |
| <u> </u> | <u> </u> gpm/cfs | <u> </u> gpm/cfs | <u> </u> af/mgy | <u> </u> af/mgy |
| <u> </u> | <u> </u> gpm/cfs | <u> </u> gpm/cfs | <u> </u> af/mgy | <u> </u> af/mgy |

d. **Name of Drainage Basin** Arkansas River **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** Main stem aluvium (113) **Special Use Area** None

5. **Distances from the original p/d:** 0 ' N 40 ' E

6. WATER RIGHT ACTION TRAIL COMMENTS

12/12/2017 Change Application Received (date accepted for priority)
12/12/17 Change Approved
 Notice and Proof by 12/31/2018
 / / Completion Requirement Removed (Change No. C)

7. METER ACTION TRAIL COMMENTS

12/12/17 DWR Meter Required by 12/31/2018
 / / Anti-Reverse Meter Required by / /
 / / Meter Seal Required by 12/31/2018 CRC 12/12/17

8. Base Acres --- Year --- Minimum Reasonable Quantity ---

Date Created **12/12/17** by **TJS**
 Date Entered by

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 30874

| Action | Owner Person ID | Place Use ID # | 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 | |
| NO CHG | 16154 | 11384 | 1 | 20S | 12W | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| NO CHG | 16153 | 15405 | 1 | 20S | 12W | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |
| | | | | | | Acres Authorized | | | | | | | | | | | | | | | | | |
| | | | | | | New Acres | | | | | | | | | | | | | | | | | |

Names and Address:

| | | |
|--|---|--|
| 1. Person ID # <u>16154</u> <u>MARVIN C & KAREN C SESSLER</u> <u>567 SE 120 AVE</u> <u>ELLINWOOD KS 67526</u> | 2. Person ID # <u>16153</u> <u>LAVON C SESSLER TRUST</u> <u>MARVIN C SESSLER</u> <u>567 SE 120 AVE</u> <u>ELLINWOOD KS 67526-9273</u> | 3. Person ID # _____ _____ _____ _____ _____ |
|--|---|--|

GENERAL INSTRUCTIONS

- | | | |
|---|---|---|
| 1. Give to Applicant: <ul style="list-style-type: none"> a. <u>Original</u> application/approval b. Original receipt (one for <u>each</u> application) c. Information packet containing: <ul style="list-style-type: none"> • Notice and Proof form • Water Meter Specifications • Acceptable Meter list • Water level measurement tube specifications • Check Valve specifications • Pink Sheet - K.S.A. 82a-728 letter • Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED) | 2. Send to headquarters: <ul style="list-style-type: none"> a. Good, scannable copy of application and/or approval and this check sheet b. Original check and copy of receipt c. Test hole log d. GMD recommendation, if any e. Map or aerial photograph, if any 3. Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. <input type="checkbox"/> | 4. Date stamp received and approved. 5. Complete ownership and WUC change information. |
|---|---|---|

ADDITIONAL PHOTOCOPIES

HQ _____

GMD5 _____

Driller's Copy _____

CONDITIONS

1. Insert notice and proof date.
2. Type or print applicant's/owner's name on line.
3. Complete notary statement.

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.

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Stafford Field Office
 Division of Water Resources

File No. 30874

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: Alan Brauer

200 N Wilhelm, Ellinwood KS 67526

Phone Number: (630)885-5515

Email address: alanmbrauer@gmail.com

Name and address of Water Use Correspondent: Marvin C & Karen C Sessler

567 SE 120 Ave, Ellinwood KS 67526

Phone Number: (620)786-9927

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: A.) Marvin C & Karen C Sessler // B.) Lavon C Sessler Trust, Marvin Sessler

ADDRESS: A.) 567 SE 120 Ave, Ellinwood KS 67526 // B.) 567 SE 120 Ave, Ellinwood KS 67526

(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.) 1 | 20S | 12W | Lot 1 5 | Lot 2 14 | 17 | 8 | | | | | | | | | | | | | 44 |
| B.) 1 | 20S | 12W | | Lot 2 18 | 22 | | Lot 3 11 | | | | | | | | | | | 14 | 65 |

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 \$ _____ TR # _____ Receipt Date _____ Check # _____

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

One in the NW Quarter of the SW Quarter of the NE Quarter of Section 1, Township 20 South, Range 12 W, in Barton County, Kansas, 3760 feet North 2180 feet West of Southeast corner of section. Authorized Rate No Change Authorized Quantity No Change Depth of well 54 (feet)
(DWR use only: Computer ID No. 3 GPS 3794 feet North 2313 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 NE Quarter of Section 1, Township 20 South, Range 12 W, in Barton County, Kansas, 3794 feet North 2273 feet West of Southeast corner of section. Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point None

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

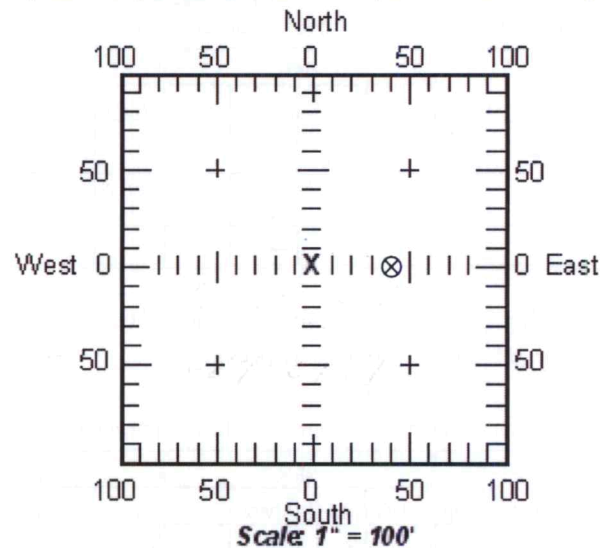
One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: 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 _____ (E/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) Pumping air.

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.)



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

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

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

(b) When will this be done? Upon Completion

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by TJS-SFFO

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.

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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.

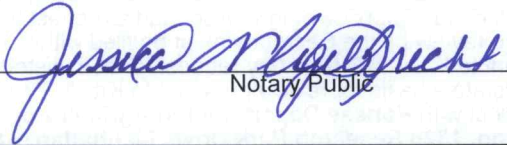
Dated at Stafford, Kansas, this 12th day of December, 2017.

| | |
|--|--------------------|
|  (Owner) | (Spouse) |
| <u>ALAN M BRAUER</u> (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (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 12th day of December, 2017.

My Commission Expires 


 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



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. 30874.

- 1. A change application was received on 12/12/17 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 authorized herein shall not actually be located more than 90 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, 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
- 7. 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
- 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

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

By: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 12/12/17

State of Kansas)

County of Stafford) SS

Acknowledged before me on 12/12/17

by Cameron Conant

Signature: Jessica Engelbrecht
Notary Public
JESSICA ENGELBRECHT
My Appointment Expires
August 11, 2021



My commission expires _____

(Notary Seal)

USE TYPEWRITER OR BALL POINT PEN-PRESS FIRMLY, PRINT CLEARLY.

WATER WELL RECORD
KSA 82a-1201-1215

Kansas Department of Health and Environment-Division of Environment (Water well Contractors) Topeka, Kansas 66620

| | | | | | | | |
|--|--|-------------------------|--|--|---|--|--|
| 1. Location of well: | | County Barton | Fraction NW 1/4 SE 1/4 NE 1/4 | Section number 1 | Township number T 20 S R 12 | Range number EW | |
| 2. Distance and direction from nearest town or city: 1/2 mile SW of Ellinwood, KS Street address of well location if in city: | | | 3. Owner of well: Charles Sessler R.R. or street: Route 2 City, state, zip code: Ellinwood, KS 67526 | | | | |
| 4. Locate with "X" in section below: N W E S 1 Mile 1 Mile | | | Sketch map: | | | 6. Bore hole dia. 24 in. Completion date 2-10-78 Well depth 54 ft. | |
| 5. Type and color of material | | | From | To | 7. <input type="checkbox"/> Cable tool <input type="checkbox"/> Rotary <input type="checkbox"/> Driven <input type="checkbox"/> Dug <input type="checkbox"/> Hollow rod <input type="checkbox"/> Jetted <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Reverse rotary | | |
| Top Soil & Brown clay | | | 0 | 5 | 8. Use: <input type="checkbox"/> Domestic <input type="checkbox"/> Public supply <input type="checkbox"/> Industry <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Air conditioning <input type="checkbox"/> Stock <input type="checkbox"/> Lawn <input type="checkbox"/> Oil field water <input type="checkbox"/> Other | | |
| Sand & gravel | | | 5 | 54 | 9. Casing: Material steel Height: Above or below Threaded <input type="checkbox"/> Welded <input checked="" type="checkbox"/> Surface 12 in. RMP <input type="checkbox"/> PVC <input type="checkbox"/> Weight 30.3 lbs./ft. Dia. 16 in. to 20 ft. depth Wall thickness: inches or Dia. <input type="checkbox"/> in. to <input type="checkbox"/> ft. depth gage No. 7 ga. | | |
| | | | | | 10. Screen: Manufacturer's name Doerr Type Double-slot Dia. 16" Slot gauze 1/8" Length 34' Set between 20 ft. and 54 ft. Gravel pack? Yes Size range of material 3/8-200 | | |
| | | | | | 11. Static water level: <input type="checkbox"/> mo./day/yr. 8'6" ft. below land surface Date 2-10-78 | | |
| | | | | | 12. Pumping level below land surfaces Not checked ____ ft. after ____ hrs. pumping ____ g.p.m. ____ ft. after ____ hrs. pumping ____ g.p.m. Estimated maximum yield ____ g.p.m. | | |
| | | | | | 13. Water sample submitted: ____ mo./day/yr. ____ Yes: <input checked="" type="checkbox"/> No Date ____ | | |
| | | | | | 14. Well head completion: ____ Pitless adapter 12 inches above grade | | |
| | | | | | 15. Well grouted? <input checked="" type="checkbox"/> Yes With: <input checked="" type="checkbox"/> Neat cement <input type="checkbox"/> Bentonite <input type="checkbox"/> Concrete Depth: From 0 ft. to 10 ft. | | |
| | | | | | 16. Nearest source of possible contamination: FIELD ft. ____ Direction ____ Type ____ Well disinfected upon completion? ____ Yes <input checked="" type="checkbox"/> No | | |
| | | | | | 17. Pump: <input type="checkbox"/> Not installed Manufacturer's name Peerless Pump Co. Model number 12MB-2 HP 30 Volts 460 Length of drop pipe 40 ft. capacity 900 g.p.m. Type: <input type="checkbox"/> Submersible <input checked="" type="checkbox"/> Turbine <input type="checkbox"/> Jet <input type="checkbox"/> Reciprocating <input type="checkbox"/> Centrifugal <input type="checkbox"/> Other | | |
| (Use a second sheet if needed) | | | | | | | |
| 18. Elevation: Topography: <input type="checkbox"/> Hill <input type="checkbox"/> Slope <input type="checkbox"/> Upland <input type="checkbox"/> Valley | | 19. Remarks: | | 20. Water well contractor's certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Clarke Well & Eq., Inc. 185 Business name License No. 67530 Address Great Bend, KS Signed C.W. Clarke Date 3-28-78 Authorized representative | | | |

Forward the white, blue and pink copies to the Department of Health and Environment

Form WWC-5

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Stafford Field Office

20 120 1-1 PUSEME

CERTIFICATE OF SERVICE

On this **12th** day of **December, 2017**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **30874**, dated **December 12, 2017** was hand delivered to the following:

Alan Brauer

Staff

A handwritten signature in blue ink, appearing to read "Jessica M. [unclear]", is written over a horizontal dashed line. The signature is cursive and somewhat stylized.