

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 32815

Field Office No. 2

GMD No. 2

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).** 1 **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
ENT		N/A	24	23	3W	3,940	1,360	Harvey	NC NE
DEL	21308	N/A	24	23	3W	3,980	1,320	Harvey	NC 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** Little Arkansas River **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** Main Stem Alluvium 113 **Special Use Area** N/A

5. **Distances from the original p/d:** 40 ' S 40 ' W

6. WATER RIGHT ACTION TRAIL COMMENTS

06/12/17 Change Application Received (date accepted for priority)
06/12/17 Change Approved
 Notice and Proof by 12/31/17
 / / Completion Requirement Removed (Change No. C)

7. METER ACTION TRAIL COMMENTS

06/12/17 DWR Meter Required by 12/31/17
 / / Anti-Reverse Meter Required by / /
 / / Meter Seal Required by / /

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

Date Created **6/16/17** by **EKF**
 Date Entered by

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number 32815

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	26708	12641	24	23	3W	Acres Authorized																	
						New Acres																	
NO CHG	25499	8494	24	23	3W	Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	
						Acres Authorized																	
						New Acres																	

Names and Address:

1. Person ID # <u>26708</u> _____ Joseph H & Joann A Bergkamp _____ 2004 S Willow Lake Rd _____ Halstead KS 67056 _____ _____	2. Person ID # <u>25499</u> _____ William J & Margaret A Bergkamp _____ 417 S Golden Prairie Rd _____ Halstead KS 67056 _____ _____	3. Person ID # _____ _____ _____ _____ _____ _____
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GENERAL INSTRUCTIONS

- | | | |
|--|---|--|
| 1. Give to Applicant:
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:
a. Good, <u>scannable</u> 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.

<p align="center"><u>ADDITIONAL PHOTOCOPIES</u></p> HQ _____
Driller _____
GMD2 _____

_____ |
|--|---|--|

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.

File No. 32815

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1:20 pm
JUN 12 2017

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: Joseph Bergkamp

2004 S Willow Lake Rd, Halstead KS 67056

Phone Number: (620)463-2242

Email address: _____

Name and address of Water Use Correspondent: Joseph H & Joann A Bergkamp

2004 S Willow Lake Rd, Halstead KS 67056

Phone Number: (620)463-2242

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Joseph H & Joann A Bergkamp // William J & Margaret A Bergkamp

ADDRESS: 2004 S Willow Lake Rd, Halstead KS 67056 // 417 S Golden Prairie Rd, Halstead KS 67056

(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	
No	Change																		

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: _____

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 \$ 100 - TR # _____ Receipt Date _____ Check # 5944

5. **Presently authorized point of diversion:**
 One in the --- Quarter of the --- Quarter of the NC NE Quarter
 of Section 24, Township 23 South, Range 3 WEST,
 in Harvey County, Kansas, 3980 feet North 1320 feet West of Southeast corner of section.
 Authorized Rate 935 gpm Authorized Quantity 224 AF Depth of well unknown (feet)
(DWR use only: Computer ID No. 1 GPS N/A feet North N/A 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 NC NE Quarter
 of Section 24, Township 23 South, Range 3 WEST,
 in Harvey County, Kansas, 3940 feet North 1360 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) ~100 180
 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:
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 --- Proposed well depth (feet) ---
 This point is: Additional Well Geo Center List other water rights that will use this point ---

7. Why do you need a new point of diversion? Current well
is pumping sand and gravel

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

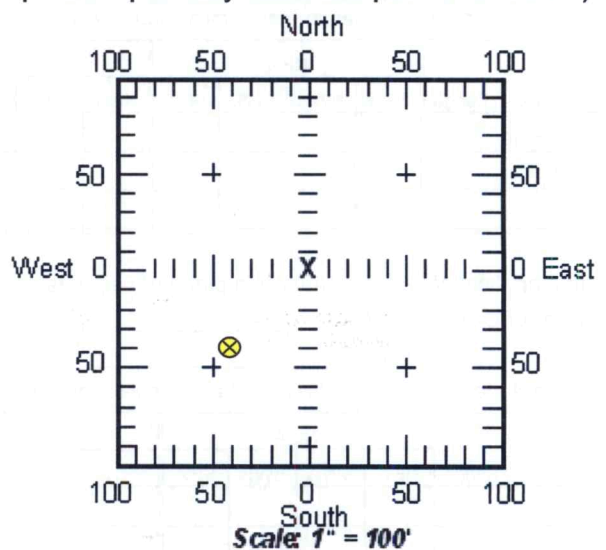
9. When do you propose to complete the new point of diversion?
ASAP

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

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by EKF/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 2640 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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Stafford Field Office
 Division of Water Resources

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 regard 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 June, 2017.

<p><u>Wm J Bergling</u> _____ (Owner)</p> <p><u>Wm J BERGLING</u> _____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
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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 June, 2017.

My Commission Expires _____



JESSICA ENGELBRECHT
 My Appointment Expires
 August 11, 2017

Jessica Engelbrecht

 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

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 JUN 12 2017

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. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et. seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 32815.

1. A change application was received on June 12, 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 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 107 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

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

By: Lane P. Letourneau
Duty Authorized Designee of the Chief Engineer

(Print Name): Lane P. Letourneau
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: 6/12/17

State of Kansas

County of Riley } SS

Acknowledged before me on 6/12/17

by Lane P. Letourneau

Signature: [Signature]

Notary Public

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JUN 12 2017



My commission expires:

**Equus Beds Groundwater Management District No. 2
Abandoned Well Plugging Agreement**

I, WM J BEYKAMP, the undersigned and owner of an abandoned water well understand that an abandoned water well is a groundwater contamination threat and a public health and safety hazard.

The abandoned water well is located _____, _____, NE NE Section 24, Township 23 South, Range 3 East/West Harvey County which is approximately 3980 feet north/south and 1320 feet east/west of the apparent SE section corner. Total well depth is _____ feet and the diameter of the well is _____ inches. Current depth to static water level in the well is _____ feet below land surface. The well was previously authorized by water permit no. 32815.

I agree to properly plug the abandoned well pursuant to the Equus Beds Groundwater Management District rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207 and the following agreement provisions:

1. Well plugging operations will be supervised by either (a) a water well contractor licensed with the Kansas Department of Health and Environment, (b) a profession engineer or geologist licensed to practice in the State of Kansas, or (c) the abandoned water well owner or land owner of the property on which the water well or borehole is located.
2. The above described well will be plugged: a) by 12-31-, 2017, or b) within 30 days after the replacement well, approved by a change in point of diversion, becomes operational.
3. A completed WWC-5P form will be submitted to the Kansas Department of Health and Environment within 30 days after the abandoned well is plugged and a copy of the WWC-5P form will be furnished to the District within the same period of time.
4. The well owner or authorized agent will notify the District 48 hours before plugging operations occur.
5. Failure to comply with the provisions of this agreement shall constitute noncompliance of the groundwater management district rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207.


Dated this 12 day of June, 2017 at Stafford, KS

Signature Wm J Beykamp

Address 419 S 24th Street, Halsted, Ks.

City, State, Zip Code 67056

Telephone 316-835-7295

State of Kansas	County of <u>Stafford</u>
Subscribed and affirmed to before me this <u>12th</u> day of <u>June</u> , 20 <u>17</u> ,	
by <u>Jessica Engelbrecht</u>	
(Notary Public)	
My Commission Expires _____	

CERTIFICATE OF SERVICE

On this **15 June 2017**, I hereby certify that the attached Change in Point of Diversion, File No. 32815 dated June 12 was mailed to the following:

Joseph Bergkamp
2004 S Willow Lake Rd
Halstead KS 67056

pc: Water Rights Section
GMD #2



Staff

Stafford field office 620-234-6900

6-12-2017

William OR
GORDAN BERGKAMP - NE QTR 24-235-3W

old well

NAD 27

38.03961 LAT 097.59627 LONG

3983' N of S June
1327' W of E June

Old	3989' N	1341' W
N ^w	3949' N	1381' W
	40' S	40' W

new well

38.03950 LAT 097.59641 LONG

3943' N of S June
1368' W of E June