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.

		t, or if	place	of use	will b	e char											autho	rized a	sion is greate and propose
JOHN	(3) 01 010	CISIOII	and/or	place	oi use												RE	ECE	
								Mary and Assessment		CHARLES	LOUIS VALUE							1:42	
						F	ile No	. 32,52	28			AOE.	I				FE	B 19	2018
l. /	Application	on is he	ereby n	nade fo	or app	roval o	f the C	Chief E	nginee	er to ch	nange	the (ch	neck or	e or b	oth):		Staffe	ord Fie	ld Office
	ers cus		MERIN		-110	⊠ P	lace o	f Use			Point	of Dive	ersion			Div	rision (of Wate	er Resources
i	under the	e water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	ndition	s desc	ribed l	pelow.		
	The sour	ce of su	upply is	3:		⊠ G	round	water			Surfac	ce wat	er						
	Name an			200								DISCO	Va 13.1	PAM	1 11 11	ouza:	Prons	ei dia	GEN III
	380 W B		TELEVA-THE			end, K	6753					POPULACIONE DE LA CONTRACTOR DE LA CONTR		X-1	ura ir	- in	ornic.		Miller Lab
	Phone N									addre	14	N N N	A Line	1100	OHUT D	MAGE	DU SI	Tyrasts	HS TORS IN
	Name an 380 W Ba								еп н	ESSMI	ier		115	- Produkt	- Contraction		AND TO		
F	Phone N	umber:	(620)	793-72	204	ΙĞ	60 6		Email	addre	ss:	July 10	FLWIT		cello				
3.	The presently authorized place of use is:																		
	Owner of Land NAME: *Robert H Essmiller **City of Great Bend																		
(Owner of																		
						,						67530	30/18	**PC	Box 1	168, 0	Great E	Bend, K	(S 67530
	(If there is					,						cost its	. prie	**PC	Box 1			Bend, K	grate of
		more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)	SV	V ¹ / ₄	in rel	Maria Maria	SI	Ξ½	actyp	TOTAL
(Sec.	(If there is	more the		landov	vner, at	tach su		ental sh	eets as		sary.)	SV NW1/4	N1/4 SW1/4	SE1/4	Box 1			SE1/4	TOTAL ACRES
Sec. *26	(If there is . Twp. 19S	Range	an one	landov	vner, at	SE¼ 4.32	ppleme	ental sh	eets as	neces	sary.)	SV	V ¹ / ₄	in rel	Maria Maria	SI	Ξ½	actyp	TOTAL ACRES 177.32
Sec.	(If there is . Twp. 19S	more the	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)	SV NW1/4	N1/4 SW1/4	SE1/4	Maria Maria	SI	Ξ½	actyp	TOTAL ACRES 177.32 15.68
Sec. *26	(If there is . Twp. 19S	Range	an one	landov	vner, at	SE¼ 4.32	ppleme	ental sh	eets as	neces	sary.)	SV NW1/4	N1/4 SW1/4	SE1/4	Maria Maria	SI	Ξ½	actyp	TOTAL ACRES 177.32
Sec. *26	(If there is . Twp. 19S	Range 14W 14W	NE1/4	NE NW1/4	wner, at 5W1/4 20	SE1/4 4.32 15.68	NE1/4	NW1/4	eets as	self/a	NE1/4 40	SW NW1/4 40	N ¹ / ₄ SW ¹ / ₄ 34	SE1/4 39	NE1/4	SI NW1/4	Ξ½	actyp	TOTAL ACRES 177.32 15.68
Sec. *26 **26	. Twp. 19S 19S	Range 14W 14W plication	NE1/4	NE NW1/4 a cha	sw¼ 20 nge in Rober	SE¼ 4.32 15.68 place t H Ess	NE¼ of use	NW1/4	sw¼ sw¼ ropose	SE¼	NE¼ 40	NW¼ 40	N ¹ / ₄ SW ¹ / ₄ 34	SE1/4 39	NE1/4	SI NW1/4	Ξ½	actyp	TOTAL ACRES 177.32 15.68
Sec. *26	. Twp. 19S 19S 19S Owner of	Range 14W 14W plication	NE1/4 n is for	NE:	sw/4 20 nge in Rober 380 W	SE1/4 4.32 15.68 place t H Ess	NE¼ of use smiller n Coul	NW/4 NW/4 , it is p	sw/4 sw/4 ropose	SE¼	NE¼ 40 the pl	NW¼ 40	N ¹ / ₄ SW ¹ / ₄ 34	SE1/4 39	NE1/4	SI NW1/4	Ξ½	actyp	TOTAL ACRES 177.32 15.68
Sec. *26	(If there is Twp. 19S 19S	Range 14W 14W plication	NE1/4 n is for	NE:	sw/4 20 nge in Rober 380 W	SE1/4 4.32 15.68 place t H Ess	NE¼ of use smiller n Coul	NW/4 NW/4 , it is p	sw/4 sw/4 ropose	SE¼	NE¼ 40 the pl	SW NW 40 40 ace of 67530	SW¼ 34 use be	SE1/4 39	NE1/4	SI NW1/4	5W1/4	actyp	TOTAL ACRES 177.32 15.68 (193 total)
Sec. *26	. Twp. 19S 19S 19S Owner of	Range 14W 14W plication	NE%	NE NW1/4 a chat AME: ESS: landow	sw¼ 20 swy ange in Rober 380 W wner, at	SE¼ 4.32 15.68 place t H Ess / Barto	NE¼ of use smiller n Coul	NW1/4 , it is ponty RD ental sh	ropose, Grea	SE¼ ed that	NE¼ 40 the pl	SW NW1/4 40 ace of 37530	sw¼ sw¼ 34 use be	SE¼ 39	NE½	SI NW1/4	E1/4 SW1/4	SE¼	TOTAL ACRES 177.32 15.68 (193 total)
Sec. *26	(If there is Twp. 19S 19S Owner of (If there is	Range 14W 14W plication f Land -	NE%	NE: Landow	sw¼ 20 nge in Rober 380 W	SE1/4 4.32 15.68 place t H Ess	NE¼ of use smiller n Coul	, it is ponty RD	ropose , Grea eets as	SE¼	NE½ 40 the pl	SV NW1/4 40 ace of 87530	w/4 SW/4 34 use be	SE¼ 39 chan	NE1/4	SI NW1/4	E1/4 SW1/4	actyp	TOTAL ACRES 177.32 15.68 (193 total) TOTAL ACRES
Sec. *26	(If there is Twp. 19S 19S Owner of (If there is	Range 14W 14W plication f Land -	n is for	NE NW1/4 a chat AME: ESS: landow	sw¼ 20 swy ange in Rober 380 W wner, at	SE¼ 4.32 15.68 place t H Ess / Barto	NE¼ of use smiller n Coul	NW1/4 , it is ponty RD ental sh	ropose, Grea	SE¼ ed that	NE¼ 40 the pl	SW NW1/4 40 ace of 37530	sw¼ sw¼ 34 use be	SE¼ 39	NE½	SI NW1/4	E1/4 SW1/4	SE¼	TOTAL ACRES 177.32 15.68 (193 total)
Sec. *266 **266	(If there is Twp. 19S 19S Owner of (If there is	Range 14W 14W plication f Land -	n is for	NE NW1/4 a chat AME: ESS: landow	sw¼ 20 swy ange in Rober 380 W wner, at	SE¼ 4.32 15.68 place t H Ess / Barto	NE¼ of use smiller n Coul	, it is ponty RD	ropose , Grea eets as	SE¼ ed that	NE½ 40 the pl	SV NW1/4 40 ace of 87530	w/4 SW/4 34 use be	SE¼ 39 chan	NE½	SI NW1/4	E1/4 SW1/4	SE¼	TOTAL ACRES 177.32 15.68 (193 total) TOTAL ACRES

5.	Presently autho						
					Quarter of the		
-	of Section	26	, Township	19	South, Range	14	(W),
	in Barton	Cou	ınty, Kansas, <u>1,025</u>	feet North	4,290 feet West of S	outheast corn	er of section.
	Authorized Rate	1065 GPM	_ Authorized Quantit	y <u>130 acre-fe</u>	eet Depth of well	95 (fe	et)
= -	(DWR use only:	Computer ID	No. 3	SPS	feet North	feet W	lest)
	☐This point will n	ot be changed	This point will be char	nged as follows:	☐ No change, point better de	scribed with G	PS as follows:
	Proposed point	of diversion: (Complete only if cha	nge is reques	sted or if existing point is b	oetter describ	ped by GPS)
	One in the		Quarter of the		Quarter of the		Quarter
	of Section		, Township		South, Range	3-13-15	(E/W),
	in	Cou	inty, Kansas,	feet North	feet West of S	outheast corn	er of section.
					Proposed well depth (
					ghts that will use this point 3		
6.	Presently autho	rized point of	diversion:				
	One in the		Quarter of the		Quarter of the		Quarter
	of Section		, Township		South, Range	-	(E/W),
					feet West of S		
-					Depth of well		
					feet North		
1					☐ No change, point better de		
		and the second second		The second second second second	sted or if existing point is I		
		Control of the second second			Quarter of the		
					South, Range		
					feet West of S		
					Proposed well depth (
					ghts that will use this point _		
ı		Tistar Paintin	77 7 3 50		9		
7.	The changes her	ein are desired	for the following reas	ons? 13a. If	the proposed point of diversi	on will be relo	cated within 100
				te	et of the existing point of divide diagram below in relation to	zersion, indicat	te its location on
	(please be specific	c) move 40 acres to	allow the proposed pivot unde	·· (F	PLEASE NOTE: The "X"	in center of	diagram below
	16718 & 32527 to open	ate in a full circle w/o	out creating an incomplete	re	presents presently authorize		iversion.)
	avarian alsa ramaya Cu	root Bond ownership	by removing land they own	_	Nort		
		-),		_	10 <u>0 50 0</u>	50	<u>10</u> 0
8.	If a well, is the tes	t hole log attach	ed? 🗌 Yes 🛛 No		F		
_	TI 1 () ()		1.1.1.0				7
9.	The change(s) (wa	as)(will be) comp	pleted by?		50 F + =	+ -	750
	before 2018 irr seas	son & when owner	ship changes are conclud	led			
10	If the point of dive	raion ia a wall:					\exists
10.	If the point of dive			1	West O [= IIII IIII I X I	. 1 1 1 1 1	0 East
	(a) What are you	going to do with	the old well?			1	
	n/a						
	1174				50 - + -	+ -	∃ ⁵⁰
	(b) When will this	he done? n/a					\exists
	(b) When will this	be done: <u>ma</u>		_	Fill till 1	antini	7
11	Craundwater N	lanagamant	District recommend	ation	100 50 _0	50	1 00
11.		lanagement ′es ⊠ No	District recommenda	ation	Sout	th	100
	attacheu!	62 🖾 140			Scale: 1		
12.	Assisted by CRC-	SFFO		13b. If	the proposed point of diversi	on will be relo	cated more than
	,	77 (5 11)		– II di	00 feet but within 1320 fee version, attach a topograph	ic map or ae	rial photograph.
				Fo	or groundwater sources, show	wall wells (incl	luding domestic)
				na na	ithin one-half mile of the prop ames and mailing addresses	osea point of a	rs. For surface
			RECEIVED	W	ater sources, show the na	ames and ad	dresses of the
				la	ndowner(s) one-half mile do ostream from your property lin	ownstream an	a one-half mile
				u	Jour property III		

14. If the proposed groundwater point of diversion is 300 o	or fewer feet from existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the Yes No (If no, all owners must	currently authorized place(s) of use identified in this application? sign this application.)
(b) Will the ownership interest of any owner of the c affected if this application is approved as requested ☐ Yes ☐ No (If yes, all owners must	
	ill there be substantial damage to property, public health or safety?
	of diversion, a groundwater change in point of diversion greater than 300 feed by all owners of the currently authorized place of use, or their duly authorized place of use.
age and the owner, the spouse of the owner, or a their behalf, in regards to the water right(s) to wh contained in this application are true, correct and	ath or affirmation and under penalty of perjury, that I am of lawfu duly authorized agent of the owner(s) to make this application of hich this application pertains. I further verify that the statement I complete.
Dated at Great Rond	, Kansas, this 13 day of February, 2018.
Robert & Essmiller	Evelen M. Esponeller
(Owner)	(Spouse)
Mobert H. Essmiller (Please Print)	Evelyn M. Essmiller (Please Print)
- Washington Lang file 1	the state of the s
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Barton SS	
rebruary , 20 2018.	signed in my presence and sworn to before me this $\sqrt{3}$ day of
My Co	Marked D Buyands
My Commission Expires 7 12 2021	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To I	be complete, all of the applicable portions of the application form must be completed wi tures of all the appropriate owners' must be affixed to the application and notarized; and
The part of the second	
	FEE SCHEDULE
forth in the schedule below: Make checks payable to: Kan (1) Application to change a point of diversion 300 (2) Application to change a point of diversion more	diversion under this section shall be accompanied by the application fee set as Department of Agriculture feet or less
The state of the s	
FEB 1 9 2018	

Stafford Field Office 2017)

DWB:1-121 (Revised 07/16/2017)

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. 5-5-1, 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. 32,528 1. A change application was received on 2/19/2018 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. 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 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 ______ foot radius of the authorized point(s) of diversion. Applicable The point(s) of diversion authorized herein shall not actually be located more than ______ 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. ☐ Not Applicable 7. Installation of the works for diversion of water shall be completed on or before December 31, 20_____, or within any authorized extension of time. By March 1, 20____ 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 Applicable The completed well log shall be submitted with the required notice. Not Applicable 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 ⊠ 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 By: ___ 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. Duly Authorized Designee of the Chief Engineer (Print Name): File any request with Kansas Department of Agriculture, Division of Water Resources - 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. Date of Issuance: __ State of Kansas For Use by Register of Deeds) SS County of Acknowledged before me on _____ Signature:

RECEIVED

My commission expires: _____

(Notary Seal) File No. 32,528

Notary Public

FEB 1 9 2018

Page 4

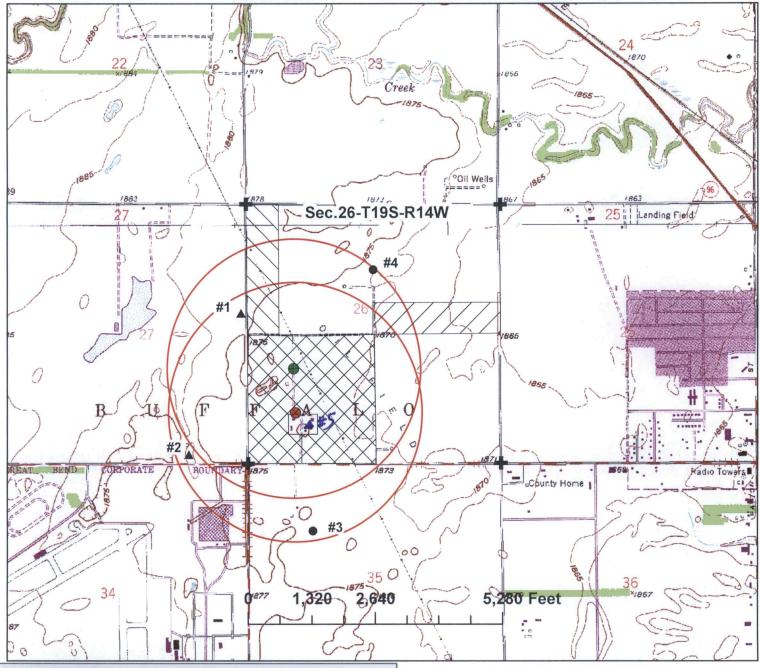
DWR 1-121 (Revised 07/10/2017)

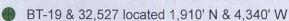
Stafford Field Office Division of Water Resources

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 authoriz ☐ Yes ☐ No (If no, all owners must sign this application)	
 (b) Will the ownership interest of any owner of the currently authorize affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this applicant of the currently authorized affected in the currently authorized affected if this application is approved as requested? 	
(c) If this application is not approved expeditiously, will there be substa	
If the application proposes a surface water change in point of diversion, a gr or a change in place of use, the application must be signed by all owners of agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirmati age and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this applicant contained in this application are true, correct and complete.	ed agent of the owner(s) to make this application or
	day of, 20
Boert 6. Sue Hor Great Bend Ct, Attorn	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	
I hereby certify that the foregoing application was signed in my p	presence and sworn to before me thisday of
The state of the s	July Usbary Public
My Commission Expires My Appt. Exp. 8-21-21	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of t accurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	
FEE SCHEDULE	
Each application to change the place of use or the point of diversion under the forth in the schedule below: Make checks payable to: Kansas Department (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	t of Agriculture \$100 \$200
RECEIVED	

FEB 1 9 2018

P/U Change Application Map, File No. BT-019 & 32,528 Sec.26-T19S-R14W in Barton County





32,528 located 1,025' N & 4,290' W

nearby permitted wells
 nearby domestic wells

currently authorized place of use covering 193 acres

proposed place of use covering 193 acres

section corners 1/2 mile circles around auth p/d's

By signing below I agree that all wells, including domestic, within ½ mile of the point of diversion have been shown on the map.

SEE ATTACHED LIST FOR

NEARBY WELL OWNERS

FEB 1 9 2018

RECEIVED

1 inch = 2,000 feet

obert % Essmilly signature

1-9-18

Stafford Field Offman created on 1/9/18 scale 4-12-000

P/U Change Application Map, File No. BT-019 & 32,528 Sec.26-T19S-R14W in Barton County



- BT-19 & 32,527 located 1,910' N & 4,340' W
- 32,528 located 1,025' N & 4,290' W
- nearby permitted wells ▲ nearby domestic wells

currently authorized place of use covering 193 acres

proposed place of use covering 193 acres

½ mile circles around auth p/d's section corners

By signing below I agree that all wells, including domestic, within ½ mile of the point of diversion have been shown on the map.

SEE ATTACHED LIST FOR **NEARBY WELL OWNERS**



RECEIVED

FEB 1 9 2018

of the Essmelly

1 inch = 1,000 feet

/ - 9 - 18
Stafford Field Office 1 inch = 1,000 fee

date Division of Water Resources map created on 1/9/18 scale 1:12,000

CHANGE APPLICATION FOR FILE NOS. BT-019 & 32528

NEARBY WELL OWNER LIST (see application map for locations)

- #1 domestic well
 Samuel R & Ashley R Trahan
 57 NW 40 Avenue
 Great Bend, KS 67530
- #2 domestic well
 Luis Hernandez Zalazar
 424 W Barton County RD
 Great Bend, KS 67530
- #3 Water Right, File No. 28434
 Brinning Land LLC
 Robert D Brinning
 215 S Monarch ST #203
 Aspen, CO 81611-2916
- #4 Water Right, File No. 16718
 David D Essmiller
 66 SW 30th Avenue
 Great Bend, KS 67530
- #5 Domestz owned by applicant

RECEIVED

FEB 1 9 2018

C. Mora Field Office