

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**



**STATE OF KANSAS**

**WATER METER REQUIRED**

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. 41255

RECEIVED  
 10:02am  
 MAY 07 2018

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: Larry L. Stucky

1528 Cimarron Road, McPherson, KS 67460

Phone Number: (620)504-4701      Email address: cstucky@mtelco.net

Name and address of Water Use Correspondent: Larry L. & Cindy Lou Stucky

1528 Cimarron Road, McPherson, KS 67460

Phone Number: (620)504-4701      Email address: cstucky@mtelco.net

3. The presently authorized place of use is:

Owner of Land ---- NAME: CNS Land LLC

ADDRESS: 1528 Cimarron Road, McPherson, KS 67460

(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	
27	20S	3W									32	28	19	21	32.5	32.5	32.5	32.5	230
34	20S	3W	32	13	5	15													65
																	Total: 295		

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: CNS Land LLC

ADDRESS: 1528 Cimarron Road, McPherson, KS 67460

(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	
27	20S	3W									29.5	26.5	17.5	19.5	31	33	33	31	221
34	20S	3W	34	16	7	17													74
																	Total: 295		

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 11407

5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the NE Quarter of the SW Quarter of Section 28, Township 20 South, Range 3W (E/W), in McPherson County, Kansas, 2590 feet North 3910 feet West of Southeast corner of section. Authorized Rate 1000 GPM LTD Authorized Quantity 263 AF LTD Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 3 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 42159

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) Change place of use to cover  
unauthorized acres.

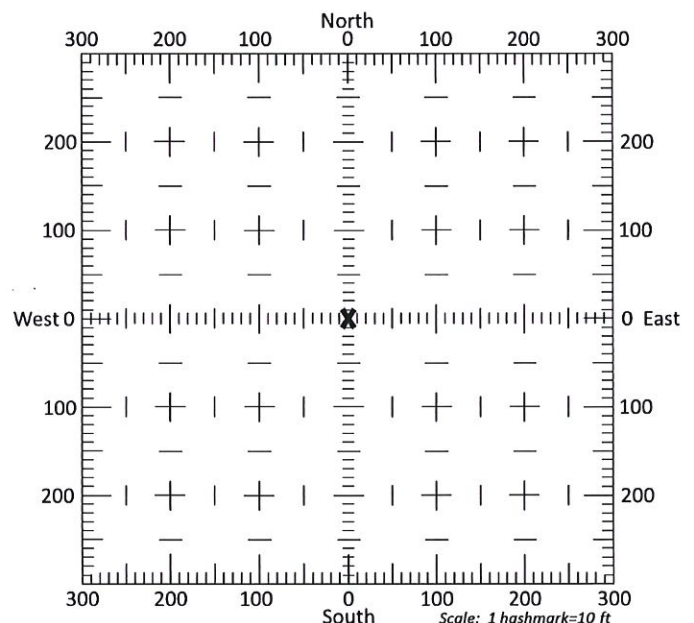
8. If a well, is the test hole log attached?  Yes  No

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

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

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by T Boese GMD2



13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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

13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the 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.)

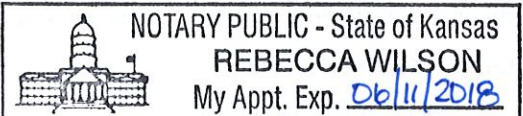
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 Halstead, Kansas, this 4th day of May, 2018.

<u><i>Larry L. Stucky</i></u> (Owner)	_____ (Spouse)
<u>Larry L. Stucky, CNS Land LLC</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }  
County of HARVEY } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4TH day of MAY, 2018.

*Rebecca Wilson*  
Notary Public

My Commission Expires 06/11/2018

**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**

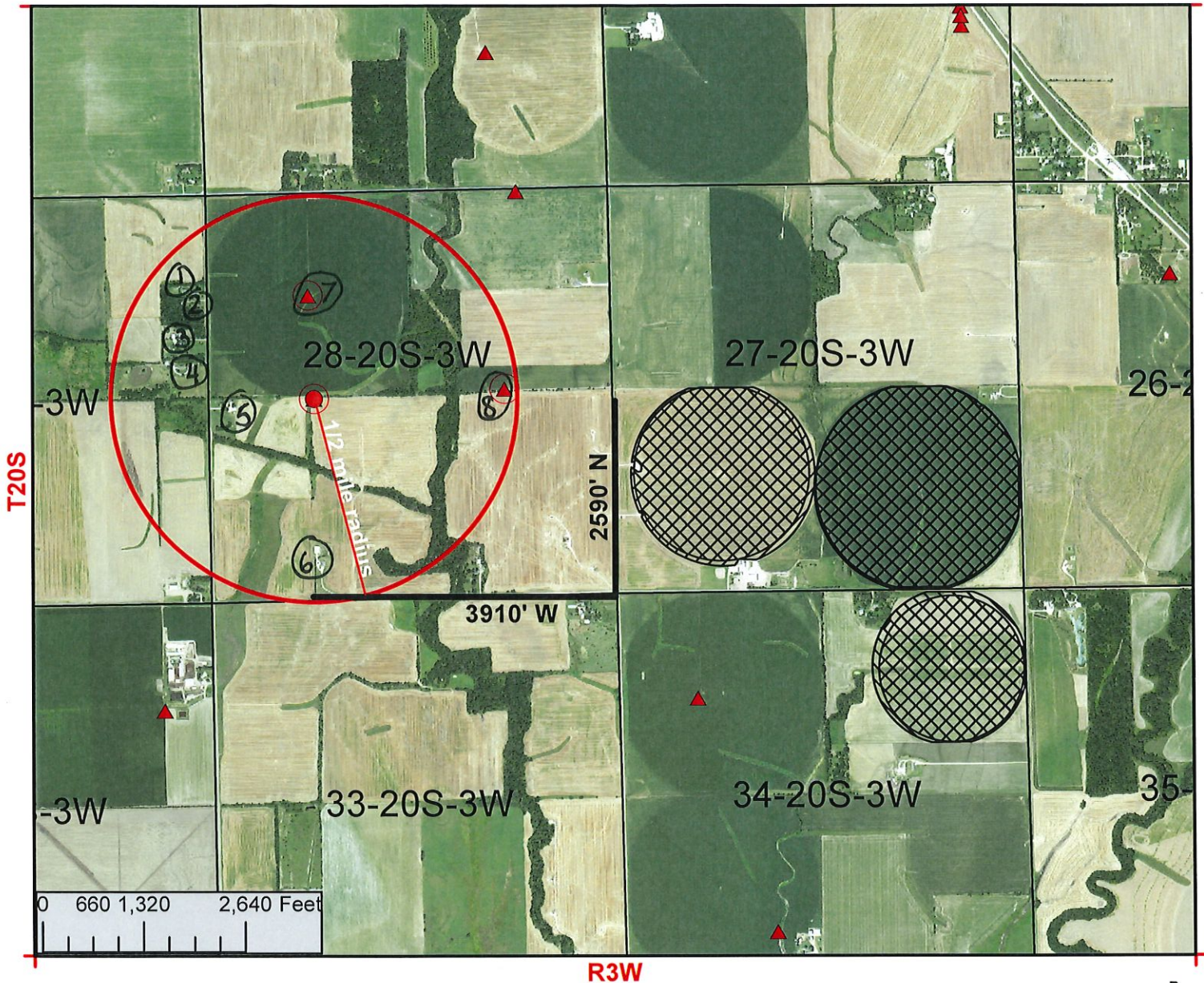
- Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**
- (1) Application to change a point of diversion 300 feet or less ..... \$100
  - (2) Application to change a point of diversion more than 300 feet ..... \$200
  - (3) Application to change the place of use ..... \$200

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MAY 07 2018



# WATER RIGHT NO. 41255 CHANGE IN PLACE OF USE APPLICATION MAP



I declare that all water wells or diversion sites using the same source of supply and within 1/2 mile of the proposed point of diversion have been plotten on the application map.

*Larry L. Study*  
Signature

5-4-18  
Date

- New Application
- Application No. 41255 To Change:

- Authorized Point of Diversion No. 41255
- Existing Points of Diversion
- Authorized Place of Use
- Proposed Place of Use

RECEIVED  Point of Diversion  
 MAY 07 2018  Place of Use  
 Stafford Field Office  Use Made of Water  
 Division of Water Resources

See attached for well owner information within 1/2 mile



Well owners within ½ mile

- 1) Domestic Well  
Terry G & C Karen Schrag  
PO Box 907  
McPherson, KS 67460
- 2) Domestic Well  
Janet C Potter  
PO Box 207  
McPherson, KS 67460
- 3) Domestic Well  
Roger J Jr & Jennifer L Gawanda  
765 14<sup>th</sup> Ave  
McPherson, KS 67460
- 4) Domestic Well  
Bruce D & Barbara R Wagoner  
755 14<sup>th</sup> Ave  
McPherson, KS 67460
- 5) Domestic Well  
Brent R & Kandice Busby  
746 14<sup>th</sup> Ave  
McPherson, KS 67460
- 6) Domestic Well  
Allen & Denise Siemens  
1432 Cimarron Rd  
McPherson, KS 67460
- 7) Irrigation Well No. 40394  
Niehage Farms LLC  
1584 Comanche Rd  
McPherson, KS 67460
- 8) Irrigation Well Nos. 39205 & 47468  
CNS Land LLC Attn: Larry & Cindy Stucky  
1528 Cimarron Rd  
McPherson, KS 67460

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