

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. 43046

RECEIVED  
 10:04am  
 JAN 04 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: Miles Hartman

817 N Herren Rd, Nickerson KS 67561-9027

Phone Number: (620)664-2542                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Miles G & Joyce D Hartman

817 N Herren Rd, Nickerson KS 67561-9027

Phone Number: (620)664-2542                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Miles G & Joyce D Hartman

ADDRESS: 817 N Herren Rd, Nickerson KS 67561-9027

(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					
19	24S	7W																	32.5	32.5	32.5	32.5	130

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: Miles G & Joyce D Hartman

ADDRESS: 817 N Herren Rd, Nickerson KS 67561-9027

(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					
19	24S	7W																	35	36	35	34	140

For Office Use Only: Code \_\_\_\_\_ Fee \$ 300 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 3585

5. **Presently authorized point of diversion: (Geo-center of a battery of two wells)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the NC SE Quarter  
 of Section 19, Township 24 South, Range 7 W,  
 in Reno County, Kansas, 1361 feet North 1342 feet West of Southeast corner of section.  
 Authorized Rate No Change Authorized Quantity No Change Depth of well --- (feet)  
**(DWR use only: Computer ID No. 2 GPS 1361 feet North 1342 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 \_\_\_\_\_

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) To authorize acreage under a larger  
end gun.

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

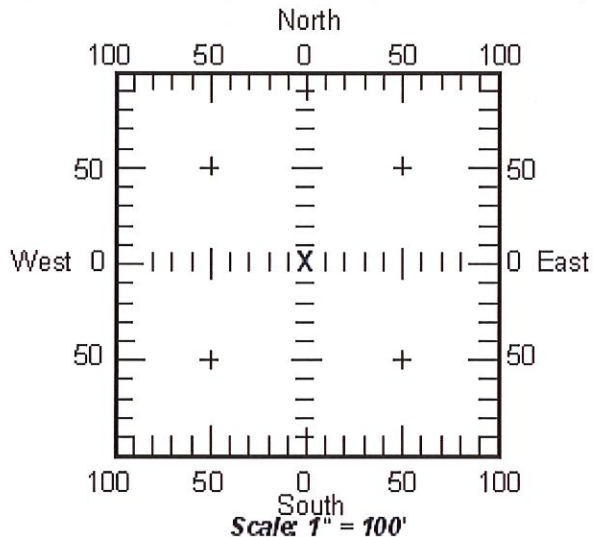
9. The change(s) (was)(will be) completed by?  
NA

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 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.

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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 Hutchinson, Kansas, this 2 day of Jan, 2018.

Miles G. Hartman  
 \_\_\_\_\_  
 (Owner)

Miles G. Hartman  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 (Please Print)

Joyce D. Hartman  
 \_\_\_\_\_  
 (Spouse)

Joyce D. Hartman  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)

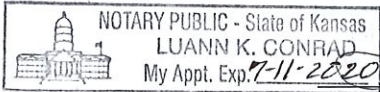
\_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)

\_\_\_\_\_  
 (Please Print)

State of Kansas }  
County of Renov } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 2<sup>nd</sup> day of January, 2018.



Luann K. Conrad  
 \_\_\_\_\_  
 Notary Public

My Commission Expires 7-11-2020.

**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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**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. 43046.

- 1. A change application was received on 1/04/2018 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.
- 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. [X] 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 \_\_\_\_\_ foot radius of the authorized point(s) of diversion. [ ] Applicable [X] Not Applicable
- 4. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion. [ ] Applicable [X] 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 [X] 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. [X] Applicable [ ] 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 [X] Not Applicable
- 8. The completed well log shall be submitted with the required notice. [ ] Applicable [X] 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. [X] Applicable [ ] Not Applicable
- 10. Additional Conditions are attached. [ ] Yes [X] 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 )  
County of \_\_\_\_\_ ) SS

Acknowledged before me on \_\_\_\_\_  
by \_\_\_\_\_.

Signature: \_\_\_\_\_  
Notary Public

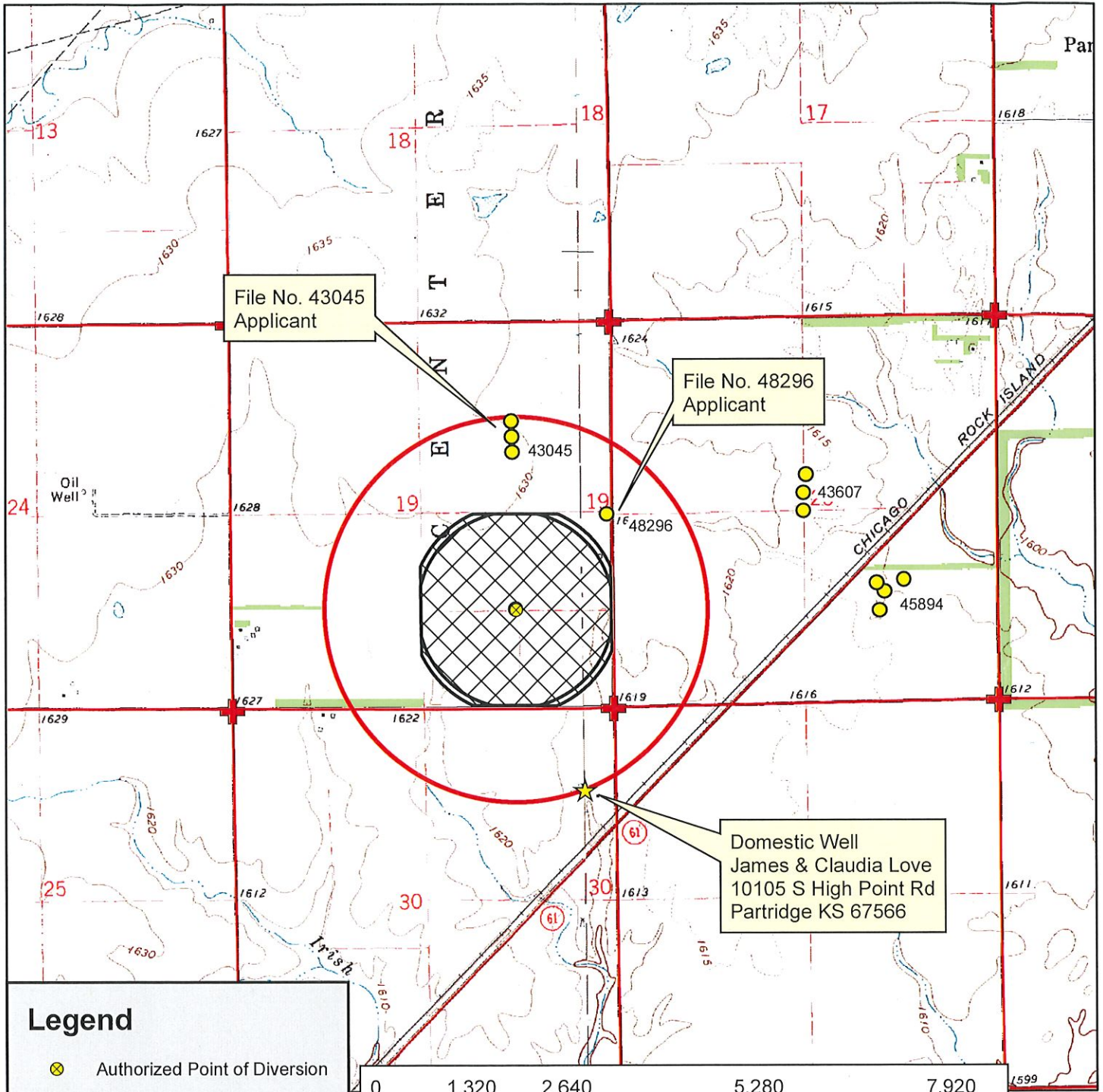
My commission expires: \_\_\_\_\_  
(Notary Seal)

(Notary Seal)

File No. 43046

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**Legend**

- ⊗ Authorized Point of Diversion
- Water Appropriations
- ⊕ Section Corner
- ▭ Section Line
- ★ Domestic Well
- ▭ 1/2 Mile Buffer

**Place of Use**

- ▨ Authorized
- ▨ Proposed



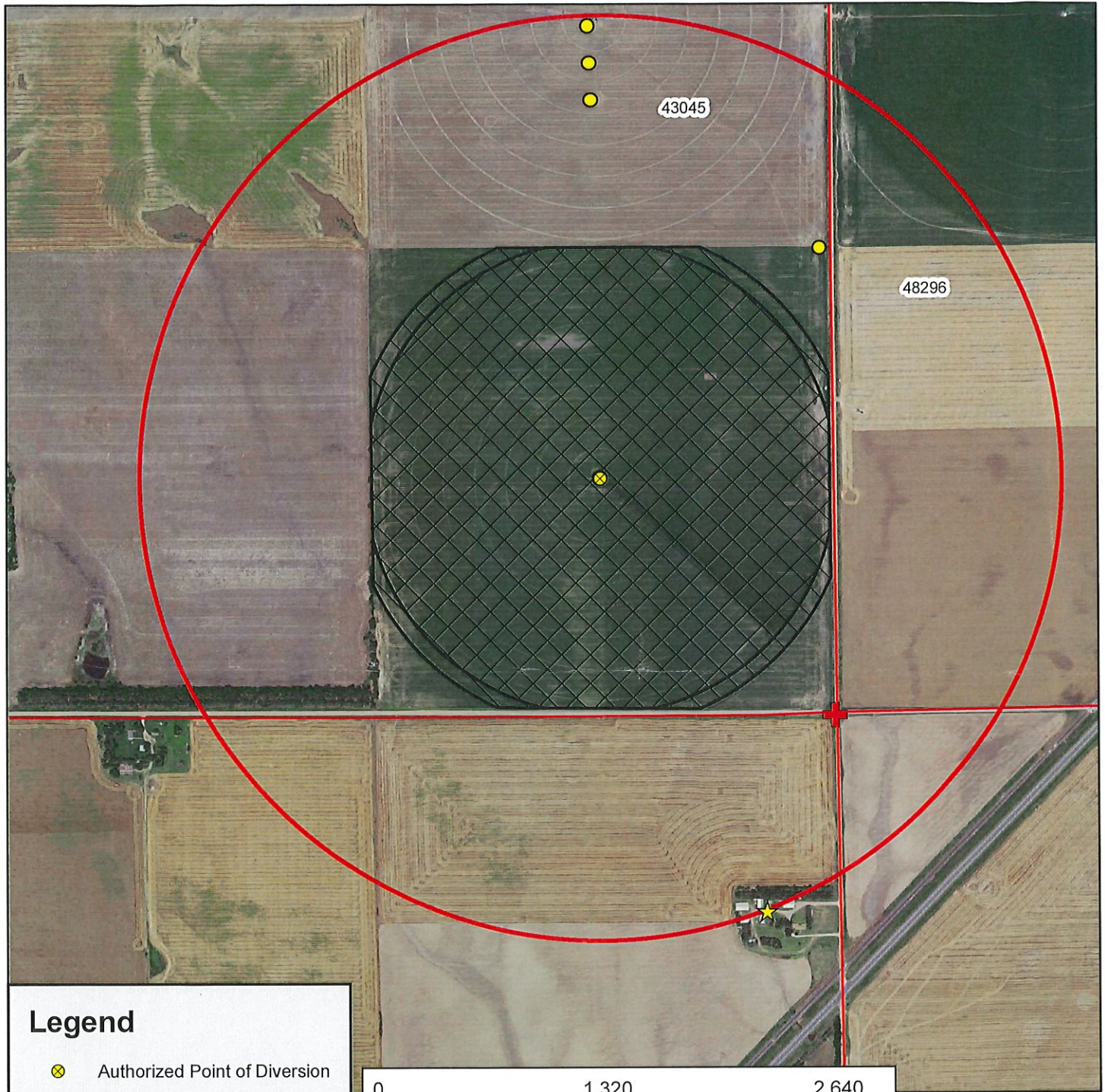
## Water Right, File No. 43,046

Change in Place of Use Application Map  
 19-24S-7W // Reno County



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

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 JAN 04 2018



**Legend**

- Authorized Point of Diversion
- Water Appropriations
- Section Corner
- Section Line
- Domestic Well
- 1/2 Mile Buffer

**Place of Use**

- Authorized
- Proposed



**Water Right, File No. 43,046**  
 Change in Place of Use Aerial Map  
 19-24S-7W // Reno County

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Stafford Field Office  
 Division of Water Resources



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**Kansas**  
Department of Agriculture  
*Division of Water Resources*

Stafford Field Office  
300 S. Main Street  
Stafford, Kansas 67578-1521  
Jackie McClaskey, Secretary  
David W. Barfield, Chief Engineer  
Jeff Lanterman, Water Commissioner

Phone: (620) 234-5311  
Fax: (620) 234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

January 9, 2018

Miles Hartman  
817 N Herren Rd.  
Nickerson KS 67561-9027

RE: File No(s). 43045, 43046, & 48296

Dear Mr. Hartman,

On January 4, 2018, three (3) applications for approval to change the place of use under the above referenced files were received in our office. Upon review of the applications, it has been found that the accompanying map for each application has not been signed.

Along with this letter, I have included the three (3) application maps. Please review the enclosed maps carefully and ensure any domestic wells within one-half mile of the authorized well location are noted on the map. If there are any wells not shown, please add them and then sign each map.

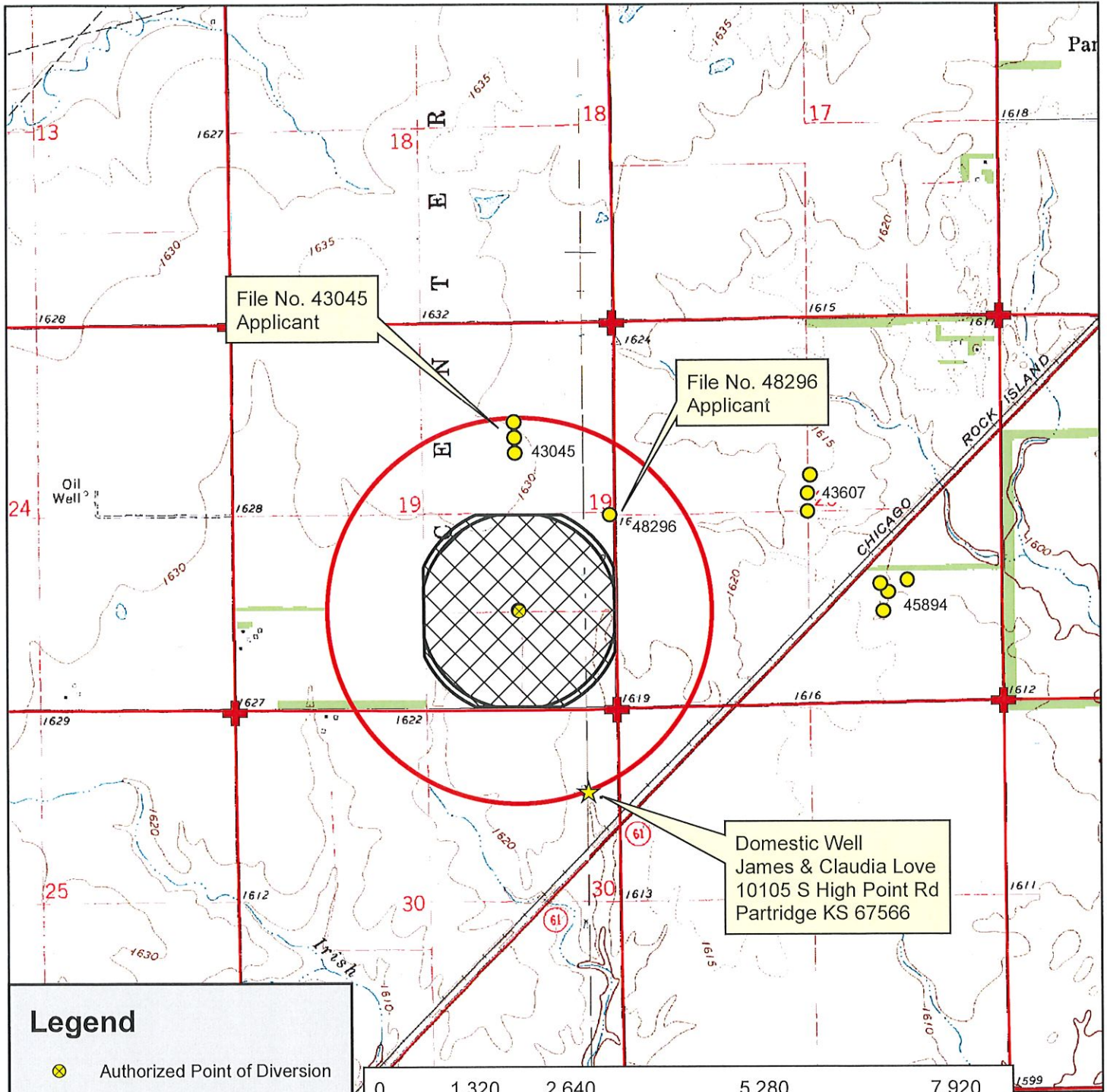
Please return the signed maps to the Stafford Field Office as soon as possible. If I can be of any further assistance, or if you have any questions regarding the enclosed documents, please give me a call at (620) 234-5311.

Sincerely,



Tyler Saryerwinnie  
Environmental Scientist  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosure



File No. 43045  
Applicant

File No. 48296  
Applicant

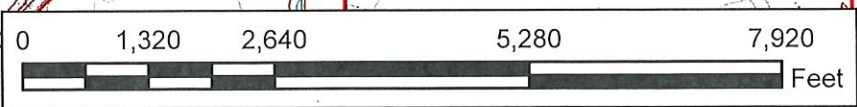
Domestic Well  
James & Claudia Love  
10105 S High Point Rd  
Partridge KS 67566

**Legend**

- Authorized Point of Diversion
- Water Appropriations
- + Section Corner
- Section Line
- ★ Domestic Well
- 1/2 Mile Buffer

**Place of Use**

- / / / / Authorized
- \ \ \ \ Proposed



## Water Right, File No. 43,046

Change in Place of Use Application Map  
19-24S-7W // Reno County

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JAN 29 2018

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

*[Signature]*  
Signature

*[Signature]* 1-24-18