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.

						101			let"	10.						DEIV	
				F	ile No	4310	56	-	-	90 7	MISSE						pm
Application is he	ereby made for approval of the Chief Engineer to change the (check one or both):										FEB 2 3 2018		2018				
				■ P	lace of	Use			Point o	of Dive	rsion			S	taffor	d Field	Office
under the water i	right w	hich is	the si	ubject	of this	applic	ation i	n acco	rdance	with t	he con	ditions	desc	ribedib	elow.f	Water	Resource
The source of su				10000	round					e wate							
Name and addre	ess of A	Applica	ant: L	arry L	. Stud	ky 60				nti lo	A LISON NUMBER					10	Coe na
Phone Number:							Email	addres	s: CS	tucky	@mte	lco.ne	et				
Name and addre	ss of \	Water	Use C	orresp		t: La							may 1	BIRONII BIRONII	T <sub>1</sub>	e in	er all
Phone Number:	(620	) 50	04-470	01		- 5/16	Email	addres	s: cs	tucky	@mte	lco.ne	et	la sele		L BORRE	4
The presently au Owner of Land	NA	ME:	CNS	Land							y	187	. jento	dina	1 (88)	902.50	ease(2)
(materiovib to p	DDRE	ESS:	1528	Cima	rron R	load,	McPh	erson	KS 6	7460		d and		olo	011-51	And a	BANK
(If there is more that	an one	landow	ner, at	ach su	ppleme	ental sh	eets as	neces	sary.)								
NE1/4		0	NW1/4			SW¼			SE1/4			TOTAL					
	The second second second		SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
	NE1/4	NW1/4	344/4	02,4					NO.	TO THE PARTY OF			3755456		42.1.4.14		
23-19S-4W		NW1/4	34474								14.5	14.5					29
	NE1/4 36	NW¼	347/4	17							14.5	14.5	du.	old ry	(SB.7)	(2.38)	29 53
23-19S-4W		NW¼	GW74								14.5	14.5		od v	(28.)	(- 1 <u>1</u> )	
23-19S-4W	36	a chai	nge in	17 place							use be	bstel	ged to	ed inv	(BRA)	tato lei	
23-19S-4W 27-19S-4W If this application Owner of Land	36	a chai	nge in CNS	17 place Land	LLC,	c/o La	rry L.	& Cin	dy L.	Stuck	use be	bstel	ged to	ed in ed ris with	(RRV)	( ag lato loi Vere fa	
23-19S-4W 27-19S-4W If this application Owner of Land	36 is for NA	a chai	nge in CNS 1528	17 place Land Cima	LLC, o	c/o La Road,	rry L. McPh	& Cin erson	dy L. , KS 6	Stuck	use be	bstel	ged to	ed in	das A	( ) ag (	
23-19S-4W 27-19S-4W If this application Owner of Land	36 is for NA	a chai	nge in CNS 1528 vner, at	17 place Land Cima	LLC, o	c/o La Road, ental sh	rry L. McPh	& Cin erson	dy L. , KS 6	Stuck 7460	use be	bstel	ged to	olungi 1. 2	Alaray	(c) agr	53
23-19S-4W 27-19S-4W  If this application Owner of Land	36 is for NA	a char	nge in CNS 1528 vner, at	17 place Land Cima	rron R	c/o La Road, ental sh	McPh eets as	& Cin erson neces	dy L. , KS 6	Stuck 7460	use be	bstel	ged to	olungi 1. 2	= 1/4 SW1/4	SE1/4	53
23-19S-4W 27-19S-4W  If this application Owner of Land	36 n is for NA ADDRE	a char	nge in CNS 1528 vner, at	17 place Land Cima	rron R	c/o La Road, ental sh	McPh eets as	& Cin erson neces	dy L. , KS 6 sary.)	Stuck 7460 sv	use be	chan	ASI	SE		SE1/4 39	TOTAL ACRES
23-19S-4W 27-19S-4W  If this application Owner of Land  (If there is more the	36 n is for NADDRE	a char	nge in CNS 1528 wner, att	17 place Land Cima tach su	rron R	c/o La Road, ental sh	McPh eets as	& Cin erson neces	dy L. , KS 6 sary.)	Stuck 7460 sv	use be	chan	NE1/4	SE NW1/4	SW1/4		TOTAL ACRES

Check #

For Office Use Only: Code

Fee \$

Receipt Date

г		
5.	Presently authorized point of diversion:	NO West side OF
- 1	One in the Quarter of the	Quarter of the NC-West side-SE Quarter
- 1	of Section 23 , Township 19	South, Range 4W (E/W), et North 2500 feet West of Southeast corner of section.
- 1	in McPherson County, Kansas, 1350 fe	et North 2500 feet West of Southeast corner of section.
- 1	Authorized Rate 1000 GPM Authorized Quantity 112	
- 1	(DWR use only: Computer ID No 5 GPS	
	■This point will not be changed ☐This point will be changed as	follows: No change, point better described with GPS as follows:
- 1	Proposed point of diversion: (Complete only if change is	requested or if existing point is better described by GPS)
- 1	One in the Quarter of the	Quarter of the Quarter
- 1		South, Range(E/W),
		et North feet West of Southeast corner of section.
		Proposed well depth (feet)
2		water rights that will use this point
L	This point is. Additional veil Geo center List other	water rights that will use this point
Г	Describe soft spins described of discouries.	
6.	Presently authorized point of diversion:	
- 1		Quarter of the Quarter
		South, Range (E/W),
		et North feet West of Southeast corner of section.
- 1	Authorized Rate Authorized Quantity	
85	(DWR use only: Computer ID No GPS _	
- 1	☐ 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)
- 1	One in the Quarter of the	Quarter of the Quarter
- 1		South, Range(E/W),
-1		et North feet West of Southeast corner of section.
- 1		Proposed well depth (feet)
		water rights that will use this point
7.	The changes herein are desired for the following reasons?	13a. If the proposed point of diversion will be relocated within 100
		feet of the existing point of diversion, indicate its location on
	(please be specific) Combining Nos. 4685-D2, 19588,	the diagram below in relation to the existing point of diversion.  (PLEASE NOTE: The "X" in center of diagram below
	43166 places of use into new place of use and also	represents presently authorized point of diversion.)
	45 Too places of use line new place of use and also	North
	overlapping new surface water permit application.	100 50 0 50 100
8.	If a well, is the test hole log attached?   Yes  No	
_		
9.	The change(s) (was)(will be) completed by?	50 - + - + - 50
	ASAP	
		West 0
10.	If the point of diversion is a well:	West oF 111111211111111111111111111111111111
	(a) What are you going to do with the old well?	레이션 : [1] - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
	NA .	50 - + + 50
	NA .	
	NA	
	(b) When will this be done? NA	
		100 50 _0 50 100
11.	Groundwater Management District recommendation	South Scale: 1" = 100'
	attached? Yes No	
	T Poops	13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of
12.	Assisted by T. Boese	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
	RECEIVED	names and mailing addresses of the owners. For surface
		water sources, show the names and addresses of the
	FFR 2 3 2018	landowner(s) one-half mile downstream and one-half mile upstream from your property lines.
	FFR 2 3 7110	The second secon

FEB 2 3 2018

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

Stafford Field Office

Division of Water Resources

14. If the pro	posed groundwater point of diversion is	300 or fewer feet fro	om existin	g point of diversion, complete th	e following:	
(a) Doe	es the undersigned represent all owners of the second seco	of the currently auth must sign this appli		ce(s) of use identified in this app	olication?	
affe	(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.)					
_	is application is not approved expeditiou		stantial da	amage to property, public health	or safety?	
or a change i	tion proposes a surface water change in place of use, the application must be so notarized statement authorizing representations.	signed by all owners				
age and the	erify, being first duly sworn upon in e owner, the spouse of the owner, f, in regards to the water right(s) in this application are true, correct	or a duly author to which this ap	ized age	nt of the owner(s) to make pertains. I further verify	this application on that the statements	
Dated at Ha	Istead	, Kansas, this	22nd	day of February	, 20 <mark>_18</mark>	
Lawy	7 Sturley managing	Portner	entered the	tem selvicini davis i real realizations is a em selvicini davis i crea	dest Avyt one ethav b versiv Suspende X.	
Larry L. Stu	(Øwner)	o beingmos ad II all the appearant.	dila setti. U	(Spouse)	To modefinition of the control of th	
	(Please Print)	requirements	ort) day	(Please Print)	haratonos ed 7	
equipe of the	(Owner)	andres per of 1 70	Mar Acr	(Spouse)	m taling libe	
and I'm sateline	(Please Print)	pl.	P(	(Please Print)	ersetilings photosers or	
o esullo fater ospenos pro- ospenos pro- ospenos	(Owner)	n de la company	The barries	(Spouse)	donate in the control of the control	
AD SHORY OF	(Please Print)	or in the second	reme no	(Please Print)	region of appr	
State of Kans	HARVEY SS	NOTA	REBI	LIC - State of Kansas ECCA WILSON . Exp. Ob/11/2018	Leyfferskinghth∆ Leyfrendersking	
I hereby FERRUA	certify that the foregoing application 20 \ 20 \ .	was signed in m	y presen	ee and sworn to before me	this 22ND day of	
	sion Expires Dio 11 20 18	-		Notary Public	USQY)	
accurate inform	ETE APPLICATIONS WILL BE PROCESSE mation; maps, if necessary, must be included; e fee must be paid.					
		FEE SCHED	ULE			
forth in the set (1) (2)	tion to change the place of use or the pochedule below. Make checks payable to Application to change a point of diversion Application to change a point of diversion Application to change the place of use.	oint of diversion und by Kansas Departm n 300 feet or less n more than 300 fee	er this sec	riculture	\$100 \$200	
	RECEIVED					

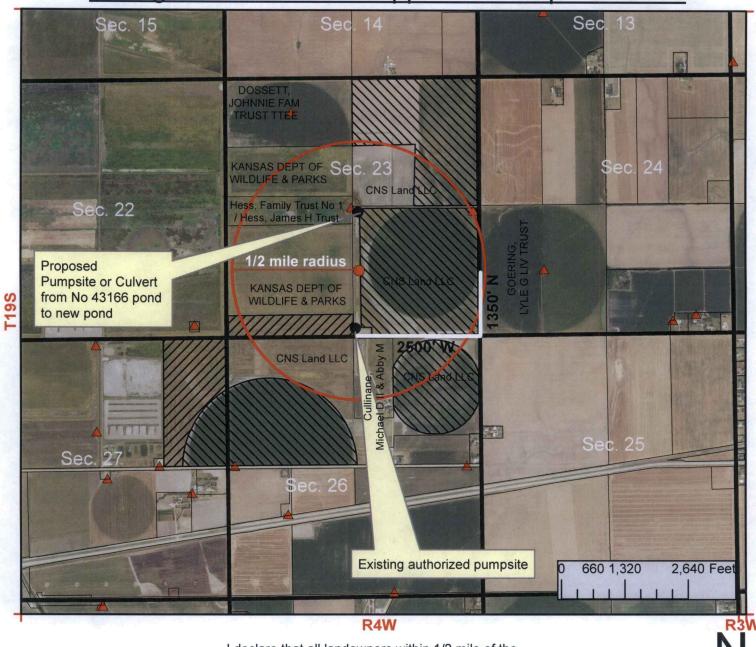
File No. 43166

FEB 2 3 2013

### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a-70 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-70</i> the exception of those conditions expressly contained her I limitations of File No. 43166	08b, as amended, and k 0701 et. seq., and rules ein, this Summary Orde	A.A.R. 5-5-1, et seq. and other applicable and regulations promulgated thereunder, or does not change the terms, conditions
1.	A change application was received on 2/23/2018 diversion authorized under the above-referenced file num	requesti ber be changed as desc	ng that the place of use and / or point of ribed in the application.
2.	On and after the effective date of this summary order, the a on the topographic map accompanying the application to	outhorized place(s) of us change the place of use	e shall be located substantially as shown Applicable    Not Applicable
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.   Applicable	by this summary order sh	all be located within afoot
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.   Applicable	be located more than t Applicable	feet from the previously
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level accordance with K.A.R. 5-6-13. ☐ Applicable ☒ №	measurements shall be	ate of 100 gallons per minute or more, a e installed, operated and maintained in
6.	The owner of the authorized place(s) of use shall proper December 31, 20 18 , or before the first use of water, operated and maintained in accordance with K.A.R. 5-1- and K.A.R. 5-3-5e, the owner shall maintain records and water diverted annually to the Chief Engineer by March 1 △ Applicable □ Not Applicable	whichever occurs first. 4 through 5-1-12. As report the reading of the	The water flow meter shall be installed, equired by K.S.A. 82a-732, as amended, water flow meter and the total quantity of
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form prov ☐ Applicable ☒ Not Applicable	applicant shall notify th	e Chief Engineer that construction of the
8.	The completed well log shall be submitted with the requ	ired notice.   App	licable Not Applicable
9.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve capa check valve(s) shall be installed, operated and mainta Applicable	ble of preventing pollution	on of the source of the water supply. The
10.	Additional Conditions are attached.   Yes No		
11.	In accordance with K.S.A. 82a-708a, as amended, and K.A. water appropriated under the above-referenced file numl limitations, as amended and/or supplemented by this Sur Appropriation Law and the Rules and Regulations promuresult in civil penalties pursuant to K.S.A. 82a-737, as an water or appropriation right or any other enforcement actions.	per are responsible for on mary Order, and with a ulgated thereunder. Fail nended, and/or the susp	compliance with its terms, conditions and pplicable provisions of the <i>Kansas Water</i> ure to comply with these provisions may
	Administrative Appeal and Effective Date of Order		FOR OFFICE USE ONLY CATION APPROVED AND
If yo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,		MARY ORDER ISSUED
Eng	may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of	termina and a processing	Primary and A. Vising St. St.
Agr	culture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for	Ву:	
adn	ninistrative review by the Secretary must be filed within 30 s pursuant to K.S.A. 77-531. Any request for administrative	Duly Autho	rized Designee of the Chief Engineer
revi	ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):	lesources - Kansas Department of Agriculture
Leg	any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS		
665	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	Date of Issuance:	
pic	For Use by Register of Deeds	State of Kansas	) ) SS
		County of	
		Acknowledged before	me on
		by	
		Signature:	
	RECEIVED	orginaturo.	Notary Public
	777 0 0 0010		
	FEB 2 3 2018		
	Stafford Field Office	My commission exp	res:(Notary Socia
DW	The state of the s	ge 4	(Notary Seal) File No. <u>43/66</u>

# Change in Place of Use Application Map No 43166



I declare that all landowners within 1/2 mile of the proposed point of diversion have been plotted on the application map.

Larry I Stucky Signature	$\frac{2-22-18}{\text{Date}}$
New Application	Authorized Permit No 43166
Application No. To Change:  Point of Diversion	Existing Points of Diversion Proposed Place of Use
Place of Use RECEIVED  Use Made of Water	Authorized Place of Use  Land Parcel Boundary
FEB <b>2 3</b> 2018	See attached list for land owners within 1/2 mile

# Landowners within ½ mile

Landowner	Address
CNS Land LLC	Attn: Stucky, Larry & Cindy
	1528 Cimarron RD
	McPherson, KS 67460
DOSSETT, JOHNNIE	1196 LIMESTONE RD
FAM TRUST TTEE	MCPHERSON, KS 67460
KANSAS DEPT OF	512 SE 25TH AVE
WILDLIFE & PARKS	PRATT, KS 67124
Hess, Family Trust No	PO BOX 1009
1/ Hess, James H Trust	MCPHERSON, KS 67460
KANSAS DEPT OF	512 SE 25TH AVE
WILDLIFE & PARKS	PRATT, KS 67124
CNS Land LLC	Attn: Stucky, Larry & Cindy
	1528 Cimarron RD
	McPherson, KS 67460
GOERING, LYLE G LIV	% Peoples Bank & Trust
TRUST	PO Box 1226
	McPherson, KS 67460
CNS Land LLC	Attn: Stucky, Larry & Cindy
	1528 Cimarron RD
	McPherson, KS 67460
Cullinane, Michael D II	1064 Landmark Ln
& Abby M	McPherson, KS 67460

RECEIVED

FEB 2 3 2018