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.

| han 1 | 00 fee | | place o | of use | will b | e chai | | | | | | | | | | | | | sion is greater and proposed |
|------------------------|--|--------------------|------------------|--|------------|---------------|----------|---------------|----------------|---------------|------------------|-------------------|----------------------------|--------|------------|----------|--------|---------------|--|
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| 1. A | pplicati | on is he | reby n | nade f | or appi | roval c | of the C | Chief E | ngine | er to ch | nange | the (ch | eck or | e or b | oth): | | | Stoff | ord Field Office |
| | | | | | | | | | | | | Di | Division of Water Resource | | | | | | |
| ur | nder the | e water | right w | hich is | s the s | ubject | of this | applic | cation i | n acco | rdance | e with t | he cor | dition | s desc | ribed b | | | 11 2 12 12 12 13 13 13 13 13 13 13 13 13 13 13 13 13 |
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| | | umber: | | | | | | | Email | addre | ss: <u>bfr</u> | oese@ | usd44 | 18.com | 1 | | | | contra contra to T |
| . TI | The presently authorized place of use is: | | | | | | | | | | | | | | | | | | |
| 0 | Owner of Land NAME: Ray & Dawn Froese Family Trust; Larry L. & Beverly D. Froese | | | | | | | | | | | | | | | | | | |
| | | , | ADDRE | ESS: | 1462 A | Arrowh | ead R | d, Inm | an, KS | 6754 | 6; 12: | 26 Che | rokee | Rd, In | man, I | KS 67 | 546 | | 9444 MA ANTENNA |
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| 0 | wner o | f Land - | | | | | | | | | - | _ | | | | | | | amily Tr. ETAL |
| ,,, | | | | | | | | | | | | herokee | Rd, In | man, k | (S 6754 | 46; B)12 | 226 Ch | <u>erokee</u> | Rd, Inman, KS |
| (II | there is | more th | ian one | landov | vner, at | tach su | ıppieme | entai si | neets as | neces | sary.) | Told C | an t | riad | 10.00 | 100 | 150 | 15 | vb.moth |
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| Sec. | | 3W | 33.5 | 40 | 29.5 | 36.5 | 40 | 31 | 8.5 | 11 | | | | | | | | | 230 |
| A) 18 | 21 | | | | | | 11 | | | | | | | | | | | | |
| Sec. A) 18 B) 18 | | 3W | | | 112 Tak | die st | | W 21 | | 0.0 | 70 | 63.73 | | 600 | | 40 | 40 | 40 | 253.73 |

For Office Use Only: Code

Receipt Date

Fee \$ / / TR #

Check #2///

| 5. | Presently author | rized point of | diversion: | | | | |
|-----|---------------------------|----------------------|--|-------------------------|------------------------------|------------------------|----------------|
| | One in the | | Quarter of the | | Quarter of the | Lot 1 | Quarter |
| | of Section | 18 | , Township | 21 | South, Range | 3W | (E/W), |
| | in McPherson | Co | ounty, Kansas, <u>4581</u> | feet North | 3788 feet West o | f Southeast corner | of section. |
| | Authorized Rate _ | 575 GPM | Authorized Quantity | 115 AF | Depth of well | (feet | t) |
| | | | No. <u>5</u> GI | | | | |
| -1 | ⊠This point will no | ot be changed | ☐This point will be chang | ged as follows: | ☐ No change, point better | r described with GPS | S as follows: |
| | | | (Complete only if chan | | | | |
| | One in the | | Quarter of the | | Quarter of the | | Quarter |
| | of Section | | , Township | | South, Range | | (E/W), |
| | | | ounty, Kansas, | | | | |
| | | | Proposed Quantity _ | | | | |
| L | This point is: | Additional We | II ☐ Geo Center List o | other water rig | thts that will use this poir | nt <u>39948 + 2016</u> | 7102MF* |
| | | | | | × | | |
| 3. | Presently author | <u>ized point of</u> | diversion: | | | | |
| | | | Quarter of the | | | | |
| | of Section | | , Township | | South, Range | | (E/W), |
| | in | Co | ounty, Kansas, | feet North _. | feet West o | f Southeast corner | of section. |
| - 1 | Authorized Rate _ | | Authorized Quantity | | Depth of well | (feet | t) |
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| 1 | | | , Township | | | | |
| 1 | | | unty, Kansas, | | | | |
| - | | | Proposed Quantity _ | | | | |
| L | This point is: | Additional We | II ☐ Geo Center List o | other water rig | hts that will use this poir | nt | |
| 7 | The changes have | in ore desire. | d for the fallender reces | 0 | | | |
| • | | | d for the following reasor lace of use with | | Name | . | |
| | Nos. 37843, 37868 | 3, & 39948 pro | posed place of use | | Nor 0 200 100 0 | 100 200 | 300 |
| | | | | | | mhmhmhndim | TIII 3 |
| 2 | If a wall is the test | holo log attac | hoda 🗆 Vaa 🗆 Na | | | | 1 |
| ٥. | ii a weii, is the test | noie log allac | hed? Yes No | 200 | | - + + | 200 |
| Э. | The change(s) (wa | s)(will be) con | pleted by? | | | | 4 |
| | ASAP | | | 100 | | | 100 |
| | 7.07.11 | | 1 | . 100 | ▋''' | ' ' ' ' | ' ∃ 100 |
| 10. | If the point of diver | sion is a well: | | | | | <u> </u> |
| | (a) What are you | going to do wi | th the old well? | West 0 | [n] |)ուլուվուդեուվու | ।।।।। 0 East |
| | | | | | | | 4 |
| | NA | | | 100 | | - 1 4 1 4 | 100 |
| | (b) When will this | be done? NA_ | | | | | |
| | | | | | | | 1 |
| 11. | | anagement | District recommendat | tion 200 | | - + + | |
| | attached? | es 🛛 No | | | 1 - 1 | | 4 |
| 12 | Assisted by T. D | eo GMD2 | | 7.00 | introduction Instruction I | limbantandaa | Eurl |
| ۱۷. | Assisted by <u>T. Boe</u> | SE, GIVIDZ | | . 30 | 0 200 100 0 Sou | 100 200 | 300 |
| l3a | .If the proposed po | int of diversion | n will be relocated more | <u>than</u> | | | |
| | 300 feet but within | 2 640 feet of | the existing point of diver | sion 13h If th | e proposed point of dive | reion will be reloca | tod within 30 |

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

3b.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.)

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| 14. If the proposed groundwater point of diversion is 300 or fewer feet from | om the existing point of diversion, complete the following: |
|---|--|
| (a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this applie | orized place(s) of use identified in this application? |
| (b) Will the ownership interest of any owner of the currently author 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 sub ☐ Yes ☐ No (If no, all owners must sign this application) | |
| If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation). | |
| I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this apcontained in this application are true, correct and complete. | ized agent of the owner(s) to make this application on plication pertains. I further verify that the statements |
| Dated at Allan, Kansas, this | 29 day of March , 20 19. |
| Sear h | Beverly D. Freez |
| (Owner) | J (Spouse) |
| Larry L. Froese | Beverly D. Froese |
| (Please Print) | (Please Print) |
| Ki Ruy D Fraise | Naur Troop |
| (Owner) | (Spouse) |
| Ray Froese, Trustee of the Ray & Dawn Froese Family Trust (Please Print) | (Please Print) |
| (Owner) | (Spouse) |
| (Please Print) | (Please Print) |
| State of Kansas | |
| County of McPherson ss | hthroto sino alternor box (result primale) and |
| I hereby certify that the foregoing application was signed in m | by presence and sworn to before me this $\frac{29^{4h}}{}$ day of |
| NOTARY PUBLIC - State of Kansas SERINA HEIDE | Sinor Heioli |
| My Commission Expires 11-14-21 | Notary Public |
| ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the atthe appropriate fee must be paid. | I of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and |
| FEE SCHED | ULE STATE OF THE S |
| Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departn (1) Application to change a point of diversion 300 feet or less . (2) Application to change a point of diversion more than 300 feet | nent of Agriculture |
| (3) Application to change the place of use | \$200 |
| RECEIVED | GBV Fig. a. |
| 0.10 | |

APR 0 1 2019

File No. <u>13056</u>

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

| pro Wit | s Summary Order is issued under a visions of the <i>Kansas Water Approp</i> to the exception of those conditions limitations of File No. 13056 | oriation Law. K.S.A. 82a | a-701 et. sea and rules and regula | ations promulgated thereunder. |
|---------------------|--|--|--|--|
| 1. | A change application was received diversion authorized under the above | on 4/1/2019 pove-referenced file num | requesting that the nber be changed as described in the | e place of use and / or point of e application. |
| 2. | On and after the effective date of the on the topographic map accompa | nis summary order, the anying the application to | authorized place(s) of use shall be change the place of use. 🔀 Applic | located substantially as shown cable Not Applicable |
| 3. | The change in point of diversion shapreviously authorized. The point radius of the authorized point(s) of | of diversion authorized | by this summary order shall be loca | e source or sources of water as ited within a foot |
| 4. | The point(s) of diversion described Positioning System (GPS), as de | d herein is administrativ scribed in the applicatio | vely corrected to be more accurate n. | ely described using the Global |
| 5. | The point(s) of diversion authorized authorized point(s) of diversion. | herein shall not actually ☐ Applicable 🔀 i | y be located more than Not Applicable | feet from the previously |
| 6. | As required by K.A.R. 5-3-5d, if the tube or other device suitable f accordance with K.A.R. 5-6-13. | or ma <u>ki</u> ng water level | measurements shall be installed, | gallons per minute or more, a , operated and maintained in |
| 7. | operated and maintained in account and K.A.R. 5-3-5e, the owner sha | re the first use of wate ordance with K.A.R. 5-1 all maintain records and ief Engineer by March 1 | roperly install an acceptable wa r, whichever occurs first. The wate -4 through 5-1-12. As required by report the reading of the water flow following the end of each calendar | er flow meter shall be installed, K.S.A. 82a-732, as amended, meter and the total quantity of |
| 8. | Installation of the works for diversion of time. By works for diversion has been com X Applicable ☐ Not Applicable | y March 1, 20 <u>22 </u> | e completed on or before Decemle e applicant shall notify the Chief Er vided by the Chief Engineer, as requ | igineer that construction of the |
| 9. | The completed well log shall be s | ubmitted with the requ | uired notice. | ☑ Not Applicable |
| 10. | All diversion works into which any ty with an in-line, automatic, quick-c check valve(s) shall be installed Applicable | closing check valve cap | foreign substance will be injected in able of preventing pollution of the so ained in accordance with K.A.R. 5 | ource of the water supply. The |
| 11. | Additional Conditions are attached. | 🔀 Yes 🔲 No | | |
| 12. | limitations, as amended and/or si Appropriation Law and the Rules | ove-referenced file num upplemented by this Su s and Regulations prom o K.S.A. 82a-737, as a | nber are responsible for compliance mmary Order, and with applicable p oulgated thereunder. Failure to con mended, and/or the suspension or r | with its terms, conditions and provisions of the <i>Kansas Water</i> apply with these provisions may |
| _ | Administrative Appeal and Effective | re Date of Order | FOR OFFICE | USE ONLY |
| | u are aggrieved by this order, pursuar | | APPLICATION AF | |
| you | may request an evidentiary hearing beineer or request administrative review | efore the Chief | SUMMARY OR | DER ISSUED |
| Agri | culture. A request for hearing by the C | hief Engineer must be | By: | nee of the Chief Engineer |
| adn | within 15 days of service of this Orde inistrative review by the Secretary mu | st be filed within 30 | The state of the s | |
| revi | s pursuant to K.S.Á. 77-531. Any requew must state a basis for review pursu | ant to K.S.A. 77-527. | (Print Name): Division of Water Resources - k | Kansas Department of Agriculture |
| File Le a | any request with Kansas Department al Division, 1320 Research Park Driv | t of Agriculture, ve. Manhattan, KS | Date of Issuance: | |
| 665 | 02. Failure to timely request a hearing clude review under the Kansas Judicial | or review may | State of Kansas |) |
| • | For Use by Register of D | | County of |) SS |
| TIS | -SFF | | | |
| | | | Acknowledged before me on | |
| | | | by | |
| | | | Signature: | Notany Public |
| | | RECEIVED | | • |
| | | | My commission expires: | (Notary Seal) |
| | | APR 0 1 2019 | | (Notally Seal) |

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Page 4

File No. 13056

ADDITIONAL CONDITIONS TO SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

The effective date of the change approval to change the point of diversion shall be the date this order is executed by the Chief Engineer.

- 11a. The owner of the authorized place(s) of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer
- 11b. A seal shall be placed on the water flowmeter by the Division of Water Resources or the Groundwater Management District in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. If the seal is broken without the permission of the chief engineer, this shall create a rebuttable presumption that the point of diversion had been unlawfully operated in violation of the order of the chief engineer and that the water right holder had been acting in violation of the conditions of his or her water right.

Application Map - File No. 13056



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 plotted on the application map. Signature **New Application** Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address) Application No. <u>13056</u> To Change: 1) See Attached Point of Diversion Place of Use 2) Use Made of Water Proposed Point of Diversion **Existing Points of Diversion** Proposed Place of Use APR 0 1 2019 Authorized Place of Use Stafford Field Office Completed By GMD2 Staff T. Boese - 3/14/2019 Division of Water Resources

Well owners within ½ mile - No. 13056

- Domestic Well
 Junis E. & Velma Schroeder
 389 12th Avenue
 Inman, KS 67546
- Domestic Well
 Larry & Beverly Froese Family Trust
 1226 Cherokee Rd.
 Inman, KS 67546

RECEIVED

APR 0 1 2019

Stafford Field Office Division of Water Resources