# Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/D WORKSHEET** 

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
35591		1	02	05
6. Status: Approved Deni	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
				12/31/18
8a. Applicant(s) New to system □	Person ID Add Seq#	8c. Landown		Person ID Add Seq#
New to system [	Add Seq#	New to sy	stem _	Aud Seq#
8b. Landowner(s)	Person ID <b>36524</b>	8d. WUC		Person ID <b>40397</b>
New to system □	Add Seq# 1	New to sy	vstem □	Add Seq# 1
HARMS FAMILY REVOC	ABLE TRUST	ио сн	ANGE	
ABBB PO DRAWER J		HERBE	ERT HARMS	
GREAT BEND KS 67530			6TH ST ΓBEND KS 6753	n
		ONLA	DENDING 0700	·
		40/04/40		40/04/40
9. Documents and Enclosure(s): ⊠ D\			N & P Date to	
☐ Anti-Reverse Meter ☐ Meter		⊠ N & P Form	☑ Water Tube   ☑ D	riller Copy 🛛 H & E Letter
☐ Conservation Plan Date Requir	red: Da	ate Approved:	36/19 Date to	Comply:
10. Use Made of Water From:		To:		
			Date Prepared: 1/18/1	9 By: <b>TJS</b>
			Date Entered:	Ву:

File No. 11. Co 35591 BART		n: Walnut Creek	Stream	1:		Formation Code: 113 Special Use: 033 (Main Stem Alluvium) (Walnut IGUCA)	
12. Points of Diversion CHK				Rate	e and Quantity		
MOD DEL PDIV					Authorized	Additional	
	STRI	ID 'N 'W	Comment (AKA	Line) Ra		Rate Quantity gpm/cfs af/mgy Overlap PD Files	
DEL 19110		2				None	
ENT SE SE NE	5 19S 14W	3144 44	13	No c	change to rate or qu	nantity None	
				-			
13. Storage: Rate	NF Quantit	ty	ac/ft Additio	nal Rate	NF	Additional Quantity ac/ft	
14. Limitation:	af/yr at	gpm (	cfs) when c	combined with file			
Limitation:a	af/yr at	gpm (	cfs) when c	combined with file	number(s)		
15. 5YR Allocation: Allocation Type _	Start Year _	5 YR Amou	ınt Amount l	Jnit Base	e Acres Cor	mment	
16. Place of Use CHK	NE%	4 NV	N1/4 S	W¹/₄	SE¼	Total Owner Chg? Overlap Files	
MOD   DEL   ENT PUSE S T R ID	NE NW 5	SW SE NE NW 1/4 1/4 1/4	SW SE NE NW 1/4 1/4 1/4	SW SE NE 1/4 1/4			
CHK 3119 5 19S 14W 2						8b. No None	
Base Acres: Year: Minimu	m Reasonable Quant	tity: we as as					
Comments:							

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.

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						Fi	le No.	<u>35591</u>		-21//							DEC	3 1 2	018
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	lame and 004 16 <sup>th</sup>					rbert l	Harms												
Р	hone Nu	mber:	(620)6	17-86	88			E	Email a	addres	s:								4000
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-	004 16th													- Same					
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C	Owner of			-							7500								
				_				J, Grea							Alexander				
(	If there is i	more tha	in one	landow	ner, att	ach su	opieme	ntal sne	eets as	necess	агу.) П				ı				l
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Sec.	Twp.	Range	NE1/4	NW¼	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	
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(	f this app Owner of If there is	Land A	NA IDDRE	.ME: _ ESS: <sub> _</sub>									use be	chang	ged to:		and Add Service		
				NE				NV				ŚW	V1/4		······································	SE	1/4		TOTAL
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	For Offic	e Use	Only:	Code		Fe	e \$ <u>.2</u> 5	0	_ TR	#		Re	eceipt	Date _			Chec	k#	802_

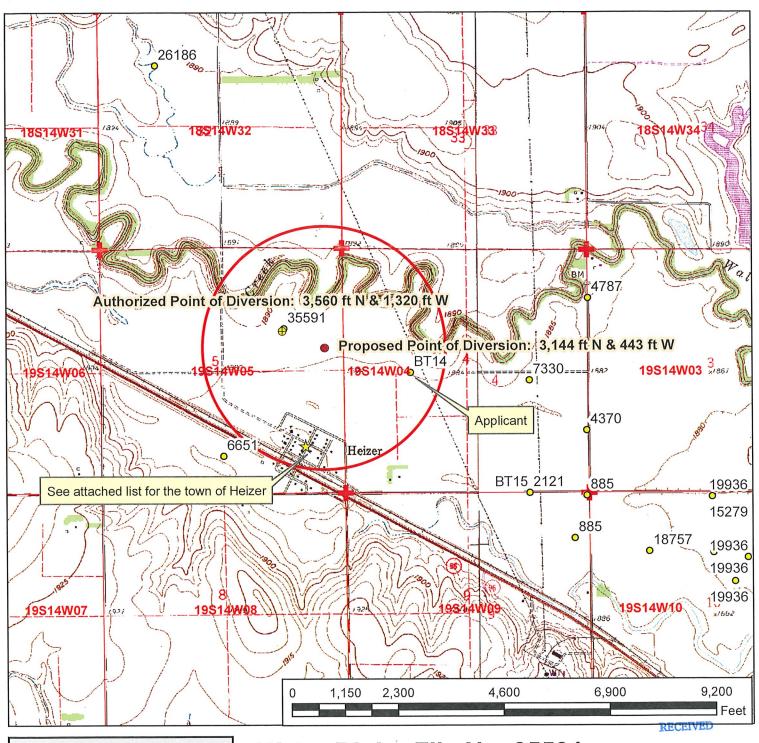
5.	Presently authorized	d point of d	iversion:				
	One in the		Quarter of the		Quarter of the _	NC N2 S2 NE	Quarter
	of Section	5	, Township	19	South, Range _	14	W,
	in <u>Barton</u>	Cour	nty, Kansas, <u>3,560</u>	feet North _	1,320 feet West	of Southeast corner	of section.
	Authorized Rate 6	15 gpm	_ Authorized Quantit	y195 AF	Depth of well	79 (feet)	
	(DWR use only: Cor						
	☐This point will not be	changed [	∐This point will be chan	ged as follows:	No change, point bette	er described with GPS	as follows:
	Proposed point of di						
	One in the	SE	Quarter of the	SE	Quarter of the _	NE	Quarter
	of Section	5	, Township	19	South, Range	14	W.
	in <u>Barton</u>	Cour	nty, Kansas, <u>3,144</u>	feet North _	443 feet West	of Southeast corner	of section.
	Proposed Rate <u>no</u>	change	_ Proposed Quantity	no change	Proposed well dep	oth (feet) 80	
	This point is:  Addit	tional Well	☐ Geo Center List	other water rigl	nts that will use this po	int none	
			,				
6.	Presently authorized	l point of d	iversion:				
	One in the				Quarter of the		Quarter
	of Section		. Township		South Range		(ΕΛΛ/)
	in	Cour	ntv. Kansas.	feet North	feet West	of Southeast corner of	of section
	Authorized Rate		Authorized Quantity		Denth of well	(foot)	7 SCOLIOTI.
	(DWR use only: Con	nputer ID N	lo. G	PS	feet North	feet West	,
	☐This point will not be	changed [	This point will be chan	ged as follows:	No change point bette	r described with GPS a	e followe:
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	One in theof Section		Quarter of the		Quarter or the _		Quarter
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	in		Proposed Quentity		reer vvest (	of Southeast corner o	r section.
	Proposed Rate	ional Wall	_ Froposed Quartity	oth on works a size	Proposed well dep	ın (reet)	*
L	This point is:  Addit	IOTAL VVCII	Geo Center List	other water rigi	its that will use this poi	III	· ·
7.	The changes herein a	re desired f	or the following reaso	ns?			
	(please be specific) <u>Cur</u>	rent well is t	ailing	110:	No	rth	
				300	200 100 (	100 200	300
			- property	-	<u>mmulmulmilimi</u>	<u></u>	" 🗎
8	If a well, is the test hole	Ing attached	12 M Vas II No				=
<b>.</b>	in a mon, to the test hole	log attachet	a: 103   100	200	-1 + 1 + 1 =		<del>_</del> 200
9.	The change(s) (was)(wi	II be) comple	eted by?	E			4
	March 2019		·	100	-1 + 1 + 1 =		100
	Maron 2010	unc.		_ 100			100
10.	If the point of diversion i	is a well:					=
	(a) What are you going	to do with t	he old well?	West 0	+1[1111]1111]1111 1111]1111		++ <u>∓</u> 0 East
		,				<u> </u>	<u> </u>
	plug it			. <u>E</u>			3
	(b) When will this be do	one? when r	new well drilled	100	-   +   +   =		100
				Ì		<del>-</del> – –	=
11.	Groundwater Manageme	ent District re	ecommendation attach	ed? 200 E	-1 + 1 + 1 =	: -   <del> -</del>   <del> -</del>	
			29/2019 TIS		' ' ' ' '		=======================================
		ž. *	7 20 00	F			1
12.	Assisted by EKF/SFFO	Van		- 300 Eu	200 100 0		300 तत्प
13a	If the proposed point of d	diversion will	he relocated more than		Sou		
, 00,	feet but within 2,640 feet	t of the existi	ng point of diversion, a	ttach 13b.lf the	proposed point of divers	ion will be relocated wi	thin 300 feet
	a topographic map or	aeriai phot	ograph. For groundy	vater of the	existing point of dive	rsion, indicate its loc	ation on the
	SUCHES SHOW AN MARKET			unio dioara	im enoun abovo in i	relation to the evisti	na noint of
	of the proposed point of	(including do of diversion a	omestic) within one-halt and the names and ma		am shown above in i	The "Y" in contar	of diagram
	of the proposed point of addresses of the owners	of diversion a s. For surfa	and the names and ma ce water sources, show	ailing divers v the <b>abov</b> e	ion. (PLEASE NOTE: represents the p	The "X" in center	of diagram
	of the proposed point o	of diversion a s. For surfa s of the la	and the names and ma ce water sources, show andowner(s) one-half	ailing divers v the above mile divers	ion. (PLEASE NOTE: represents the p sion.)	The "X" in center	of diagram

<ol> <li>If the proposed groundwater point of diversion is 300 or fewer feet from</li> </ol>	om the existing point of diversion, complete the following:
<ul> <li>(a) Does the undersigned represent all owners of the currently auth</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If no, all owners must sign this appli</li> </ul>	
<ul> <li>(b) Will the ownership interest of any owner of the currently autho affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this app</li> </ul>	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this appli	ostantial damage to property, public health or safety? ication.)
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).	a groundwater change in point of diversion greater than 300 feet, s of the currently authorized place of use, or their duly authorized
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.	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at , Kansas, this	277 day of <u>December</u> , 2018.
6h. 1151h.	
(Owner)	(Spouse)
(Omiol)	,
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	GAIL LUST NOTARY PUBLIC
County of Barton	STATE OF KANSAS My Appl. Exp. 2—16-20
I hereby certify that the foregoing application was signed in of, 20_1 \cdot	my presence and sworn to before me this 2 1 day
	1. 0. P. T.
	Notary Public
My Commission Expires 9-16-70.	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	ll 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	DULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use	nent of Agriculture \$100 et\$200
	RECEIVED

### 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. 35591 A change application was received on December 31, 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 300 radius of the authorized point(s) of diversion. Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than 1,270 feet from the previously authorized point(s) of diversion. Applicable Not Applicable 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019, 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 Installation of the works for diversion of water shall be completed on or before December 31, 2019, or within any authorized extension of time. By March 1, 2020 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 ☐ Not Applicable The completed well log shall be submitted with the required notice. 10. 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 11. Additional Conditions are attached. Yes ⊠ No 12. 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 FOR OFFICE USE ONLY **APPLICATION APPROVED AND** If you are aggrieved by this order, pursuant to K.S.A. 82a-1901DEC 3 1 2018 SUMMARY ORDER ISSUED you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Stafford Field Office Agriculture. A request for hearing by the Chief Engineer must be of WABY: RESOURCES filed within 15 days of service of this Order and a request for Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 ameran days pursuant to K.S.A. 77-531. Any request for administrative (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on by Signature: Notary Public A STATE OF A JÉSSICA ÉNGELBRECHT NOTARY My Appointment Expires My commission expi S. Public (Note: 1589)



# Legend

- Actual Point of Diversion
- ★ Domestic Well
- Section Corner
- Half Mile Circle
  - Section Line

# Water Right, File No. 35591

Change in Point of Diversion Application Map

5-19-14W // Barton County

Stafford Field Office
DIVISION OF WATER COLUMNS

DIVISIO

To the best of my knowledge, all groundwater wells within 1/2 mile of the proposed point of diversion have been shown.

Herbert Harms 12/26/18
Signature 12/26/18 EKF-SFFO 1:24,000 scale

DEC 3 1 2018

Stafford Field Office 300 S. Main Street Stafford, KS 67578-1521



Phone: 620-234-5311 Fax: 620-234-6900 www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

January 30, 2019

Herbert Harms 3004 16<sup>th</sup> St Great Bend KS 67530

Re: Water Right, File No(s). 35591

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of <u>Certified Water Flowmeters</u> as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <a href="http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters">http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters</a>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

Any abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

Jeff Lanterman

Water Commissioner

**Enclosures** 

pc: Water Rights Section

Groundwater Management District No. 5

### CERTIFICATE OF SERVICE

On this **30th** day of **January, 2019**, I hereby certify that the attached Change in Point of Diversion for Water Right, File No. **35591**, dated **January 30, 2019** was mailed via Certified U.S. mail to the following:

Harms Family Revocable Trust ABBBO PO Drawer J Great Bend KS 67530

A copy of the letter was sent via First Class U.S. Mail to the following:

GMD 5

Staff

#### Results

	Results		
	0051730504005003000 420 WALNUT ST, HEIZER, KS 67530	ANSPAUGH, TAMMARA J	
	0051730504003001010 425 MAIN ST, HEIZER, KS 67530	BAILEY, KATHERINE J	
	00517305000000004010 629 NW K 96 HWY, HEIZER, KS 67530	BALL, BRUCE & BALL, CHRISTINA	
	0051730504004001000 423 WALNUT ST, HEIZER, KS 67530	BOSCH, JEFFREY C	
	0051730504005006000 000 MAIN ST, HEIZER, KS 67530	BOSCH, JEFFREY C & BOSCH, JONNA D	
	0051730504005007000 417 MAIN ST, HEIZER, KS 67530	BOSCH, JEFFREY C & BOSCH, JONNA D	
	0051730504002002000 424 MAIN ST, HEIZER, KS 67530	BYERLY, RUBY	
	0051730500000000000000000000000000000000	EVERS, DAVID LYNN II & EVERS, BETTY JO	
	<del>0051730504007005000-</del> <del>628 RAILROAD AVE, HEIZER, KS</del>	GONZALEZ, SALVADOR & GONZALEZ, MARGIE	•
	0051730504001004000 602 BEND AVE, HEIZER, KS 67530	GREGORY, JAMES C	
	0051730504005002000 621 BYERS AVE, HEIZER, KS 67530	GRIEB, CHRISTOPHER J & GRIEB, JULIE-ANNE H	
(	∕0051730500000001000 000 NW 60 AVE, Great Bend, KS 67530	HARMS FAMILY REVOC TRUST	
	0051730504006003000 416 MAIN ST, HEIZER, KS 67530	HARMS FAMILY REVOC TRUST	
	0051730504003003000 000 BYERS AVE, HEIZER, KS 67530	HARMS FAMILY REVOC TRUST	
	0051730504007002000- :618 RAILROAD AVE, HEIZER, KS -67530	JENKINS, ESTHER & JENKINS, JACK J & JENKINS JOHN M;	5,
	0051730504005001000 419 MAIN ST, HEIZER, KS 67530	KNOX, WESLEY A	
	0051730504006004000 414 MAIN ST, HEIZER, KS 67530	LARSON, EUGENE & LARSON, DENISE	
	0051730504001002000 412 WILKINS ST, HEIZER, KS 67530	LIKES, CHARLES W	
	0051730504003001000 000 MAIN ST, HEIZER, KS 67530	LLOYD, JAMES F JR RECEIVED	)
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0051730504001001000 LOCKWOOD, STEVEN C & LOCKWOOD, RICHARD V 000 WILKINS ST, HEIZER, KS 67530 0051730504007001010 MAUCK, BRADLEY A 618 NW 40 RD, HEIZER, KS 67530 0051730504007003000 000 RAILROAD AVE, HEIZER, KS - MENDARIZ, MIGUEL A-R-67530 0051730504007008000 NEUFORTH, EVA-J-000 MAIN ST, HEIZER, KS 67530 0051730500000002000 000 NW 70 AVE, Great Bend, KS 67530  $^{\rm NORDMAN}$  FARMS LLC 0051730500000006000 000 BYERS AVE, Great Bend, KS NORDMAN FARMS LLC 67530 0051730504004002000 NORDMAN FARMS LLC 419 WALNUT ST, HEIZER, KS 67530 0051730504004003000 NORDMAN FARMS LLC 419 WALNUT ST, HEIZER, KS 67530 0051730504002004000 OBORNY, PATRICIA A 614 BYERS AVE, HEIZER, KS 67530 0051730504006005000 PHILBERN, LUIE E 411 WILKINS ST, HEIZER, KS 67530 0051730504001002010 PHILLIPS, HERBERT L III & PHILLIPS, LISA J 000 WILKINS ST, HEIZER, KS 67530 0051730504003002000 PHILLIPS, HERBERT LEWIS III & PHILLIPS, WILLIAM **CECIL** 622 BYERS AVE, HEIZER, KS 67530 0051730504005005000 PILAND, SCOTT & PILAND, TAMMY J 409 MAIN ST, HEIZER, KS 67530 0051730504003004000 REGAN, HOLLY K 620 BYERS AVE, HEIZER, KS 67530 0051730504007007000 621 RAILROAD AVE, HEIZER, KS ROUSE, MARSHALL. 67530-0051730504002001000 ROWE, HENRY & ROWE, CAROL 423 WILKINS ST, HEIZER, KS 67530 0051730504007006000-624 RAILROAD AVE, HEIZER, KS — SCHARTZ, DEBRA K 67530 -0051730504007004000· SCHARTZ, DEBRA-K--000 MAIN ST, HEIZER, KS 67530-0051730504006006000 SCHROEDER, RON & SCHROEDER, RITA 415 WILKINS ST, HEIZER, KS 67530

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0051730504006001000 417 WILKINS ST, HEIZER, KS 67530	SCHROEDER, RON & SCHROEDER, RITA
0051730504005004000 418 WALNUT ST, HEIZER, KS 67530	SMOLIK, SHERRY E
0051730504002003000 422 MAIN ST, HEIZER, KS 67530	SMOLIK, TOMMY D
0051730504007001000 615 RAILROAD AVE, HEIZER, KS 67530→	<del>-STOS, LEONARD</del> J
0051730504001003000 610 BEND AVE, HEIZER, KS 67530	STRECKER MACHINE INC
0051730504002005000 419 WILKINS ST, HEIZER, KS 67530	TIEDE, BRIAN A & TIEDE, GAYLE A
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Telephone (620) 792-2488 or (620) 793-5512 P.O. Box 713, Great Bend, KS 67530

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#### Property Details for PID: 0051730500000001000

R5559

QuickRef ID:

HARMS FAMILY REVOC TRUST Owner Name : 000 NW 60 AVE, Great Bend, KS 67530 Location: S05, T19, R14W, E/2 N OF RR LESS TR COM 250 N SECOR TH N830,NELY1500,SWLY370,NWLY1330,S510,SELY770,NELY100,SELY2180 POB & LESS R/W Abbreviated Boundary Description: Owner Information: HARMS FAMILY REVOC TRUST Owner % ADANS, BROWN, BERAN, & BALL PO DRAWER J GREAT BEND, KS 67530 Mailing Address Property Information: Agricultural Use Type Active Status 226-BUFFALO TWP Taxing Unit Neighborhood Code 050.0 No Secondary Address Details found Market Land Details: 0 Actual Width: 0 Eff. Width 0 Eff. Depth 0 Acres 0 Square Feet Permit Details Number Date Amount Purpose 35591 No Orion Deed Book Page Details found Additional Deed Book Page Details Deed Bk/Pg 219/143 221/141 580/74 Value Details 2018 Year \$91,890.00 Current Final Value (Agricultural) Building \$0.00 Total \$91,890.00 No Dwelling Details found

#### No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

No Commercial Building Details found

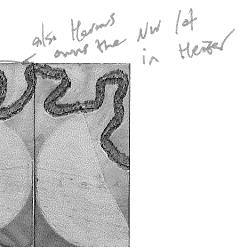
No Commercial Building Section Details found

#### Ag Land Details

Acre Type:	No Acres :	Map Unit :	Irrig :	Well Depth :
Dry Land - DR	51.90	2310		
Dry Land - DR	26.00	2365		
Dry Land - DR	19.60	WST		
Irrigated Land - IR	16.30	2310	С	100
Irrigated Land - IR	107.50	2365	С	100
Total Acres :	221.30			

No Ag Building Details found

Aerial image



#### Conant, Cameron [KDA]

From:

Conant, Cameron [KDA]

Sent:

Monday, January 7, 2019 8:51 AM

To:

Saryerwinnie, Tyler [KDA]

Subject:

35,591 nearby discussion

Tyler, I received a call from Mr. James Gregory. Mr. Gregory is a nearby domestic well owner living in the town of Heizer.

I explained the proposed change application to Mr. Gregory as well as the reason he was notified. I explained that this was not allowing more water or additional wells, the well depth was the same, and the old well was ~2100' from the nearest home in Heizer and the new well would be ~1800' from the nearest home in Heizer. I explained DWR's spacing requirements, ect.

Mr. Gregory said he moved to this home in 1999 and the well was in place at that time. He has never done any work to it, doesn't know the depth, and doesn't know when it was drilled or where the pump is set. Mr. Gregory said back in 2011 and 2012 when the drought was going on, his well seemed to have some issues during that time he presumed b/c of the lowered water table. He said the quality of water has gotten worse over the years, he doesn't drink the water but does use it for all other household purposes.

Mr. Gregory's number is (913) 424-9977. We don't need to call him and he won't send in a written response.

#### Cameron R. Conant

### Conant, Cameron [KDA]

From:

Conant, Cameron [KDA]

Sent:

Monday, January 7, 2019 10:44 AM

To:

Saryerwinnie, Tyler [KDA]

Subject:

35,591 nearby discussion

Tyler, I received a call from Mrs. Patricia Oborny. Mrs. Oborny is a nearby domestic well owner living in Heizer (actually living in Herbert Harms old house).

I explained what was going on with the pending change application. Mrs. Oborny had no concerns to speak of, she just wanted to make sure she understood what was being proposed.

Mrs. Oborny's number is (620) 617-7173. We don't need to call her back and she won't send in a written response.

#### Cameron R. Conant

#### Conant, Cameron [KDA]

From:

Conant, Cameron [KDA]

Sent:

Monday, January 7, 2019 1:32 PM

To:

Saryerwinnie, Tyler [KDA]

Subject:

35,591 nearby discussion

Tyler, I received a call from Mrs. Rita Schroeder. Mrs. Schroeder is a nearby domestic well owner living in Heizer.

I explained what was going on with the pending change application. Mrs. Schroeder had no concerns to speak of, she just wanted to make sure she understood what was being proposed.

Mrs. Schroeder's home number is (620) 793-6255 and her cell number is (620) 797-0295. We don't need to call her back and she won't send in a written response.

#### Cameron R. Conant

From:

Conant, Cameron [KDA]

Sent:

Wednesday, January 09, 2019 10:35 AM

To:

Saryerwinnie, Tyler [KDA]

Subject:

35591 nearby discussion

Tyler, I received a call from Rose Marie Lang. Rose Marie noted they have a domestic well in the area for household purposes and they also have a manufacturing business called Strecker Machine where they use CNC equipment which requires water and they utilize the same well for this purpose.

I explained the pending change application and what was going on with it. Rose Marie said she is likely against the change. They have had water quality issues for a long time, at least since they moved there in 1981. She said when the irrigation wells turn on they begin to have minerals, rust, and a rotten eggs smell in the water. They have to filter and treat it for domestic use and they have to use additives for the CNC machines. She said the well they use was drilled in 1982 to a depth of 47'. Rose Marie said they have had the water tested by a place out of Dodge City several times in the past. I asked if they had problems with the well losing production or going dry, they have never had that issue, just quality concerns.

I explained to Rose Marie that the proposed change is only moving about 300' closer to the town and that there are other irrigation wells closer to town than this one so it would be difficult to single this one out as the primary problem. I also said that we have rules and regs in place that we need to follow providing they don't impair other senior uses. In this case, without additional scientific evidence showing that a net change of 300' will impair and make worse the conditions she has been experiencing, we will likely approve the change. I further explained that I would summarize her concerns and our discussion but that she is more than welcome to also send in a written response so she can get her concerns on record as well as this summary. I encouraged her to also send in any well and quality analysis information she might have if she does send in a written response.

She will likely submit a written response. If needed her number is (620) 793-7128.

#### Cameron R. Conant

From: Saryerwinnie, Tyler [KDA]

Sent: Wednesday, January 30, 2019 11:04 AM

**To:** Conant, Cameron [KDA]

**Subject:** File No. 35591 Nearby Comment

#### Cameron,

I wanted to document a phone call for your review of the point of diversion change filed under Water Right No. 35591. The call was received on January 18, 2019 after the comment deadline had passed so it was not included in the information sent to GMD 5. Susan Koerner (Sp?) called representing her mother who received a nearby notification letter that was mailed on January 2, 2019. Her mother resides in a nursing home and Susan is the POA. Susan was just wanting some clarification on the proposed change and had no concerns regarding the move after our discussion.

Thanks Tyler

**Tyler Saryerwinnie**, Environmental Scientist Kansas Department of Agriculture Division of Water Resources Stafford Field Office Phone: (620)234-5311

RECEIVED

JAN 3 0 2019

From:

Saryerwinnie, Tyler [KDA]

Sent:

Friday, January 18, 2019 11:26 AM

To:

Orrin Feril (oferil@gmd5.org)

Cc:

Conant, Cameron [KDA]

Subject:

GMD Recommendation Request - File No. 35591

**Attachments:** 

35591.Cover Letter + Responses.pdf; 35591.Change App.pdf

Orrin,

I have attached a cover letter and a copy of one (1) point of diversion application for GMD recommendation. Twenty-Five (25) notification letters were sent and four phone responses were received. I have included emails from DWR staff which document these phone conversations (note that we did not receive any written responses). Please provide the GMD recommendation by no later than February 8, 2019.

Please let me know if you are needing anything else, or have any questions.

Thank you,

Tyler

**Tyler Saryerwinnie**, Environmental Scientist Kansas Department of Agriculture Division of Water Resources Stafford Field Office Phone: (620)234-5311 Stafford Field Office 300 S. Main Street Stafford, KS 67578-1521



Phone: 620-234-5311 Fax: 620-234-6900 www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

January 18, 2019

Orrin Feril Big Bend – GMD No. 5 125 S Main St. Stafford, KS 67578

RE: Point of Diversion Change Application, File No. 35,591

Dear Mr. Feril,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form. Notification letters were sent to all nearby well owners shown on the application map. These owners were given a 15 day comment period; four responses were received.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendations concerning the application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

Tyler Saryerwinnnie

Environmental Scientist

Stafford Field Office

tyler.saryerwinnie@ks.gov

Enclosure

From:

Orrin Feril <oferil@gmd5.org>

Sent:

Tuesday, January 29, 2019 1:18 PM Saryerwinnie, Tyler [KDA]

To: Cc:

Conant, Cameron [KDA]

Subject:

Application for Change, Water Right, File No. 35591

**Attachments:** 

35591 2019-01-29 Rec.pdf

*EXTERNAL*: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

#### Tyler,

I'm attaching the recommendation requested by your office in a letter dated January 18, 2019. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

# Orrin Feril

Manager

Big Bend GMD#5

Email: oferil@gmd5.org Phone: (620) 234-5352 Mobile: (620) 388-0172 Fax: (620) 234-5718

www.gmd5.org

Facebook/Twitter: @BigBendGMD5

Darrell Wood - Edwards (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Jerry Cullop - Rice (Sec.)
Justin Gatz - Reno
Kent Lamb - Stafford
Phil Martin - Barton
Kerry Froetschner - Pawnee
Tom Taylor - At-Large



Orrin Feril, Manager 125 South Main Street Stafford, Kansas 67578 ph: (620) 234-5352 fx: (620) 234-5718 gmd5@gmd5.org www.gmd5.org

January 29, 2019

Tyler Saryerwinnie.
Division of Water Resources
Kansas Department of Agriculture
300 S. Main Street
Stafford, Kansas 67578-1342

RE: Water Right File No. 35591 Change in the Point of Diversion

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced application to change the point of diversion. It is the understanding of the District that this change is replace an existing well that is failing. Based upon information received in the District office, the application appears to be consistent with 5-25-20(b) and is therefore recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril Manager

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Stafford Field Office Division of Water Resources



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Stafford Held Office

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SCOTT & TAMMY J PILAND 3315 19TH ST GREAT BEND KS 67530

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DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



PHONE: (620) 234-5311 Fax: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

TAMMARA J ANSPAUGH 3811 MCKINNEY DR GREAT BEND KS 67530

RE: Water Right, File No(s). 35591

Dear Well Owner,

This is to advise you that Herbert Harms on behalf of the Harms Family Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

Cameron R. Conant

Assistant Water Commissioner

cameron.conant@ks.gov

DEFARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



PHONE: (620) 234-5311 FAX: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

KATHERINE J BAILEY 230 17TH ST GREAT BEND KS 67530

RE: Water Right, File No(s). 35591

Dear Well Owner,

This is to advise you that Herbert Harms on behalf of the Harms Family Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,

Cameron R. Conant

Assistant Water Commissioner

cameron.conant@ks.gov

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521

PHONE: (620) 234-5311 Fax: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

JEFFREY C & JONNA D BOSCH 423 WALNUT ST HEIZER KS 67530

RE: Water Right, File No(s). 35591

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Sincerely,

Cameron R. Conant

Assistant Water Commissioner

cameron.conant@ks.gov

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



Prone: (620) 234-5311 Fax: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

RUBY BYERLY 210 HUBBARD GREAT BEND KS 67530

RE: Water Right, File No(s). 35591

Dear Well Owner,

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Sincerely,

Cameron R. Conant

Assistant Water Commissioner

cameron.conant@ks.gov

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



PHONE: (620) 234-5311 Fax: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

JAMES C GREGORY 602 BEND AVE HEIZER KS 67530

RE: Water Right, File No(s). 35591

Dear Well Owner,

This is to advise you that Herbert Harms on behalf of the Harms Family Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

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Sincerely,

Cameron R. Conant

Assistant Water Commissioner

cameron.conant@ks.gov

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



PHONE: (620) 234-5311 Fax: (620) 234-6900 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

CHRISTOPHER J & JULIE-ANNE H GRIEB 621 BYERS AVE HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

WESLEY A KNOX 3000 24TH ST GREAT BEND KS 67530

RE: Water Right, File No(s). 35591

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

EUGENE & DENISE LARSON 414 MAIN ST HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

CHARLES W LIKES 411 WILKINS ST HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

JAMES F LLOYD JR 66 NE 20 RD GREAT BEND KS 67530

RE: Water Right, File No(s). 35591

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

STEVEN C LOCKWOOD RICHARD V LOCKWOOD 1400 HOOVER ST GREAT BEND KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

NORDMAN FARMS LLC 722 NW 80 AVE OLMITZ KS 67564

RE: Water Right, File No(s). 35591

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

PATRICIA A OBORNY 614 BYERS AVE HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

LUIE E PHILBERN 622 W US 56 HWY GREAT BEND KS 67530

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pc: GMD5

Cameron R. Conant

Assistant Water Commissioner cameron.conant@ks.gov

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

HERBERT L III & LISA J PHILLIPS WILLIAM CECIL PHILLIPS 578 NW 40 RD GREAT BEND KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

SCOTT & TAMMY J PILAND 3315 19TH ST GREAT BEND KS 67530

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HOLLY K REGAN 419 MAIN ST HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

HENRY & CAROL ROWE 621 RAILROAD AVE HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

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January 3, 2019

RON & RITA SCHROEDER 417 WILKINS ST HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

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January 3, 2019

SHERRY E SMOLIK 418 WALNUT ST HEIZER KS 67530

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TOMMY D SMOLIK %SHERRY SMOLIK 418 WALNUT ST HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

STRECKER MACHINE INC 610 BEND AVE HEIZER KS 67530

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

January 3, 2019

BRIAN A & GAYLE A TIEDE 421 WILKINS ST HEIZER KS 67530

RE: Water Right, File No(s). 35591

Dear Well Owner,

This is to advise you that Herbert Harms on behalf of the Harms Family Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced file number(s). You are being notified of the proposed change because it appears you have a groundwater well within one-half mile of the proposed point of diversion. As such, you may provide this office any comments or other information you may want to submit regarding the proposed change. Such comments or other information must be received in this office within 15 days of the date of this letter, or any authorized extension of time.

You can find the complete application posted by the water right file number(s) as referenced above at <a href="https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices">www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices</a>. If you do not have access to the internet and would like a copy of the application, please contact the Stafford Field Office. If you have any additional questions about the application, please contact the Stafford Field Office at (620) 234-5311.

Sincerely,

Cameron R. Conant

Assistant Water Commissioner

cameron.conant@ks.gov

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES STAFFORD FIELD OFFICE 300 S. MAIN STREET STAFFORD, KS 67578-1521



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HELEN IRENE TIEDE 18174 BAPTIST RIDGE RD WARSAW MO 65355

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