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.

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Artis						S 170						quis	Town					Staf	ford Field Off
. <i>P</i>	Applicati	on is he	reby m	nade fo	or appr				nginee					e or b	oth):		D	ivision	of Water Res
						- Total	lace of			- 61		of Dive							
U	inder the	e water	right w	hich is	the su	ubject	of this	applic	ation ir	n acco	rdance	with t	he cor	ditions	s desc	ribed b	elow.		
Т	he sour	ce of s	upply is	3:		⊠ G	round	water			Surfac	ce wate	er						
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. 1	f this ap	plicatio	n is for	a cha	nge in	place	of use	, it is p	ropose	ed that	the pl	ace of	use be	chan	ged to	:			
	Owner o				-										-		verly F	roese F	amily Tr. ETAL
			ADDRI	ESS:	A)1462	Arrowl	nead R	d, Inma	n, KS 6	7546;	1226 C	heroke	e Rd, In	man, K	S 6754	16; B)12	226 Ch	erokee	Rd, Inman, KS
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Sec. A) 18 B) 18		3W							0		70	63.73				40	40	40	253.73

г					
5.	Presently authorized point of diversion:				
	One in the Quarter of the		Quarter of the	Lot 1	Quarter
	of Section, Township	21	South, Range	3W	(E/W),
	in McPherson County, Kansas, <u>4581</u> f	eet North _	3788 feet West o	f Southeast corner	of section.
	Authorized Rate 800 (LTD) GPM Authorized Quantity 1	15 (LTD) AF	Depth of well	202 (feet)	
- 1	(DWR use only: Computer ID No. <u>5</u> GPS		feet North	feet Wes	t)
	☐This point will not be changed ☐This point will be changed a	as follows:	☐ No change, point better	r described with GPS	as follows:
	Proposed point of diversion: (Complete only if change	is requeste	d or if existing point	is better described	by GPS)
	One in the Quarter of the				
	of Section, Township		South, Range		(E/W),
	in County, Kansas, f	eet North	feet West o	f Southeast corner	of section.
	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List other				
-	- Selejin	<u> </u>			
6. <b>[</b>	Presently authorized point of diversion:				
١.	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township				
	in County, Kansas, f	eet North	South, Nange	f Southoast corner	of section
	Authorized Pate Authorized Quantity	eet North_	Donth of well	(foot)	or section.
- 1	Authorized Rate Authorized Quantity		Depth of well	(feet)	4
	(DWR use only: Computer ID No GPS This point will not be changed ☐ This point will be changed a				
- 1					
- 1	Proposed point of diversion: (Complete only if change i		-		
- 1	One in the Quarter of the				
- 1	of Section, Township				
	in County, Kansas, f				
	Proposed Rate Proposed Quantity				· ·
L	This point is: Additional Well Geo Center List other	er water righ	ts that will use this poir	nt	·
_	<del>-</del>				
7.	The changes herein are desired for the following reasons? (please be specific) Combining place of use with				
	Nos. 13056, 37843, & 37868 proposed place of use	300	Nor 200 100 0	100 200	300
		E.	<u> </u>	ափարարարա	TT 9
_		E		· · ·	킄
8.	If a well, is the test hole log attached?   Yes  No	200	-   +   +   =	-   +   +	200
0	The change(s) (was)(will be) completed by?	E	· ' ' ' <u>=</u>		3
ອ.		E			1
	<u>ASAP</u>	100	-+++=	-   +   +	100
10	If the point of diversion is a well:	E	=		4
10.		West O. I.			
	(a) What are you going to do with the old well?	westo			
	NA	. E	· =		=
		100	-   +   +   =	- – – -   <del>+</del>   +	100
	(b) When will this be done? NA	E			₫
	0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	E	·		3
11.	Groundwater Management District recommendation	200	-  +   +   =	-   +   +	200
	attached? Yes No				킄
12	Assisted by <u>T. Boese, GMD2</u>	<u>E</u>	<u> </u>	<u></u>	قسا
. — .	7.66.664 by 1.86666, OHBE	300	200 100 0 Sou	100 200	300
13a	If the proposed point of diversion will be relocated more than	<u>n</u>			
	300 feet but within 2,640 feet of the existing point of diversion attach a topographic map or aerial photograph. Fo	n, 13b.It the	proposed point of dive If the existing point of div	rsion will be relocat	ed <u>within 300</u>
	groundwater sources, show all wells (including domestic) within	n diagra	am shown above in r	elation to the exis	sting point of
	one-half mile of the proposed point of diversion and the name and mailing addresses of the owners. For surface wate	s divers	sion. (PLEASE NOTE:	The "X" in cente	r of diagram
	sources, show the names and addresses of the landowner(s	s) diver	e represents the p sion.)	resently authorize	u point of
	one-half mile downstream and one-half mile upstream from	ń			
	your property lines				

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Stafford Field Office
Division of Water Resources

14. If the proposed groundwater point of diversion is 300 or fewer feet f	from the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently aut ☐ Yes ☐ No (If no, all owners must sign this app	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorized affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	r ธาที่ ในสดังเดิงใหม่ไม่ ลังเลยโร ษณ์ rabinu bastra เดิม ยาตอสตร์เหมือ
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owner agent (attach notarized statement authorizing representation).	, a groundwater change in point of diversion greater than 300 feet, rs of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affire 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 all contained in this application are true, correct and complete.	orized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at, Kansas, thi	is $\frac{27}{}$ day of $\frac{199}{}$ day of $\frac{1}{}$ day of $\frac{1}{}$
See by	Bevery D. From
(Owner)	(Spouse)
Larry L. Froese	Beverly D. Froese
(Please Print)	(Please Print)
Ram n Fines	de men Thomas
(Owner)	(Spouse)
Ray Froese, Trustee of the Ray & Dawn Froese Family Trust (Please Print)	Dawn tropse (Please Print)
(Flease Fillity	A TI SAY ME SAY ME SAY
(Owner)	(Spouse)
res in a page restriction and service propagation in the case of the restriction of the contract of the contra	
(Please Print)	(Please Print)
sel al negrodes and a	valerum top optial as a tip or any other enfantement
State of Kansas ) SS	
County of McPherson	areneta ABRIAR so un omo e e din dina ina iso iso.
I hereby certify that the foregoing application was signed in NOTARY PUBLIC - State of Kansas SERINA HEIDE	my presence and sworn to before me this 29 day of
My Appt Expires 11-14-21	XUM HEICH
My Commission Expires 11-14-21.	Notary Public
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.	all of the applicable portions of the application form must be completed witl appropriate owners' must be affixed to the application and notarized; and
FEE SCHE	DULE
Each application to change the place of use or the point of diversion un	nder this section shall be accompanied by the application fee set
forth in the schedule below: Make checks payable to: Kansas Depart	
<ul><li>(1) Application to change a point of diversion 300 feet or less.</li><li>(2) Application to change a point of diversion more than 300 feet</li></ul>	\$100 eet\$200
(3) Application to change the place of use	
	200 20 84 30° 65-3 mm
RECEIVED	

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

pro Wit	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 applica provisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.,</i> and rules and regulations promulgated thereund With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions	der						
and	A change application was received on 4/1/2019 requesting that the place of use and / or poin diversion authorized under the above-referenced file number be changed as described in the application.							
2.	2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as sho							
3.	on the topographic map accompanying the application to change the place of use. 🕍 Applicable 👚 Not Applicable							
	previously authorized. The point of diversion authorized by this summary order shall be located within a for radius of the authorized point(s) of diversion. ☐ Applicable ☑ Not Applicable	oot						
4.	The point(s) of diversion described herein is administratively corrected to be more accurately described using the Glo Positioning System (GPS), as described in the application.   Applicable  Not Applicable	bal						
5.	The point(s) of diversion authorized herein shall not actually be located more than feet from the previous authorized point(s) of diversion. ☐ Applicable ☑ Not Applicable	usly						
ô.	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 tube or other device suitable for making water level measurements shall be installed, operated and maintained accordance with K.A.R. 5-6-13. ☐ Applicable ☑ Not Applicable	e, a d in						
7.	The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before the first use of water, whichever occurs first. The water flow meter shall be install 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 amend 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 water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable   Not Applicable	led, led.						
3.	. Installation of the works for diversion of water shall be completed on or before December 31, 20, or within a authorized extension of time. By March 1, 20 the applicant shall notify the Chief Engineer that construction of works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. ☐ Applicable ☐ Not Applicable	any the						
9.	The completed well log shall be submitted with the required notice.							
10.	O. 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 Not							
	1. Additional Conditions are attached.							
12.	2. 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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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.							
4	Administrative Appeal and Effective Date of Order FOR OFFICE USE ONLY							
f vo	you are aggrieved by this order, pursuant to K.S.A. 82a-1901,  APPLICATION APPROVED AND SLIMMARY ORDER ISSUED.							
ou/	ou may request an evidentiary hearing before the Chief ngineer or request administrative review by the Secretary of							
٩gr	griculture. A request for hearing by the Chief Engineer must be led within 15 days of service of this Order and a request for leavest for led within 15 days of service of this Order and a request for leavest fo							
adn	dministrative review by the Secretary must be filed within 30							
evi	ays pursuant to K.S.Á. 77-531. Any request for administrative eview must state a basis for review pursuant to K.S.A. 77-527.  Division of Water Resources - Kansas Department of Agriculture	<del></del>						
_eg	egal Division, 1320 Research Park Drive, Manhattan, KS  Date of Issuance:							
665 orec	6502. Failure to timely request a hearing or review may reclude review under the Kansas Judicial Review Act.							
	For Use by Register of Deeds County of ) SS							
	Acknowledged before me on							
	by							
	Signature:Notary Public							
	My commission expires:(Notary Seal)							
	APR 0 1 2019 (Notary Seal)							

DWR 1-121 (Revised 04/5/2018)

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File No. 39948

# 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.

Page 5

## Application Map - File No. 39948



1:24,000							
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	Date						
Mew Application	Water wells within 1/2 mile of proposed point						
$\times$ Application No. $39948$ To Change:	of diversion include: (type use, owner, address)						
represented re enanger	1) See Attacked						
Point of Diversion							
Place of Use	2)						
Use Made of Water							
Proposed Point of Diversion  Existing Points of Diversion	CE3VED						
Proposed Place of Use APR	<b>9 1</b> 2019						
	ineld Office Completed By GMD2 Staff						
Division of \	Nater Resources T. Boese - 3/14/2019						

#### Well owners within ½ mile - No. 39948

- Domestic Well
   Junis E. & Velma Schroeder
   389 12<sup>th</sup> Avenue
   Inman, KS 67546
- 2) Domestic Well Larry & Beverly Froese Family Trust1226 Cherokee Rd. Inman, KS 67546

**RECEIVED** 

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Division of Water Resources