

File No. **FO 35** 11. County: FO Basin ARKANSAS RIVER: Stream: NA Formation Code: 075 Special Use: 016

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 MOD PDIV
 DEL Qualifier S T R ID 'N 'W Comment (AKA Line) Rate Quantity Rate Quantity
 ENT gpm af gpm af Overlap PD Files

MOD 31277 SE NW NE 26 26 26W 1 4536 1666 GPS UPDATE 900 40 900 40 FO 035

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) NONE NO CHANGE _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
ENT	2662	23	26	26W	2											16.0	19.0			4.0		39	8a	NO	FO 033
MOD	3540	26	26	26W	3	23.5	39.5	LT 3 39.5	LT 4 35.5	40	LT 1 37.5	LT 1 8.5	LT 2 24.0					LT 4 3.50	LT 3 2.75			255	8a	NO	FO 033
LOT ACRES IN SEC 26								38.5				5.5	22.5					2.75	0.75						

Base Acres: Year: Minimum Reasonable Quantity:
 Comments: **LOTS AND NON-LOT ACRES IN SECTION 26.**

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: June 20, 2019

FROM: Leslie Ireland

RE: Vested Right
File Nos. FO 033 & FO 035

Philip E. Ochs Trustee of the Phil & Verna Ochs Trust as owner has filed an applications for approval to change the point of diversion and place of use under File No. FO 033 and place of use under File No. FO 035, both authorized for irrigation use. The applications were received in the office of the Chief Engineer on October 1, 2018.

The referenced water rights are considered in good standing as per K.S.A. 82a-718 and K.S.A. 82a-732. The rights currently have the requirement to install anti-reverse gears and pay a penalty for pumping the rights with what was thought to be a blanket quantity instead of assigned. It appears the owner has complied with the terms and conditions for exceeding the authorized quantity. The applications appear to be complete per K.A.R. 5-5-2a, *Complete change application*, with the True and Correct copies of June 3, 2019 serving as the original applications.

Both of the referenced files authorize a partial incomplete overlap totaling 315 acres along the North side of the Arkansas River. Together the rights provide 512 acre-feet and appear to have no other limitations with the exception of being located in the Ark River Intensive Groundwater Control Area, (IGUCA) and within the boundaries of the Southwest Kansas Groundwater Management District No. 3, (GMD 3). The proposed change in place of use is to make a complete overlap of 294 acres. It does not appear that any new acres are being added. The base acres were summarized in a 2018 summary memo as 236 acres for File No. FO 033 and 130 acres under File No. FO 035 with an additional note of only 63 acres are additional above and beyond File No. FO 033. It would appear the referenced files have 299 total combined base acres. The proposal to irrigate 294 acres appears to comply with Part b of K.A.R. 5-5-11, *Applications for change in place of use for irrigation purposes*, as the change will not permit more acres than established as base acres.

The change in point of diversion for File No. FO 033, proposes to shift a portion of the quantity and rate from its single well to the single well authorized under File No. FO 035. This will result in File No. FO 033 to authorize two (2) wells per K.A.R. 5-5-16, *Additional well*. The change should help resolve pumping issues under File No. FO 035. The applications were completed by Elizabeth Fitch, Environmental Scientist, Stafford Field Office, who listed GPS feet distances for the wells. The listed measurements place the wells approximately 2,226 feet apart. The listed feet distances comply with K.A.R. 5-5-6, *Failure to construct diversion works at authorized location*, as no feet distances are listed for the authorized points of diversion. Currently, File No. FO 033 authorizes 1,500 gallons per minute (gpm) to divert 472 acre-feet per year. The proposal is to move 700 gpm and 163.7 AF to the existing well under File No. FO 035.

Per K.A.R. 5-5-16 the quantity and rate available for change must be determined. The maximum acres irrigated during the perfection period for the referenced file were determined to be 236 acres which was utilized for the determination of the quantity for the consumptive use calculation as required by Party (a)(2)(C)(i):

$$236 \text{ acres} \times 1.31 \text{ (80\%NIR FO Co.)} \div 0.85 = 363.7 \text{ acre-feet.}$$

It would appear that the referenced file will require that the authorized quantity of 472 acre-feet, be reduced. The original application stated the calculation and reduction and further informed by letter dated February 19, 2019, which returned the applications for the needed flow rate testing. The reduction to 363.7 acre-feet on File No. FO 033 as required by K.A.R. 5-5-16(a)(2)(C)(i) should assure that consumptive use will not increase.

The tested rate of diversion as required by K.A.R. 5-5-16(a)(3)(A) was completed on April 8, 2019, by Chris Law with GMD 3. The conducted *Flow Test Evaluation* with a Fuji PortaFlow meter determined a rate of 1,720 gallons per minute (3.83 c.f.s.) at the well under File No. FO 033, located in the Northwest Quarter (NW ¼) of 26-26-26W. The well is authorized a rate of 1,500 GPM, being less than the tested rate will not require any rate reduction. As required by K.A.R. 5-5-16(a)(3)(A) the rate will be divided between the wells as specified in K.A.R. 5-5-16(d). In summary:

File No.	Well Description	Quantity AF	Rate gpm
FO 033	NW NE NW ID 2	200	800
FO 033	SE NW NE ID 1	163.7	700
FO 035	SE NW NE ID 1	40	900

File Nos. FO 033 and FO 035 will authorize a combined total of 203.7 AF to be diverted from the well located in the SE¼ NW¼ NE¼ of Section 26, Township 26 South, Range 26 West, Ford County. Per K.A.R. 5-23-3, *Minimum well spacing requirements: high plains aquifer*, the 203.7 AF requires 1,600 feet of well to well spacing. At the minimum rate of 700 gallons per minute the total 203.7 AF can be diverted in 66 days.

It appears the wells have both been designated alluvial deposits of the Arkansas River with the source of supply determined to be the Ark River IGUCA (Code 75). A 2007 summary memo listed FO 033 to have a well depth of 200 feet and a static water level of 9 feet in 1980. It also listed FO 035 to have a well depth of 210 and the same static water level of 9 feet. Well logs were submitted with the change application. It would appear K.A.R. 5-5-16(b) has been met.

Nearby wells located within one-half (½) mile of the proposed additional well were listed by the applicant. It appears there are three (3) domestic wells and three (3) irrigation wells in the area. Two (2) of the irrigation wells are owned by the applicant. The notification letter on the proposed changes yielded no written replies. The requirements of K.S.A 82a-1906 appear to have been met.

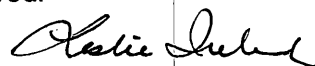
The Southwest Kansas Groundwater Management District No. 3 was sent a request for recommendation. In a letter dated May 3, 2019, Jason Norquest, Assistant Manager, detailed their review and recommended the applications be approved.

The proposed change will result in one well to authorize 203.7 AF and leave 200 AF behind. Under K.A.R. 5-23-3 (a), **Minimum well spacing requirements: high plains aquifer** the new additional well and the existing well will each require a minimum well spacing of 1,600 feet and 1,300 feet, respectively. The wells are approximately 2,226 feet apart, hence a move of less than 2,640 feet and complying with part (b) of K.A.R. 5-23-3. The nearest nontemporary, nondomestic well is indicated by WRIS to be 2,368 feet away from the proposed additional well. The domestic wells shown on the map appear to be more than the minimum of 660 feet away. It appears that the proposed change meets the spacing requirements of K.A.R. 5-23-3 as required by K.A.R. 5-5-13(c).

Jeff Lanterman, Water Commissioner of the Stafford Field Office recommended approval of the requested changes per his email of June 20, 2019.

The meters were updated this year to anti-reverse meters which will be a condition of the approvals. The wells will also be required to have a DWR meter seal. A water level measurement tube not applicable due to age of the wells. Stratigraphic logs were supplied with the applications, so a well logs will not be required. As per K.A.R. 5-5-16(a)(4), a condition will be placed on the approval that the administrative priority of the quantity and rate moved to the additional well will be October 1, 2018, and the approval will contain the jurisdictional wording as required by K.A.R. 5-5-16(f).

Based on the above discussion, and that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, it is recommended that the referenced applications be approved.



Leslie Ireland
Environmental Scientist
Change Application Unit

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

July 2, 2019

FILE COPY

PHILLIP E & VERNA M OCHS
10509 W 142ND ST
OVERLAND PARK KS 66221

RE: Vested Right, File Nos. FO 033 & FO 035

Dear Mr. & Mrs. Ochs:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the referenced files.

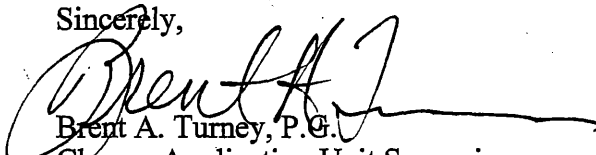
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer must be installed on the diversion works authorized. Additionally, a seal shall be placed on each flowmeter by the Division of Water Resources in such a manner as to render the meter non-removable from the measuring chamber without breaking the seal. Please contact Cameron Conant, Assistant Water Commissioner, Stafford Field Office at (620) 234-5311, should you have questions and seal installations. Please return the required notification of installation of the meter as soon as this action is completed.

Please note that the application to change the point of diversion under File No. FO 033 is subject to the condition that for the sole purpose of administering wells concerning direct impairment, shall be considered to have the priority date of the date the application was filed, October 1, 2018. In addition, the Chief Engineer specifically retains jurisdiction in this matter.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact Leslie Ireland, Environmental Scientist, at (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Brent A. Turney, P.E.
Change Application Unit Supervisor
Water Appropriation Program

BAT:LI:li
Enclosures

cc: Stafford Field Office
Groundwater Management District No. 3

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE AND ORDER IN THE MATTER OF THE AUTHORIZED POINT OF DIVERSION VESTED RIGHT, FILE NO. FO 035

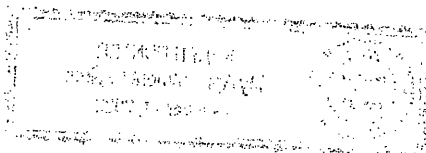
The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Philip E. Ochs, Trustee, of the Phillip E. & Verna M. Ochs Trust, 10509 W. 142nd Street, Overland Park, Kansas 66221, received in the office of the Chief Engineer on October 1, 2018, for approval of a change in the location of the place of use under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 6235, Ford County, now identified as Vested Right, File No. FO 035, as modified and amended by the Order of the Chief Engineer dated April 25, 1968, approving the application to change the place of use, and Order of the Chief Engineer dated September 5, 1980, approving the application to change the place of use and the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23	26S	26W										16.00	19.00			4.00		39.0	
26	26S	26W	23.50	39.50	1.00		40.0		3.00	1.50					0.75	2.75		112.0	
26	26S	26W			Lot 3 38.50	Lot 4 35.50		Lot 1 37.5	Lot 1 5.50	Lot 2 22.50					Lot 4 2.75	Lot 3 0.75		143.0	

a total of 294 acres in Township 26 South, Range 26 West, Ford County, Kansas,

located substantially as shown on the topographic map accompanying the application to change the place of use.



That information in the office of the Chief Engineer finds that the point of diversion would be more accurately defined as being:

one (1) well located in the Southeast Quarter of the Northwest Quarter of the Northeast Quarter (SE¼ NW¼ NE¼) of Section 26, more particularly described as being near a point 4,536 feet North and 1,666 feet West of the Southeast corner of said section in Township 26 South, Range 26 West, Ford County, Kansas.

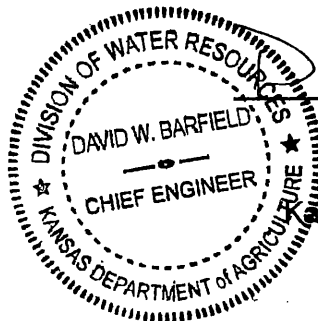
All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The owners of the authorized place of use shall properly install an anti-reverse totalizing water flowmeter which meets or exceeds specifications adopted by the Chief Engineer and said meter shall be installed on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

A seal will be placed on the water flowmeter by the Division of Water Resources 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 written permission of the Chief Engineer, it shall constitute a violation of the order of the Chief Engineer.

In all other respects, the vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. FO 035, is as stated and set forth in the vested right order executed by the Chief Engineer on February 11, 1955, as modified and amended by the aforementioned orders.

Ordered this 28th day of June, 2019, in Manhattan, Riley County, Kansas.



David W. Barfield
David W. Barfield, P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 28th day of June, 2019, by David W. Barfield, P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.



Karen Hunter
Notary Public

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for hearing may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., **within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for a hearing or petition for administrative review shall be in writing and shall be submitted to the attention of : Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 – 6777.

CERTIFICATE OF SERVICE

On this 2nd day of July, 2019, I hereby certify that the attached original Approval of Application for Change in Place of Use, and Order in the Matter of the Point of Diversion, Vested Right, File No. FO 035 dated, June 28th, 2019 was mailed postage prepaid, first class, US mail to the following:

Phillip E. & Verna M. Ochs Trust
10509 W 142nd St
Overland Park, KS 66221

With photo copies sent to:

Stafford Field Office
Groundwater Management District No. 3


Danielle Wilson
Division of Water Resources

Submit To: CHIEF ENGINEER
 Division of Water Resources
 Kansas Department of Agriculture
 1320-Research Park Drive
 Manhattan, Kansas 66502
 http://agriculture.ks.gov/dwr

**APPLICATION FOR APPROVAL TO
 CHANGE THE PLACE OF USE, THE
 POINT OF DIVERSION OR THE USE
 MADE OF THE WATER UNDER AN
 EXISTING WATER RIGHT**



State of Kansas

COPY

*Filing Fee Must Accompany the Application
 (Please refer to Fee Schedule on signature page of application form.)*

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

RECEIVED
 12:30 pm
 SEP 27 2018

1. Application is hereby made for approval of the Chief Engineer to change the

- (Check one or more)
- Place of Use
 - Point of Diversion
 - Use Made of Water

** ORDER IN THE
 PARTIAL OF THE LOCATION
 OF THE POINT OF DIVERSION*

*** Water Resources
 Received
 OCT 01 2018
 1:12**

Stafford Field Office
 Division of Water Resources

File No. FO-35

**KS Dept Of Agriculture
 WATER RESOURCES
 RECEIVED**

2. Name of applicant: Phil & Verna Ochs Trust

Address: 10509 W 142nd St

APR 12 2019

City, State and Zip: Overland Park KS 66221-8197

KS DEPT OF AGRICULTURE

Phone Number: (620)338-5555

E-mail address: pochs44@gmail.com

What is your relationship to the water right; owner tenant agent other? If other, please explain.

I hereby certify that this instrument is a true and correct copy of the original as purported.

Name of water use correspondent: Phil & Verna Ochs Trust

Dated at Manhattan, Kansas this 31st day of September, 2019

Address: 10509 W 142nd St

[Signature]
 DIVISION OF WATER RESOURCES
 KANSAS DEPARTMENT OF AGRICULTURE

City, State and Zip: Overland Park KS 66221-8197

Phone Number: (620) 338-5555

E-mail address: pochs44@gmail.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): The change in place of use will create a complete overlap with File No. FO-33 and add irrigated acres that are not authorized on the east end of the field.

The change(s) will be completed by approval of this application

(Date)

For Office Use Only:

F.O. 2 GMD 3 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G/S County FD By DAW Date 10/01/18
 Code CAU Fee \$ 200 TR # _____ Receipt Date 10/1/18 Check # 1995

** LI/OWE 10/3/19*

APPLICATION COMPLETE
6/20/19
 Reviewer LI

SCANNED
 Assisted by: EKF/SFFO

10/8/18 DAW

6. The presently authorized point(s) of diversion is one (1) well and diversion works

(Provide description and number of points)

7. The proposed point(s) of diversion (is) (are) No Change

(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the SE Quarter of the NW Quarter of the NE Quarter of Section 26, Township 26 South, Range 26 W, in Ford County, Kansas, --- feet North --- feet West of Southeast corner of section.
 Authorized Rate 900 gpm Authorized Quantity 40 AF
 (DWR use only: Computer ID No. 1 GPS 4,536 feet North 1,666 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested):
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point FO-33 (pending change)

9. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ (E/W), in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. N/A

RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SEP 27 2018

4. The presently authorized place of use is:

Owner of Land — NAME: Phil & Verna Ochs Trust

ADDRESS: 10509 W 142nd St, Overland Park KS 66221-8197

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
26	26	26W	26	39	Lot 3 42	Lot 4 52													159

List any other water rights that cover this place of use. FO-33 (Partial Overlap)

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

I hereby certify that this instrument is a true and correct copy of the original as purported. Dated at Manhattan, Kansas this 31st day of September, 2019

Manuel W. J.
 DIVISION OF WATER RESOURCES
 KANSAS DEPARTMENT OF AGRICULTURE

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Phil & Verna Ochs Trust

ADDRESS: 10509 W 142nd St, Overland Park KS 66221-8197

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23	26	26W										16	19			4			39
26	26	26W	23.5	39.5	1		40		3	1.5				0.75	2.75				112
26	26	26W			Lot 3 38.5	Lot 4 35.5		Lot 1 37.5	Lot 1 5.5	Lot 2 22.5				Lot 4 2.75	Lot 3 0.75				143
																		Total: 294	

List any other water rights that cover this place of use. FO-33

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

List any other water rights that cover this place of use. _____

Water Resources RECEIVED

Received

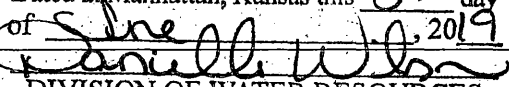
IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APR 12 2018 OCT 01 2018 SEP 27 2018
 KS DEPT OF AGRICULTURE KS Dept Of Agriculture SCANNED Stafford Field Office
 Division of Water Resources

- 12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to --- purposes.
- 13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
The proposed place of use will create a complete place of use overlap with File No. FO-33. The base acres will not be exceeded, so no increase in consumptive use is expected.
In addition, it is requested that the well location be re-described using the GPS coordinates on file.

(Please show any calculations here.)

- 14. It is requested that the maximum annual quantity of water be reduced to --- (acre-feet or million gallons).
- 15. It is requested that the maximum rate of diversion of water be reduced to --- gallons per minute (--- c.f.s.).
- 16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.
 - a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
 - b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.
- 17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

I hereby certify that this instrument is a true and correct copy of the original as purported.
 Dated at Manhattan, Kansas this 31st day
 of September, 2019

 DIVISION OF WATER RESOURCES
 KANSAS DEPARTMENT OF AGRICULTURE

- 18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

No waivers are anticipated

Water Resources
Received

OCT 01 2018

RECEIVED

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

KS Dept of Agriculture

SEP 27 2018

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water before the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Stafford, Kansas, this 27th day of September, 2018

Philip E Ochs Trustee
(Owner)

Philip E Ochs Trustee
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }
County of Stafford } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of September



My Commission Expires

Jessica Engelbrecht
Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

RECEIVED

SEP 27 2018

Stafford Field Office
Division of Water Resources

Water Rights and Points of Diversion Within 1.10 miles of point defined as:

4536 ft N and 1666 ft W of the SE Corner of Section 26, T 26S, R 26W

Located at: 100.129389 West Longitude and 37.763861 North Latitude

PO 035 ACTUAL

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twps	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 5076	00	IRR	NK	G	5009	--	--	--	1150	3200	25	26	26W	1		40.00	40.00	AF
A__ 9407	00	IRR	NK	G	2055	--	SW	SW	NW	3300	5230	25	26	26W	2	246.00	246.00	AF
A__ 11656	00	IRR	NK	G	5097	--	--	CN	NE	5105	1400	27	26	26W	2	162.00	162.00	AF
A__ 12710	00	IRR	NK	G	3184	--	SW	NE	NW	4175	3700	25	26	26W	3	141.00	141.00	AF
A__ 16967	00	IRR	NK	G	2033	--	NW	SW	SE	1180	2200	23	26	26W	1	132.00	120.00	AF
A__ 21897	00	IRR	NK	G	3184	--	SW	NE	NW	4175	3700	25	26	26W	3	130.00	130.00	AF
A__ 38122	00	IRR	NK	G	4866	--	NW	SE	SE	1236	743	22	26	26W	5	16.00	16.00	AF
VFO 31	00	IRR	AA	G	5097	--	--	CN	NE	5105	1400	27	26	26W	2	60.00	60.00	AF
VFO 32	00	IRR	AA	G	2033	--	NW	SW	SE	1180	2200	23	26	26W	1	12.00	12.00	AF
VFO 33	00	IRR	AA	G*	2069	--	NW	NE	NW	-----	-----	26	26	26W	2	472.00	472.00	AF
VFO 34	00	IRR	AA	G	5009	--	--	--	1150	3200	25	26	26W	1		80.00	80.00	AF
VFO 35	00	IRR	AA	G*	221	--	SE	NW	NE	-----	-----	26	26	26W	1	40.00	40.00	AF

NEARBY APPLICATION

NSA 0340

NSA 0340

FROM AUTHORIZED

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	855.00	.00
Total Vested Amount (AF) =	664.00	.00
TOTAL AMOUNT (AF) =	1519.00	.00

An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.10 miles of point defined as:

100.129389 West Longitude and 37.763861 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 5076	00	IRR	NK G
> RICK L KONECNY REV TR			
>			
> 10652 MARSHALL RD			
> DODGE CITY KS 67801			

A__ 9407	00	IRR	NK G
> PHILLIP E & VERNA M OCHS TR			
>			
> 10509 W 142ND ST			
> OVERLAND PARK KS 66221			

A__ 11656	00	IRR	NK G
> MARK D FISCHER			

>
> PO BOX 131
> WRIGHT KS 67882
>-----

A__ 12710 00 IRR NK G
> KANS LLC
> TOM L & KAY A HERRMANN
> 190 MONTCLAIR DR
> SHERMAN TX 75092
>-----

A__ 16967 00 IRR NK G
> CHARLENE SCHULTE
>
> 12221 EAGLE RD
> SPEARVILLE KS 67876
>-----

A__ 21897 00 IRR NK G
> KANS LLC
> TOM L & KAY A HERRMANN
> 190 MONTCLAIR DR
> SHERMAN TX 75092
>-----

A__ 38122 00 IRR NK G
> MARK D FISCHER
>
> PO BOX 131
> WRIGHT KS 67882
>-----

VFO 31 00 IRR AA G
> MARK D FISCHER
>
> PO BOX 131
> WRIGHT KS 67882
>-----

VFO 32 00 IRR AA G
> CHARLENE SCHULTE
>
> 12221 EAGLE RD
> SPEARVILLE KS 67876
>-----

VFO 33 00 IRR AA G
> PHILLIP E & VERNA M OCHS TR
>
> 10509 W 142ND ST
> OVERLAND PARK KS 66221
>-----

VFO 34 00 IRR AA G
> RICK L KONECNY REV TR
>
> 10652 MARSHALL RD
> DODGE CITY KS 67801
>-----

Ireland, Leslie [KDA]

From: Lanterman, Jeff [KDA]
Sent: Thursday, June 20, 2019 8:54 AM
To: Ireland, Leslie [KDA]; Conant, Cameron [KDA]
Subject: RE: Recommendation for Change in PDP, File No. FO 033 & PU File No. FO 035 _ Ochs

Leslie. This is timely Phil called my office a couple days ago and asked about these. I told them it looked like it was out to GMD for comments.

Anyway I am aware of these changes and they are fixing a long standing problem so I recommend approval.

Yes please require AR gears and a DWR seal on them.

Thanks.
Jeff

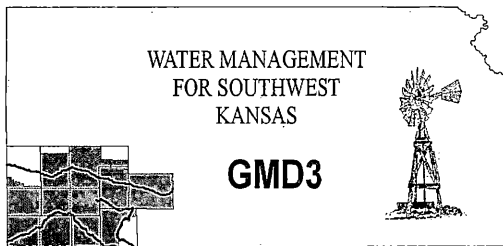
From: Ireland, Leslie [KDA]
Sent: Thursday, June 20, 2019 8:38 AM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: Recommendation for Change in PDP, File No. FO 033 & PU File No. FO 035 _ Ochs

Please let me know if you could recommend the change for the additional well. The approvals will both require the totalizer anti-reverse meters. Should the approval documents also require the meters to be sealed?

Both changes also request to overlap the place of use.

As always comments and concerns are welcome.

Leslie Ireland, Environmental Scientist
Kansas Department of Agriculture
Division of Water Resources - Change Unit
(785) 564-6633
Leslie.Ireland@ks.gov
www.agriculture.ks.gov



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone (620) 275-1431 fax
www.gmd3.org

May 3, 2019

Leslie Ireland
Kansas Department of Ag
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Application for Change in Point of Diversion
Change in Place of Use
Vested Right, File Nos. FO33 & FO35

Dear Leslie:

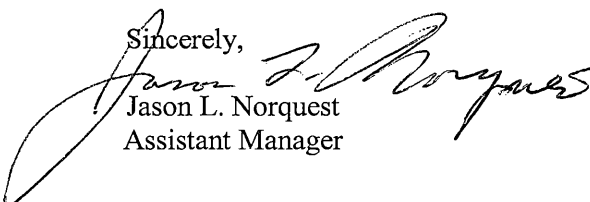
We have completed a review of the applications for the above referenced water right. The proposed change in place of use is making a complete overlap in acres and follows criteria set forth in K.A.R. 5-5-11. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to distance moved and minimum spacing to neighboring wells. The proposal also meets the criteria set forth in the additional well rule, K.A.R. 5-5-16.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the draft revised management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (3.0 ft in cases where saturated thickness is between 125-150 ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that in no case did the net effect on neighboring wells exceed the 3.0 ft maximum allowable threshold. Notices linking this information was sent out to the well owners and our office received no response or concerns raised. Therefore, GMD3 sees this move as reasonable and unlikely to impair neighboring wells. It should also be noted that the calculations is based on maximum annual quantity and rate. It is therefore recommended that the applications be approved.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,


Jason L. Norquest
Assistant Manager

WATER RESOURCES
RECEIVED

MAY 06 2019

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 15, 2019

SOUTHWEST KANSAS GROUNDWATER
MANAGEMENT DISTRICT NO 3
ATTN MARK RUDE
2009 E SPRUCE
GARDEN CITY KS 67846

FILE COPY

Re: Change in Point of Diversion Applications,
Water Right, File Nos. FO 033 & FO 035

Dear Mr. Rude:

We are enclosing a copy of the applications referred to above that appear to be in proper form. The proposed change for File No. FO 033 is requesting to add an additional well per K.A.R. 5-5-16, *Additional well*. Thank you for your assistance in completing the needed rate testing.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning the applications.

Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

Sincerely,

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
Enclosures

pc: Stafford Field Office
Phillip E. & Verna M. Ochs

SCANNED

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 26, 2019

PHILIP E OCHS
10509 W 142ND ST
OVERLAND PARK KS 66221-8197

RE: Vested Right, File Nos. FO 033 & FO 035

Dear Mr. Ochs:

In response to your request received in the office of the Chief Engineer on February 26, 2019, regarding the applications for change under the referenced files, the Chief Engineer has extended until April 20, 2019, as the time in which to provide additional information as detailed in my letter of February 19, 2019.

According to the law, default in supplying the requested information, within the time allowed, shall constitute forfeiture of the priority date and dismissal of the applications.

If you wish to request additional time, you must do so in writing, before the extension period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office. Your request may be submitted via email directly to me at Leslie.Ireland@kda.ks.gov, or via US postal mail at the Manhattan address listed above.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ireland".

Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li
Enclosure(s)
pc: Stafford Field Office
Groundwater Management District No. 3

FILE COPY

SCANNED

Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Acting Secretary

Laura Kelly, Governor

February 19, 2019

PHILIP E OCHS
10509 W 142ND ST
OVERLAND PARK KS 66221-8197

FILE COPY

RE: Vested Right, File Nos. FO 033 & FO 035

Dear Mr. Ochs:

Reference is made to the application for approval of the Chief Engineer to change the point of diversion under the referenced file number which was received in this office on September 2018. Further review of the application found that the following information will be required.

According to the application, it appears that you are proposing to change the point of diversion which will add an additional point of diversion beyond what is presently authorized, therefore, the change will be subject to K.A.R. 5-5-16, *Additional wells*. This regulation requires that the combined rate of diversion for the authorized and proposed well will not exceed the rate of diversion of a single well at that location.

(A) The total rate of diversion based on a current **water flow rate** test done on the point or points of diversion; or

(B) a value based on a valid hydraulic analysis submitted by the applicant showing the current capacity of the aquifer to yield water at the currently authorized point or points of diversion.

If you choose to use method (A) as described above, a water flow rate test should be completed preferably during the irrigation season. Either staff at our Stafford Field Office or staff with the Southwest Kansas Groundwater Management District No. 3 may to conduct the needed water flow rate test. As you are located closer to the Southwest Kansas Groundwater Management District No. 3 office please contact Jason Norquest, Assistant Manager of the Southwest Kansas Groundwater District No. 3 about a rate test and to schedule an appointment.

Southwest Kansas Groundwater Management District No. 3
Jason Norquest, Assistant Manager
2009 E. Spruce Street
Garden City, KS 67846
Phone: 620-275-7147

Should the tested rate equal or exceed the authorized 1500 gallons per minute you will only need to return the applications. Please also return a copy of the rate test so it may become part of the records of the Chief Engineer.

SCANNED

Should the test for the rate provide a value less than the 1,500 gallons per minute as currently authorized please record the reduced rate in paragraph No. 15 of the application and modify the proposed rate per point of diversion as indicated in paragraph Nos. 8 & 9. Please be reminded the proposed rate should be sufficient to divert the proposed quantity. All pages modified should have your initials and date of modification added to the page.

The regulation allowing for additional wells further requires that the annual quantity and rate of diversion that will move to the well that will become the additional well for the referenced file, have the priority date of the date the application for change was filed, October 1, 2018. Furthermore, the Chief Engineer specifically retains jurisdiction to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by the two (2) wells authorized by the approval of the application for change is exceeding the total annual quantity of water that could have been physically withdrawn. The Chief Engineer retains the authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

As your application for change is in conjunction with File No. FO 035, both are being returned so that you may comply with the above instructions. In order that the applications retain their priority of filing, the enclosed original applications and attachments must be returned, with the requested information to this office by March 21, 2019, or any requested and authorized extension thereof.

You have a period of **30 days, until March 21, 2019**, to modify and return the applications, to our office. Should you wish to request additional time, you must do so in writing, before the 30 day period expires. Such a request should state what steps are being taken to obtain the information and the amount of time you will need to supply the information to our office.

According to law, default in the returning of the applications as outlined above within the time allowed or any authorized extension of time, shall cause dismissal of the applications for change under the above referenced files.

If you have any questions, please contact me at (785) 564-6633. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,



Leslie Ireland
Environmental Scientist
Water Appropriation Program

LI:li

Enclosure(s)

pc: Stafford Field Office
Groundwater Management District No. 3

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
1320 RESEARCH PARK DRIVE
MANHATTAN, KS 66502
PHONE: (785) 564-6700
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456
TOPEKA, KS 66612
PHONE: (785) 296-3556
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

PHIL & VERNA OCHS, TRUST
10509 W 142ND ST
OVERLAND PARK, KS 66221

October 5, 2018

RE: File No FO-35

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PU
 point of diversion
 use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

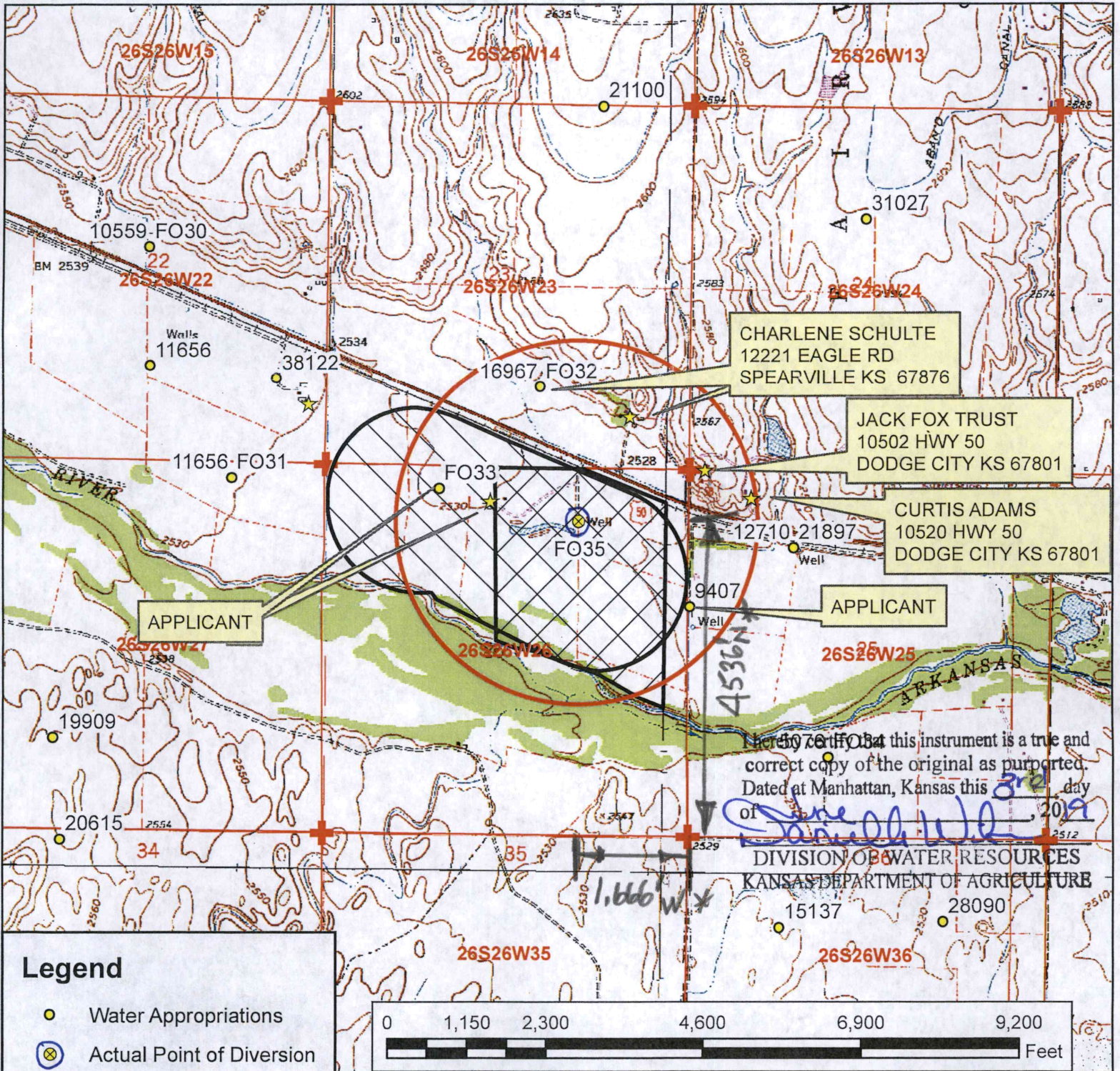
Sincerely,

Brent Tourney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: STAFFORD Field Office GMD2

SCANNED

PO. CHG w/ PD UPDATE *



CHARLENE SCHULTE
12221 EAGLE RD
SPEARVILLE KS 67876

JACK FOX TRUST
10502 HWY 50
DODGE CITY KS 67801

CURTIS ADAMS
10520 HWY 50
DODGE CITY KS 67801

APPLICANT

APPLICANT

Hereby certified that this instrument is a true and correct copy of the original as purported. Dated at Manhattan, Kansas this 3rd day of September, 2018.

DIVISION OF WATER RESOURCES
KANSAS DEPARTMENT OF AGRICULTURE

Legend

- Water Appropriations
- ⊗ Actual Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- ▭ Section Line

Place of Use

- ▨ Proposed
- ▨ Authorized *LS/awr

Vested Right, File No. FO-35

Change in Point of Diversion and Place of Use Application Map (Overlap w/ FO-33)

23 & 26-26S-26W // Ford County
To the best of my knowledge, all wells within 1/2 mile of the proposed points of diversion have been shown.

Philip E. Dehn
Signature

KS Dept Of Agriculture

Water Resources
Received
OCT 01 2018

RECEIVED
SEP 27 2018

9/11/18 EKF-SFFO 1:24,000 scale

SCANNED
Stafford Field Office
Division of Water Resources