

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

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.

File No. 2854

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1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

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2. Name and address of Applicant: Weber Land LLC

247 Main Street, Halstead, KS 67056

Phone Number: (316)772-8900

Email address: eddie@weberfarms.kscoxmail.com

Name and address of Water Use Correspondent: Weber Land LLC

247 Main Street, Halstead, KS 67056

Phone Number: (316)772-8900

Email address: eddie@weberfarms.kscoxmail.com

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 DIVISION OF WATER RESOURCES

3. The presently authorized place of use is:

Owner of Land ---- NAME: Weber Land LLC

ADDRESS: 247 Main Street, Halstead, KS 67056

(If there is more than one landowner, attach supplemental sheets as necessary.)

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	
3	24S	2W	20	20			40	40	40	40									200

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: Weber Land LLC

ADDRESS: 247 Main Street, Halstead, KS 67056

(If there is more than one landowner, attach supplemental sheets as necessary.)

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			
3	24S	2W	23.2	23	40	39			16.4	20							12	40	35	5	253.6

For Office Use Only: Code _____ Fee \$ 400 TR # _____ Receipt Date _____ Check # credit card

5. **Presently authorized point of diversion:**
 One in the SE Quarter of the SW Quarter of the NW Quarter of Section 3, Township 24 South, Range 2W (E/W), in Harvey County, Kansas, 3168 N/A feet North 4006 N/A* feet West of Southeast corner of section. Authorized Rate 740 GPM Authorized Quantity 186 AF Depth of well 168 (feet) *EX-1042
 (DWR use only: Computer ID No. 01 GPS 3,168 feet North 4,006* feet West) 3/9/2020
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SW Quarter of the NW Quarter of the SE Quarter of Section 3, Township 24 South, Range 2W (E/W), in Harvey County, Kansas, 1830 feet North 2580 feet West of Southeast corner of section. Proposed Rate 740 GPM Proposed Quantity 186 AF Proposed well depth (feet) ~140.
 This point is: Additional Well Geo Center List other water rights that will use this point No. 6139.

6. **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 _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 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 _____ Proposed well depth (feet) _____.
 This point is: Additional Well Geo Center List other water rights that will use this point _____.

7. The changes herein are desired for the following reasons?
 (please be specific) Combining & modifying Nos. 2854 & 6139 places of use to convert part of flood irrigation to pivot and moving old well to pivot location.

8. If a well, is the test hole log attached? Yes No

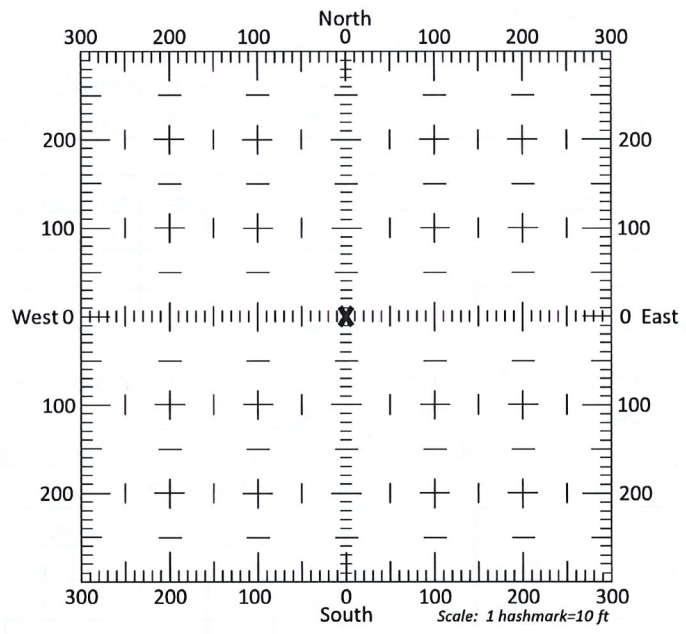
9. The change(s) (was)(will be) completed by?
ASAP

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Place in Inactive Status and properly seal
 (b) When will this be done? When new well drilled

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by T. Boese, GMD2

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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 File No. 2854

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Halstead, Kansas, this 25th day of February, 2020.

<u>Edward J Weber memb</u>	
(Owner)	(Spouse)
Edward J. Weber, Member, Weber Land LLC	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of HARVEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25th day of FEBRUARY, 2020.

Rebecca Wilson
 Notary Public

My Commission Expires 06/11/2022

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

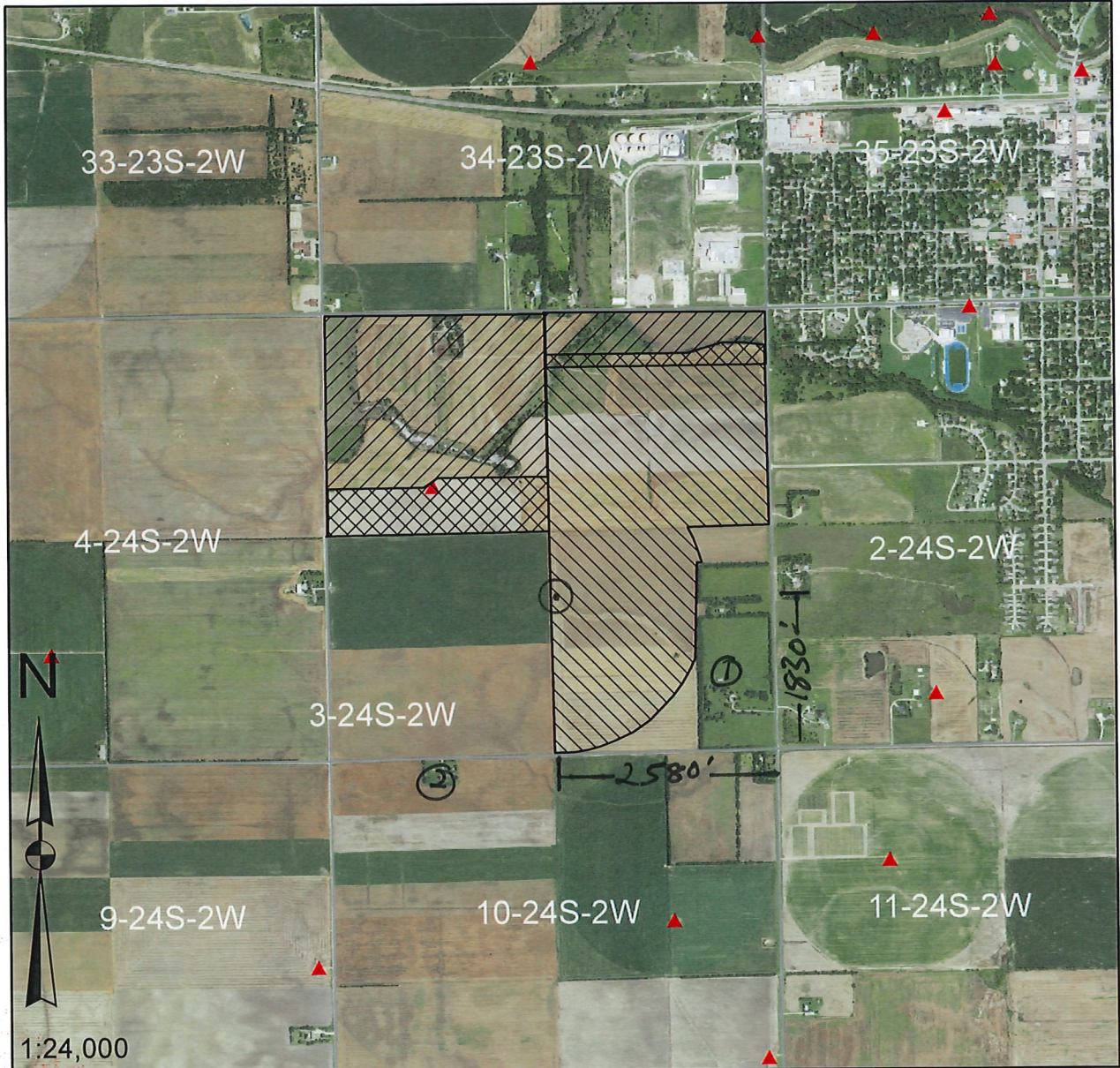
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200

NOTARY PUBLIC - State of Kansas
 REBECCA WILSON
 My Appt. Exp. 06/11/2022

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Application Map - File No. 2854



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.

Edward J Weber
Signature

2-25-20
Date

- New Application
- Application No. 2854 To Change:
 - Point of Diversion
 - Place of Use
 - Use Made of Water
 - Proposed Point of Diversion
 - Existing Points of Diversion
 - Proposed Place of Use
 - Authorized Place of Use

Water wells within 1/2 mile of proposed point of diversion include: (type use, owner, address)

- 1) Domestic - Applicant
- 2) Domestic
Guy W. & Bobbi K. Barton
12903 SW 84th St.
Halstead, KS 67056
- 3)

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Completed By GMD2 Staff
Boese - 2/25/2020

INPUTS	
Target Section Definition	
Section	3
Township	24
Range	2
Range Direction	w
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-97.532620 NAD83
Target Latitude	37.993850

Load Data and Compute

Instructions

1. Enter values for section, township, range and range direction.
2. Enter *NAD27* or *NAD83* longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

Longitude changed
Latitude changed

E. Weber
#6139/#2854 existing (old well)

UTM - NAD83

628846
4206148

12/17/2019

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.98501258	-97.53704762
NW	37.99952350	-97.53700135
NE	37.99943146	-97.51872092
SE	37.98514954	-97.51872126
Degrees Longitude per Foot		3.46979313E-06
Degrees Latitude per Foot		2.74609625E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3218	-1276
NW	-2066	-1263
NE	-2033	4006
SE	3168	4006

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.98500100	-97.53672800
NW	37.99951200	-97.53668200
NE	37.99942000	-97.51840200
SE	37.98513800	-97.51840200
Degrees Longitude per Foot		3.46979259E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	3223	-1184
NW	-2062	-1171
NE	-2028	4098
SE	3173	4098

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00001158	-0.00031962
NW	0.00001150	-0.00031935
NE	0.00001146	-0.00031892
SE	0.00001154	-0.00031926
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-4.34682271	-92.11481656
NW	-4.10462925	-92.03700420
NE	-4.09141393	-91.91390130
SE	-4.33024504	-92.01188985

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Equus Beds Groundwater Management District No. 2
Inactive Well Agreement

FILE #: 2854 & 6139

I, Weber Land LCC, c/o Edward J. Weber, the undersigned and owner of an inactive water well, understand the water well must be properly constructed, sealed, identified, and maintained to prevent groundwater contamination and to protect the public health and safety during the water well's inactivity.

The inactive water well is located SE, SW, NW, Section 3, Township 24 S, Range 2 West, Harvey County, which is approximately 3168 feet North and 4006 feet West of the apparent SE section corner. Total well depth is ~168 feet and the diameter of the well is ~16 inches. Current depth to static water level in the well is ~30 feet below land surface. The well was previously authorized by water permit no. 2854 & 6139.

I agree to properly construct, seal, identify, and maintain the inactive water well as required by the Equus Beds Groundwater Management District rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207 and to the following agreement provisions:

1. Remove all pumping equipment from the water well.
2. Make the above described water well inactive: a) by December 31, 2020, or b) within 30 days after the replacement well, approved by a change in point of diversion, becomes operational.
3. Properly construct, seal, identify, and maintain the inactive well as described in K.A.R. 28-30-204.
4. Provide access for the District to periodically inspect the inactive water well.
5. Submit a completed inactive well form (WWC-6) to the Kansas Department of Health and Environment within 30 days after the well is placed in an inactive status and submit a copy of the form to the District within the same period of time.
6. The term of the agreement expires December 31, 2025.
7. Before the expiration of the agreement, one of the following options will occur: a) the water well is made active, b) the water well is plugged or c) the inactive period is extended.
8. Notify the District of any change in the condition of the water well.
9. Failure to comply with the provisions of this agreement shall constitute non-compliance of the groundwater management district rules and regulations K.A.R. 28-30-200 through K.A.R. 28-30-207.
10. Non-compliance may result in the above described water well declared an abandoned well by the District.

Dated this 25th day of February, 2020 at Halstead, KS


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Signature Edward J Weber
Address 247 main
City, State, Zip Code Halstead, KS. 67056
Telephone 316-772-8900

State of Kansas, County of HARVEY
Subscribed and affirmed to before me this 25th day of FEBRUARY, 2020.
My Commission Expires 06/11/2022 by Rebecca Wilson

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(Notary Public)

 NOTARY PUBLIC - State of Kansas
REBECCA WILSON
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