

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/D WORKSHEET

1. File Number: 22304-D2	2. Status Change Date:	3. Change Num: 1	4. Field Office: 02	5. GMD: 05
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6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 3/2/21
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID 63413 Add Seq# 1
MATTHEW R STALCUP 1739 NW 10 AVENUE SAINT JOHN, KS 67576	

8c. Landowner(s) New to system <input type="checkbox"/>	Person ID 63098 Add Seq# 1
KEVIN R STALCUP 5306 QUAIL CREEK DRIVE GREAT BEND, KS 67530-6630	

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID 63413 Add Seq# 1
MATTHEW R STALCUP 1739 NW 10 AVENUE SAINT JOHN, KS 67576	

8d. WUC New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/21 <input type="checkbox"/> N & P Date to Comply: 12/31/21	
<input checked="" type="checkbox"/> Anti-Reverse Meter <input checked="" type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: _____	To: _____
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Date Prepared: 3/1/21	By: CRC
Date Entered: _____	By: _____

File No. **22304-D2** 11. County: **STAFFORD** Basin: **Arkansas River** Stream: **N/A** Formation Code: **180 Undiff Kan/Neb** Special Use: **NONE**

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
ENT												Rate gpm	Quantity af	Rate gpm	Quantity af	
DEL		25196		NC SE	34	21S	14W	2	1320	1335		685	166	685	166	20167095-MF
ENT				NC SE	34	21S	14W		1383	1362		685	166	685	166	20167095-MF

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) _____
 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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files	
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		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					
CHK		63847		34	21S	14W	4																							

Base Acres: -- Year: -- Minimum Reasonable Quantity: --
 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.

File No. 22304-D2

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 11:23 AM
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Stafford Field Office
 Division of Water Resources

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

2. Name and address of Applicant: Matthew R Stalcup

1739 NW 10 Ave., St. John, KS 67576

Phone Number: (620)786-5467

Email address: stalcupmatt@gmail.com

Name and address of Water Use Correspondent: Matthew R Stalcup

1739 NW 10 Ave., St. John KS 67576

Phone Number: (620)786-5467

Email address: stalcupmatt@gmail.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Kevin R Stalcup // Matthew R Stalcup

ADDRESS: 5306 Quail Creek Dr, Great Bend, KS 67530 / 1739 NW 10 Ave., St. John, KS 67576

(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					
34	21	14W																	40	40	37	37	154

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: NO CHANGE

ADDRESS: _____

(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					

For Office Use Only: Code _____ Fee \$ 100⁰⁰ TR # _____ Receipt Date _____ Check # 8425

5. **Presently authorized point of diversion:**
 One in the -- Quarter of the -- Quarter of the NC SE Quarter
 of Section 34, Township 21 South, Range 14 W,
 in Stafford County, Kansas, 1320 feet North 1335 feet West of Southeast corner of section.
 Authorized Rate 685 GPM Authorized Quantity 166 AF Depth of well 110 (feet)
 (DWR use only: Computer ID No. 2 GPS 1383 feet North 1332 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 NC SE Quarter
 of Section 34, Township 21 South, Range 14 W,
 in Stafford County, Kansas, 1383 feet North 1362 feet West of Southeast corner of section.
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) ~120
 This point is: Additional Well Geo Center List other water rights that will use this point 20167095-MF

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) Casing has collapsed

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

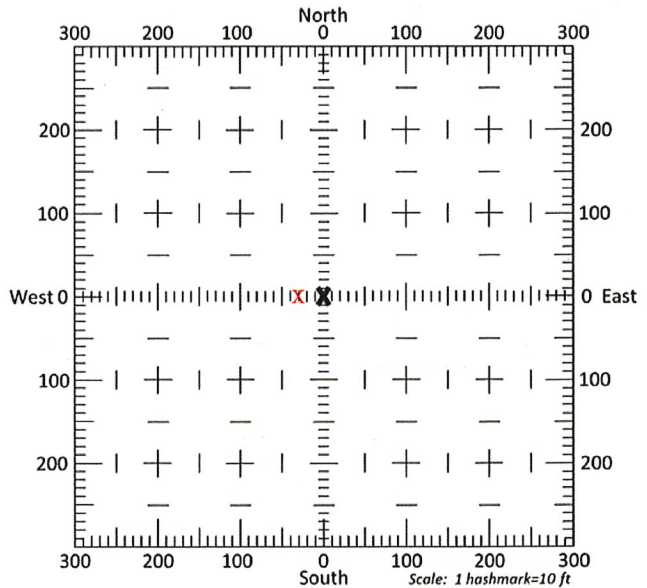
9. The change(s) (was)(will be) completed by?
ASAP

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
Domestic
 (b) When will this be done? When new well is complete

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by JNE - SFFO

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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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 Stafford, Kansas, this 2nd day of March, 2021.

Matt Stalcup

(Owner)

(Spouse)

Matt Stalcup

(Please Print)

(Please Print)

Kevin Stalcup

(Owner)

(Spouse)

Kevin Stalcup

(Please Print)

(Please Print)

(Owner)

(Spouse)

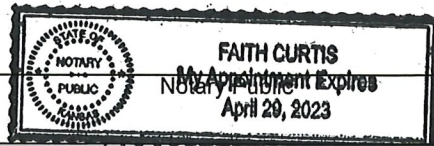
(Please Print)

(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 2nd day of March, 2021.

Faith Curtis



My Commission Expires _____

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**

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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. 22304-D2.

1. A change application was received on March 2, 2021 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.
2. 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 Not Applicable
3. 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 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
5. The point(s) of diversion authorized herein shall not actually be located more than 80 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. 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
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2021**, 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. Applicable Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2021**, or within any authorized extension of time. By March 1, 2022 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 Not Applicable
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
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 Not 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

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

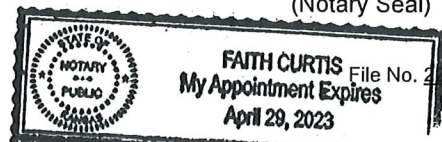
FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: Cameron R. Conant
Duly Authorized Designee of the Chief Engineer
(Print Name): Cameron R. Conant
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: March 2, 2021
State of Kansas)
County of Stafford) SS
Acknowledged before me on March 2, 2021
by Faith Curtis
Signature: Faith Curtis
Notary Public
My commission expires: _____
(Notary Seal)

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Stafford Field Office
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

Mike Beam, Secretary

Laura Kelly, Governor

March 2, 2021

Kevin R Stalcup
5306 Quail Creek Drive
Great Bend, KS 67530-6630

Re: Water Right, File No(s). 22304-D2

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 Certified Water Flowmeters as well as the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at www.ksda.gov/includes/document_center/dwr/Forms/ApprovalPack.pdf. 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.

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,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman
Water Commissioner

Enclosures

pc: Water Rights Section
Groundwater Management District No. 5

CERTIFICATE OF SERVICE

On this **2 March 2021**, I hereby certify that the attached Change in Point of Diversion, File No. 22304-D2 dated 3/2/2021 was mailed to the following:

Kevin R Stalcup
5306 Quail Creek Drive
Great Bend, KS 67530-6630

pc: Water Rights Section
GMD #5

Faith Curtis

Staff

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

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which Water Right, File No. 22304-D2 shall be subject to the following conditions:

- 11a. If the water flowmeter is repaired or replaced, then 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 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.

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Stafford Field Office
Division of Water Resources

DRILLER'S TEST LOG

*Water Right
File No. 22304-D2*

Customer Name: Matt Stalcup

Date: 2/23/2021

Address: _____ Test No: #1-21
 County: Stafford Quarter: SE Section: 34 Township: 21 Range: 14

Drilled Footage		Description of Strata	Indicate Test Location by an X			
From	To					
0	2	Sandy top soil				
2	15	Tan clay				
15	30	Fine sand & small gravel				
30	33	Tan clay				
33	45	Small w/ some med gravel & heavy clay streaks				
45	70	Gravel- small to med clean				
70	82	Gravel- med to coarse w/ few clay pieces				✕
82	95	Gravel- small med w/ smal clay streaks				
95	101	Gray clay				
101	111	Sandy tan clay				
111	118	Small w/ some med sand	Static Water Level: _____ Ft			
118	125	Tan clay	Remarks: _____			
125	130	Tan clay w/ streaks of small sand				
130	153	Small gravel w/ clay streaks				
153	165	Sandy tan clay				
165	181	Small gravel w/ clay streaks	Garmin GPS: NAD 83			
181	185	Gray shale	Latitude: 38.17813 N			
			Longitude: 98.84425 W			
			Elevation: _____			
		<i>Total Depth is 120' per conversation w/ R&B on 2/25/21.</i>				
			<u>CRC</u>			
			Driller: <u>Benjamin Moses</u>			
			Spot Location: <u>SE/ SE/ NW/ SE</u>			

ROSENCRANTZ-BEMIS EQUIPMENT CO., INC

Telephone (620) 792-2488 or (620) 793-5512

P.O. Box 713, Great Bend, KS 67530