

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. 49909

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 11:03  
 JUL 29 2021  
 Staffed 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: \_\_\_\_\_

Phone Number: (     ) \_\_\_\_\_                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Rick D & Kaffy Totten Living Trust  
1724 E 20th St S, Oxford KS 67119

Phone Number: (316)648-3316                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Rick D & Kaffy Totten Liv Tr // Derek W & Laci R Totten // Harold & Betty Thompson Liv Tr //  
Edmond W Gardiner Rev Tr

ADDRESS: 1724 E 20th St S, Oxford KS 67119 // 267 S Oxford Rd, Oxford KS 67119 //  
6706 N Tarryton St, Park City KS 67219-1530 // 563 S River Rd, Oxford KS 67119-8211

(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	
No	Change																		

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: \_\_\_\_\_

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 CGT Fee \$ 200 TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 1365



5. **Presently authorized point of diversion: Geographic Center of Three (3) Wells**  
 One in the      NW      Quarter of the      NE      Quarter of the      SE      Quarter  
 of Section      35     , Township      32      South, Range      2      E,  
 in Sumner County, Kansas, 2,500 feet North 717 feet West of Southeast corner of section.  
 Authorized Rate 800 gpm Authorized Quantity 300 AF Limited Depth of well N/A (feet)  
**(DWR use only: Computer ID No. 11 GPS 2,432 feet North 860 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)**  
**Geographic Center of Four (4) Wells**  
 One in the      NW      Quarter of the      NE      Quarter of the      SE      Quarter  
 of Section      35     , Township      32      South, Range      2      E,  
 in Sumner County, Kansas, 2,449 feet North 875 feet West of Southeast corner of section.  
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) ---.  
 This point is:  Additional Well  Geo Center List other water rights that will use this point none.

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      NW      Quarter of the      NE      Quarter of the      SE      Quarter  
 of Section      35     , Township      32      South, Range      2      E,  
 in Sumner County, Kansas, 2,502 feet North 920 feet West of Southeast corner of section.  
 Proposed Rate See GeoCenter Proposed Quantity See GeoCenter Proposed well depth (feet) 57.  
 This point is:  Additional Well  Geo Center List other water rights that will use this point none.

7. The changes herein are desired for the following reasons?  
 (please be specific) Only completed 3 wells prior to  
12/31/19 completion deadline. A 4<sup>th</sup> well was drilled on  
3/30/2020 without permission. This change will add the  
4<sup>th</sup> well to the battery

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

9. The change(s) (was)(will be) completed by?  
upon approval of change

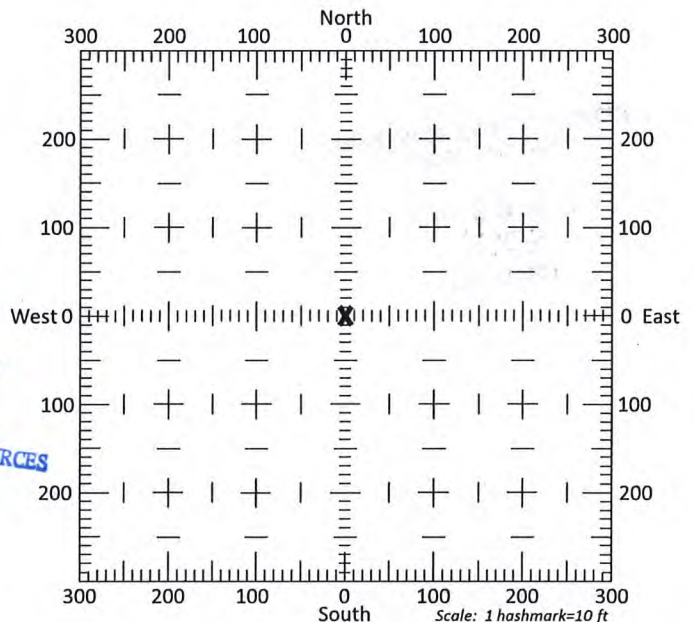
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
N/A  
 (b) When will this be done? N/A

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by MJM & EKF/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.)**



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 49909

**Presently authorized point of diversion:**

One in the NW Quarter of the NE Quarter of the SE Quarter  
of Section 35, Township 32 South, Range 2 E,  
in Sumner County, Kansas, 2,600 feet North 750 feet West of Southeast corner of section.

Authorized Rate See Geo-Center Authorized Quantity See Geo-Center Depth of well 51 (feet)

(DWR use only: Computer ID No. 12 GPS 2,622 feet North 1,043 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 NW Quarter of the NE Quarter of the SE Quarter  
of Section 35, Township 32 South, Range 2 E,  
in Sumner County, Kansas, 2,622 feet North 1,043 feet West of Southeast corner of section.

Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) N/A

This point is:  Additional Well  Geo Center List other water rights that will use this point none

**Presently authorized point of diversion:**

One in the NW Quarter of the NW Quarter of the SE Quarter  
of Section 35, Township 32 South, Range 2 E,  
in Sumner County, Kansas, 2,400 feet North 750 feet West of Southeast corner of section.

Authorized Rate See Geo-Center Authorized Quantity See Geo-Center Depth of well 52 (feet)

(DWR use only: Computer ID No. 13 GPS 2,284 feet North 711 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 NW Quarter of the NW Quarter of the SE Quarter  
of Section 35, Township 32 South, Range 2 E,  
in Sumner County, Kansas, 2,284 feet North 711 feet West of Southeast corner of section.

Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) N/A

This point is:  Additional Well  Geo Center List other water rights that will use this point none

**Presently authorized point of diversion:**

One in the NW Quarter of the NW Quarter of the SE Quarter  
of Section 35, Township 332 South, Range 2 E,  
in Sumner County, Kansas, 2,500 feet North 650 feet West of Southeast corner of section.

Authorized Rate See Geo-Center Authorized Quantity See Geo-Center Depth of well 50 (feet)

(DWR use only: Computer ID No. 15 GPS 2,389 feet North 827 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 NW Quarter of the NE Quarter of the SE Quarter  
of Section 35, Township 32 South, Range 2 E,  
in Sumner County, Kansas, 2,389 feet North 827 feet West of Southeast corner of section.

Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) N/A

This point is:  Additional Well  Geo Center List other water rights that will use this point none

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Stafford Field Office  
DIVISION OF WATER RESOURCES



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 Empire Bank Kansas, this 6<sup>th</sup> day of July, 2021.

Harold T. + Betty J. Thompson Living Trust  
Ann E. Dean, Successor Trustee (Owner) (Spouse)

(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas  
 County of Sedgwick } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6<sup>th</sup> day of July, 2021.

IAN WOLF  
 Notary Public - State of Kansas  
 My Appt. Expires 04/19/25

[Signature]  
 Notary Public


My Commission Expires 04/19/25

**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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 Stafford Field Office  
 DIVISION OF WATER RESOURCES

  
 JUL 06 2021  
 Unacceptable for Priority  
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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.)

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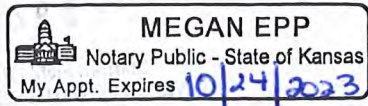
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application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

Dated at Oxford, Kansas, this 7 day of July, 2021.

Ricky Totten  
 (Owner)  
Ricky Totten  
 (Please Print)  
EDMOND GARDNER  
 (Owner)  
Edmond Gardner  
 (Please Print)  
Derek Totten  
 (Owner)  
Derek Totten  
 (Please Print)

Kathy Totten  
 (Spouse)  
Kathy Totten  
 (Please Print)  
  
  
  
  
Lori Totten  
 (Please Print)

State of Kansas }  
 County of Sumner } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this RECEIVED day of July, 2021.

Megan Epp  
 Notary Public  
 JUL 29 2021  
 Stafford Field Office  
 DIVISION OF WATER RESOURCES

My Commission Expires 10/24/2023

**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.

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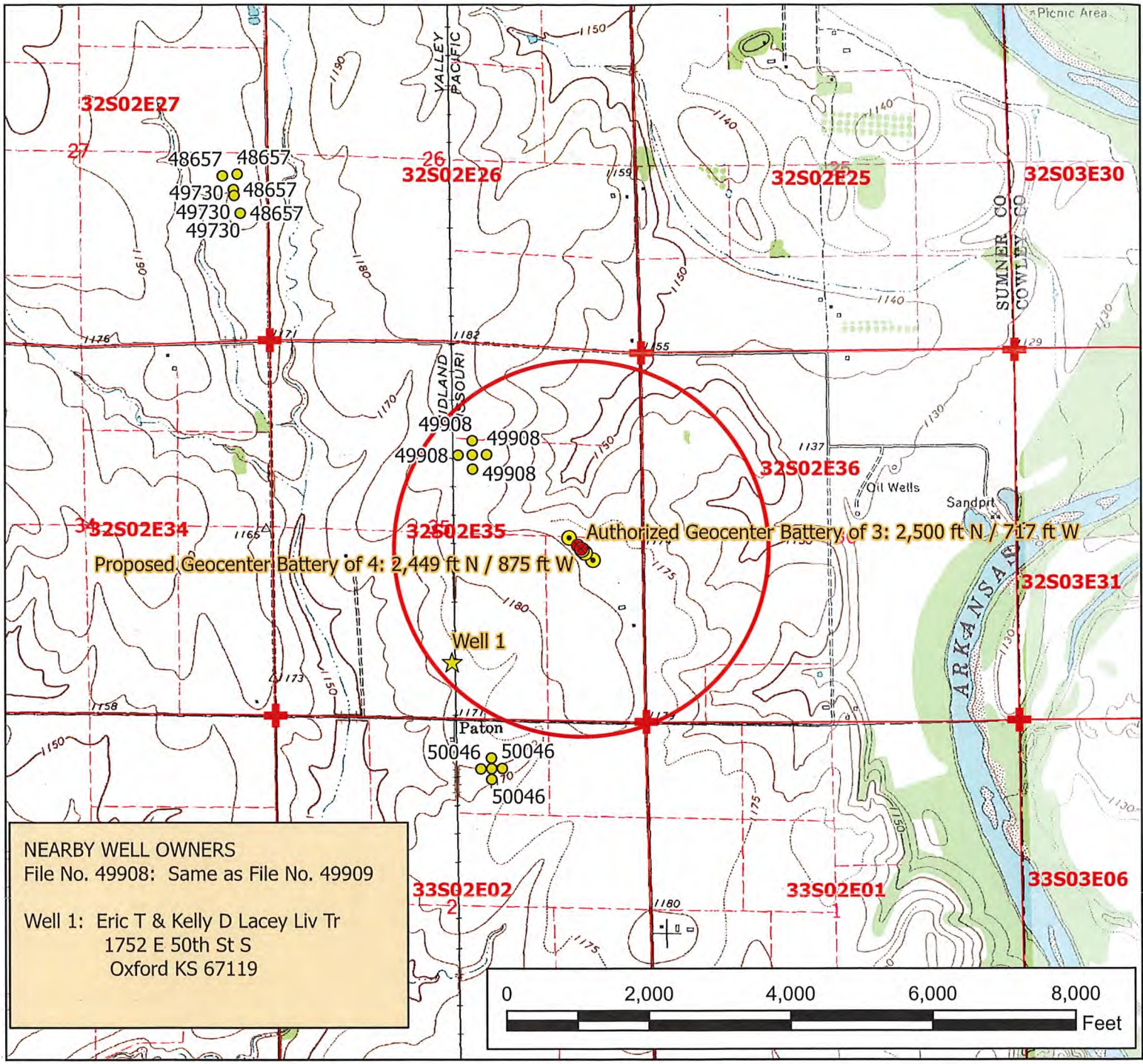
- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200











NEARBY WELL OWNERS  
 File No. 49908: Same as File No. 49909

Well 1: Eric T & Kelly D Lacey Liv Tr  
 1752 E 50th St S  
 Oxford KS 67119

- Legend**
- Water Appropriation
  - Proposed Point of Diversion
  - Authorized/Proposed Point of Diversion
  - ★ Domestic Well
  - Section Line

# Water Appropriation, File No. 49909

Change in Point of Diversion Map  
 35-32-2E // Sumner County

To the best of my knowledge, all wells within one-half mile of the proposed point(s) of diversion have been shown.

*Prudy Jetter*  
 Signature / Date

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