

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

1. File Number: 29096	2. Status Change Date: <i>12/27/22</i>	3. Change Num: C1	4. Field Office: 02	5. GMD:
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 12/19/22
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 40681 Add Seq# 1		8d. WUC New to system <input type="checkbox"/>
LAVERNE D & SHELIA EICHMAN 512 ANNETTE ST DODGE CITY KS 67801-2870		8B		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/23 <input type="checkbox"/> N & P Date to Comply: _____				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input 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: ---				
Date Prepared: 12/20/22 By: TMA Date Entered: 1/4/2023 By: LMoody				

File No. **29096** 11. County: **HG** Basin: **BUCKNER CREEK** Stream: --- Formation Code: **211** Special Use: ---

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	34656			NW NE NW	22	24S	25W	1	5220	3430		540	164	540	164	20229138
										5291	3451 ***					

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				
MOD	2782			22 24S 25W 1						32.1	30.1	8.9	31.2													102.3	8B	No	20229138

Base Acres: **93** Year: **1980** Minimum Reasonable Quantity: **1.32** ***** PER APPROVAL DOC**
 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 WATER METER REQUIRED



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.

RECEIVED
 9:30am
 DEC 19 2022

File No. 29096

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

Stafford Field Office
 Division of Water Resources

2. Name and address of Applicant: Laverne Eichman

512 Annette St, Dodge City, KS 67801

Phone Number: (620)338-5430

Email address: lseichman@yahoo.com

Name and address of Water Use Correspondent: Laverne D & Shelia Eichman

512 Annette St, Dodge City, KS 67801

Phone Number: (620)338-5430

Email address: lseichman@yahoo.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: LAVERNE & SHELIA EICHMAN

ADDRESS: 512 ANNETTE ST, DODGE CITY, KS 67801

(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	
22	24S	25W					40	40	17	20									117

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: LAVERNE & SHELIA EICHMAN

ADDRESS: 512 ANNETTE ST, DODGE CITY, KS 67801

(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	
22	24S	25W					32.1	30.1	8.9	31.2									102.3

For Office Use Only: Code CPU Fee \$ 200⁰⁰ TR # _____ Receipt Date _____ Check # 14161

5. **Presently authorized point of diversion:**

One in the NW Quarter of the NE Quarter of the NW Quarter of Section 22, Township 24 South, Range 25 W, in Hodgeman County, Kansas, 5,220 feet North 3,430 feet West of Southeast corner of section. Authorized Rate 540 gpm Authorized Quantity 164 AF Depth of well 155 (feet) (DWR use only: Computer ID No. 1 GPS 5,291 feet North 3,451 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 NW Quarter of Section 22, Township 24 South, Range 25 W, in Hodgeman County, Kansas, 5,291 feet North 3,451 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) no change. 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 _____ 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) Changing the place of use to make all acres authorized as currently irrigated.

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

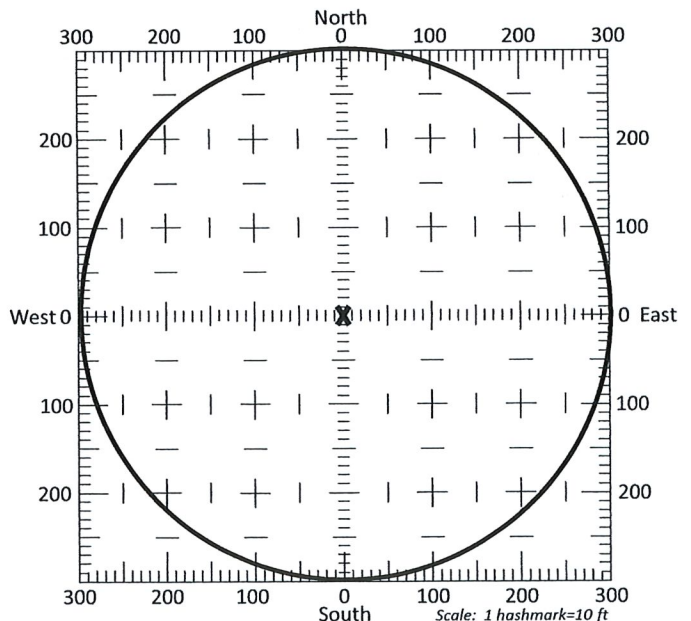
9. The change(s) (was)(will be) completed by? Already completed - paper change.

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 TMA 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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (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 Dodge City, Kansas, this 15th day of December, 2022.

Laverne D. Eichman
(Owner)

Shelia D. Eichman
(Spouse)

Laverne D. Eichman
(Please Print)

Shelia D. Eichman
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

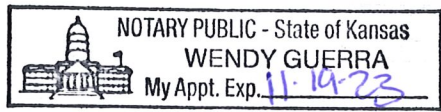
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Ford } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 15th day of December, 2022.

[Signature]
Notary Public

My Commission Expires November 19, 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.

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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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. 29096.

1. A change application was received on December 19, 2022 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 _____ 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 _____ 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, 2023**, 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, 20____**, or within any authorized extension of time. By March 1, 20____ 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

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DEC 19 2022

Stafford Field Office
Division of Water Resources

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: December 27, 2022

State of Kansas _____)
_____) SS

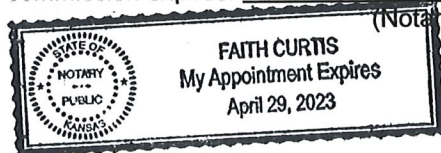
County of Stafford _____)

Acknowledged before me on 12/27/2022

by Faith Curtis

Signature: Faith Curtis
Notary Public

My commission expires: _____



(Notary Seal)

29096

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

December 27, 2022

Laverne D & Shelia Eichman
512 Annette St
Dodge City, KS 67801-2870

Re: Water Right, File No(s). 29096

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 <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits>. 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.

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.

CERTIFICATE OF SERVICE

On this **27th** day of **December, 2022**, I hereby certify that the attached DWR Field Office Application for Change in Place of Use for Water Right, File No. **29096**, dated **December 27th, 2022** was mailed via First Class U.S. mail to the following:

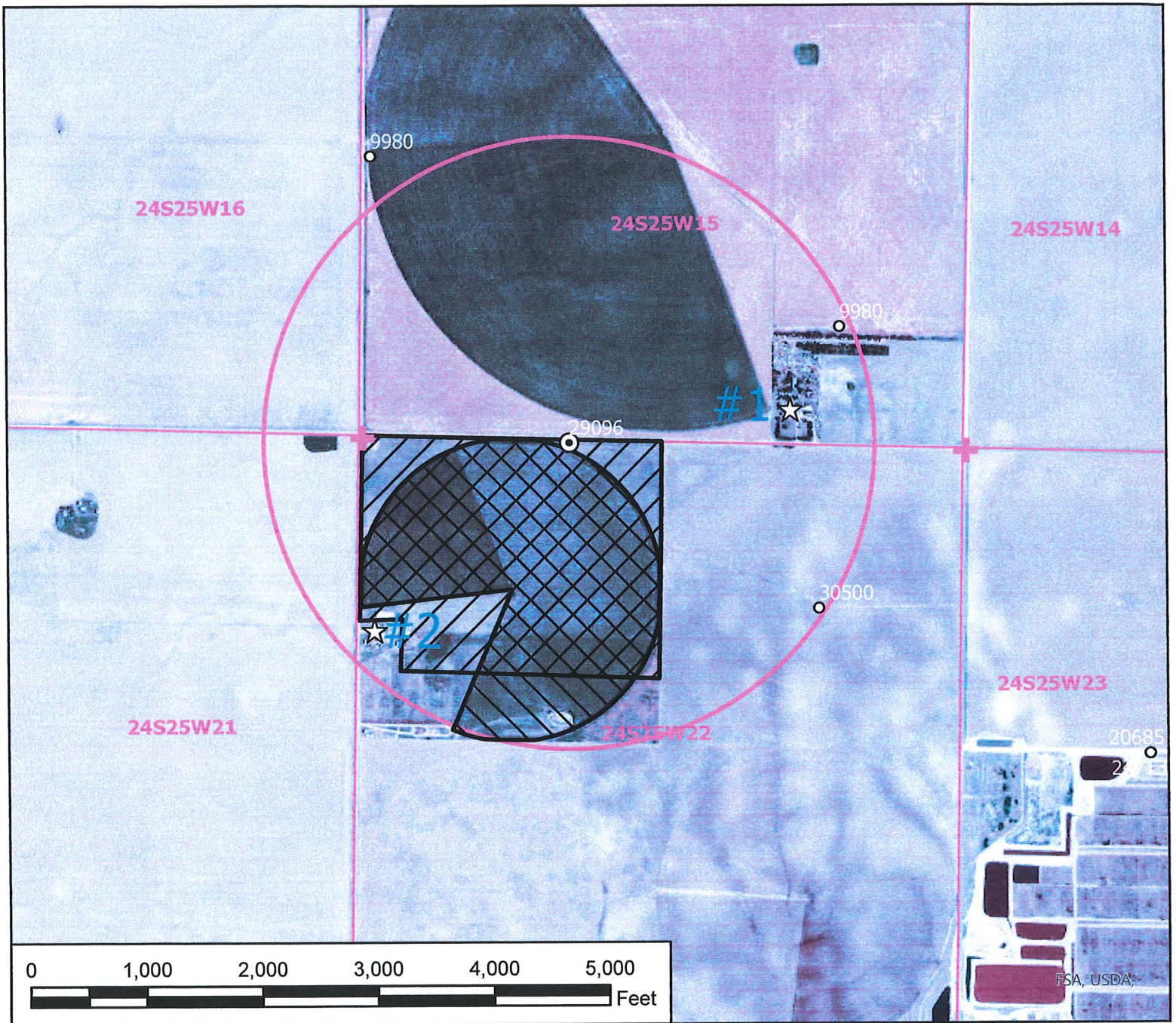
Laverne D & Shelia Eichman
512 Annette St
Dodge City, KS 67801-2870

A copy of the letter was sent via First Class U.S. Mail to the following:

PC: Water Rights Section

Faith Curtis

Staff



Legend

- ⊗ Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- Groundwater
- Surfacewater
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle

Water Right, File No. 29096

**Change in Place of Use Map
22-24-25W // Hodgeman County**

**cc
12/17/22*

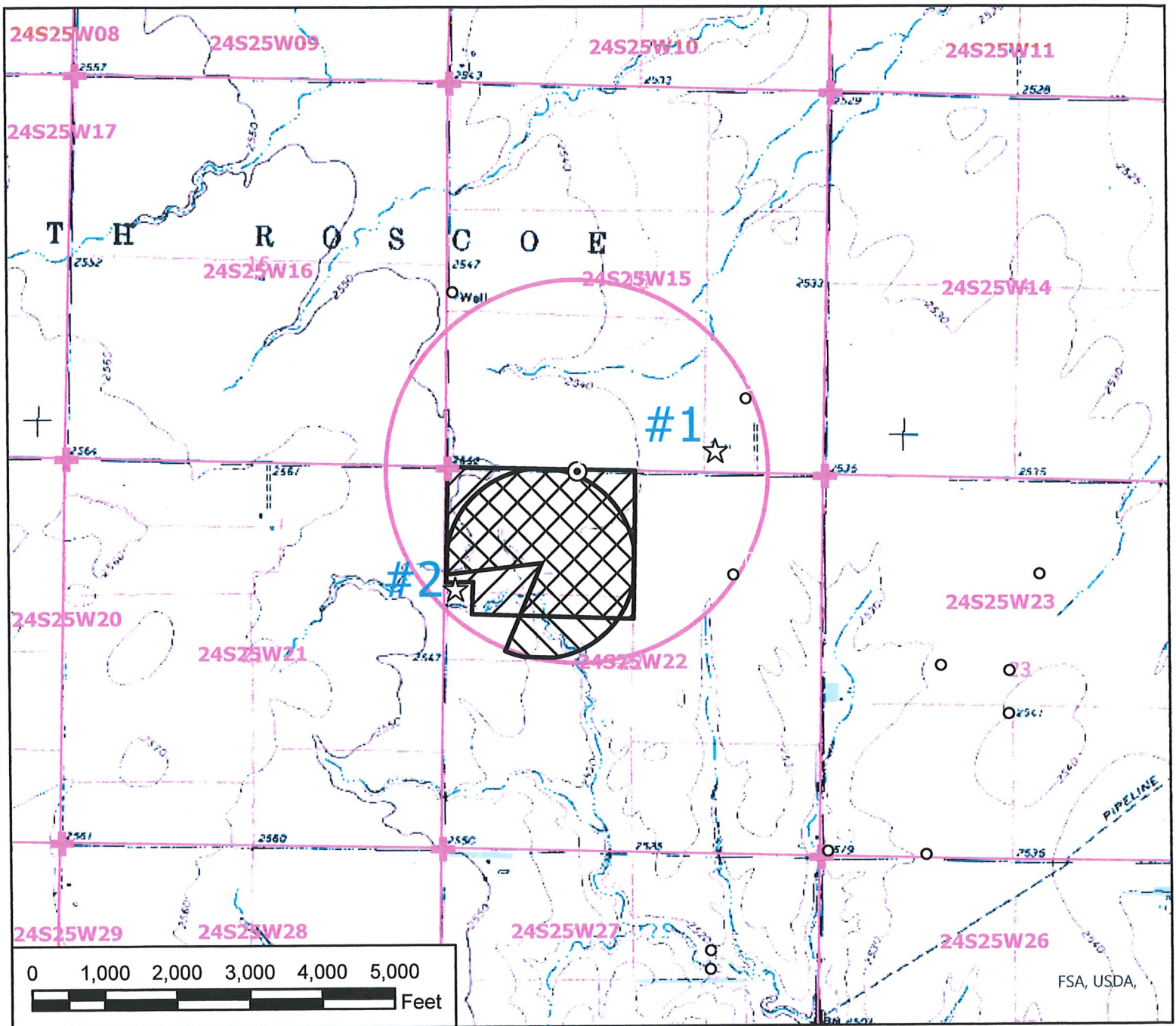
⊗ Auto p/u ⊗ proposed p/u

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

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Stafford Field Office
Division of Water Resources





Legend

- ⊗ Proposed Point of Diversion
- ⊙ Authorized Point of Diversion
- ☆ Domestic Well
- Groundwater
- Surfacewater
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle

Water Right, File No. 29096

Change in Place of Use Map
 22-24-25W // Hodgeman County

** CPC 12/27/22*
 ▭ - Auth p/u ▭ - proposed p/u

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



DEC 19 2022

Change in Place of Use Application

File No. 29096

Nearby Well Owners

Domestic Wells:

#1: Lawrence E Morton
 19242 SW Rd D
 Jetmore, KS 67854

#2: Doyle H & Sharon K Bacon
 11827 109 Rd
 Dodge City, KS 67801

Irrigation Wells:

9980: Laverne D & Shelia Eichman (*Applicant*)
 512 Annette St
 Dodge City, KS 67801-2870

30500: Boot Hill Feeders Inc
 Attn: Constance Kuhlman
 20041 SW C Rd
 Jetmore, KS 67854-9717

RECEIVED

DEC 19 2022

Stafford Field Office
Division of Water Resources

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: December 20, 2022

FROM: Taylor Arrowood

RE: Water Right, File No. 29096
Place of Use Change Application

On December 6, 2022, Laverne Eichman visited the Stafford Field Office originally to discuss his concerns with having exceeded the authorized quantity on the file # referenced above. Cameron Conant visited with Laverne on this issue and discovered there were unauthorized acres being irrigated as well. The file would need a place of use change, which is described in more detail below.

The referenced file is in compliance with 82a-732. A review of the application finds that it complies with K.A.R. 5-5-1, *Filing an application for change*. The referenced file does not appear abandoned as per K.S.A 82a-718.

The presently authorized point of diversion for the file is as follows:
One well located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 24 South, Range 25 West in Hodgeman County, Kansas, that is authorized a yearly quantity of 164 AF and rate of 540 gpm. The well is located at 5,220' N and 3,430' W of the SE corner of the section. The point of diversion will not change with this change application.

The place of use change application proposes to authorize all acres as they are currently being irrigated. The file is authorized 117 acres in the NW $\frac{1}{4}$ of Section 22. There have only been about 102 acres irrigated each year as reported by the water user. The change application requires that to add acres not previously irrigated, base acres need to be considered. A base acre review was done by me on December 7, 2022 that determined base acres for the file to be 93. This place of use change will increase acreage authorized 10% from base acres pursuant to K.A.R. 5-5-11 to a maximum total acreage of 102.3 acres. This will cover all acres as they are currently irrigated with no need for Laverne to cut back.

This approval would comply with K.A.R. 5-5-3, *Change in consumptive use*, since there is no proposed change in rate or overall quantity. The quantity in terms of AF/acre is 1.603 AF/acre. This is above the minimum reasonable AF/acre of 1.32, and below the maximum AF/acre of 2 AF/acre for pre-1999 irrigation files in Hodgeman County.

The application was received in the Stafford Field Office on December 19, 2022 with all correct payment and signatures present.

There were no nearby letters sent out for this place of use change, see previous memo for more details. There was no GMD recommendation to acquire because there is no GMD in Hodgeman

County.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

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

Taylor M. Arrowood
Environmental Scientist
Stafford Field Office



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 12/20/2022

FROM: Taylor Arrowood

RE: File No. 29096

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016. With directive from Lane Letourneau Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use filed on 12/19/2022 for the above referenced file meets this criteria and surrounding well owners will not be notified.