

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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

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.

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143

KS DEPT OF AGRICULTURE

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

Place of Use

(Check one or more) Point of Diversion

Use Made of Water

File No. 49049

2. Name of applicant: Judith M. Young

Address: 28817 W. 125th St. N.

City, State and Zip: Burrton, KS 67020

Phone Number: (316) 667-2239

E-mail address: markyoung9600@gmail.com

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

Name of water use correspondent: Judith M. Young

Address: 28817 W. 125th St. N.

City, State and Zip: Burrton, KS 67020

Phone Number: (316) 667-2239

E-mail address: markyoung9600@gmail.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): Changing Place of Use to overlap proposed place of use of pending Application No. 50142 and place of use proposed by change application filed on Water Right No. 33149. Total acres are proposed to be 360 acres.

The change(s) (was) (will be) completed by ASAP

(Date)

For Office Use Only:

F.O. 2 GMD 2 Meets K.A.R. 5-5-1 (YES / NO) Use IRR Source G/S County HV By ALB Date 11/29/22
Code C.P.U. Fee \$ 200 TR # _____ Receipt Date 11/22/22 Check # 18542

12/7/2022
LMoody

4. The presently authorized place of use is:

Owner of Land — NAME: Judith M. Young

ADDRESS: 28817 W. 125th St. N., Burrton, KS 67020

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	
18	24S	3W	38	37	40	39													154

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

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.)

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

Owner of Land — NAME: Judith M. Young

ADDRESS: 28817 W. 125th St. N., Burrton, KS 67020

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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	
18	24S	3W	17	27	32	31													107
19	24S	3W	32.5	32.5	32.5	32.5													130

List any other water rights that cover this place of use. Nos. 33149 & 50142

Owner of Land — NAME: Judith M. Young, ETAL

ADDRESS: 28817 W. 125th St. N., Burrton, KS 67020

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					
18	24S	3W																32.5	32.5	32.5	25.5	123	
																			Total = 360				

List any other water rights that cover this place of use. Nos. 33149 & 50142

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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6. The presently authorized point(s) of diversion (is) (are) 1 Well

(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: CURRENTLY AUTHORIZED WELL

One in the SW Quarter of the NE Quarter of the NE Quarter of Section 18, Township 24 South, Range 3W (E/W), in Harvey County, Kansas, 3965 feet North 1220 feet West of Southeast corner of section.

Authorized Rate 800 GPM Authorized Quantity 200.2 AF

(DWR use only: Computer ID No. GPS feet North feet West)

[X] 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

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. NA

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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File No. 49049

12. The presently authorized use of water is for irrigation KS DEPT OF AGRICULTURE purposes.
It is proposed that the use be changed to no change purposes.
13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
Change in place of use only being filed to create an identical place of use overlap with Application No. 50142 and change in place of use application filed on Water Right No. 33149. The consumptive use will not be increased.

(Please show any calculations here.)
14. It is requested that the maximum annual quantity of water be reduced to N/A (acre-feet or million gallons).
15. It is requested that the maximum rate of diversion of water be reduced to N/A 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.
Change in place of use application will not impair existing water rights and is only being filed to create identical overlap with Nos. 33149 and 50142.

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.

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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 Burnton, Kansas, this 21 day of November, 2022.

Judith M. Young
(Owner)

(Spouse)

Judith M. Young
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

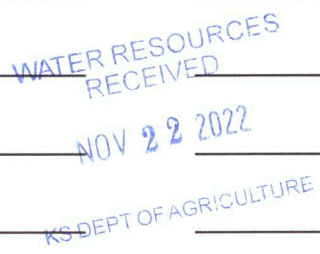
(Please Print)

(Owner)

(Spouse)

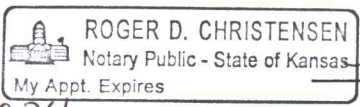
(Please Print)

(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 21 day of NOV, 2022.



Roger D Christensen
Notary Public

My Commission Expires 2-29-2024.

FEE SCHEDULE

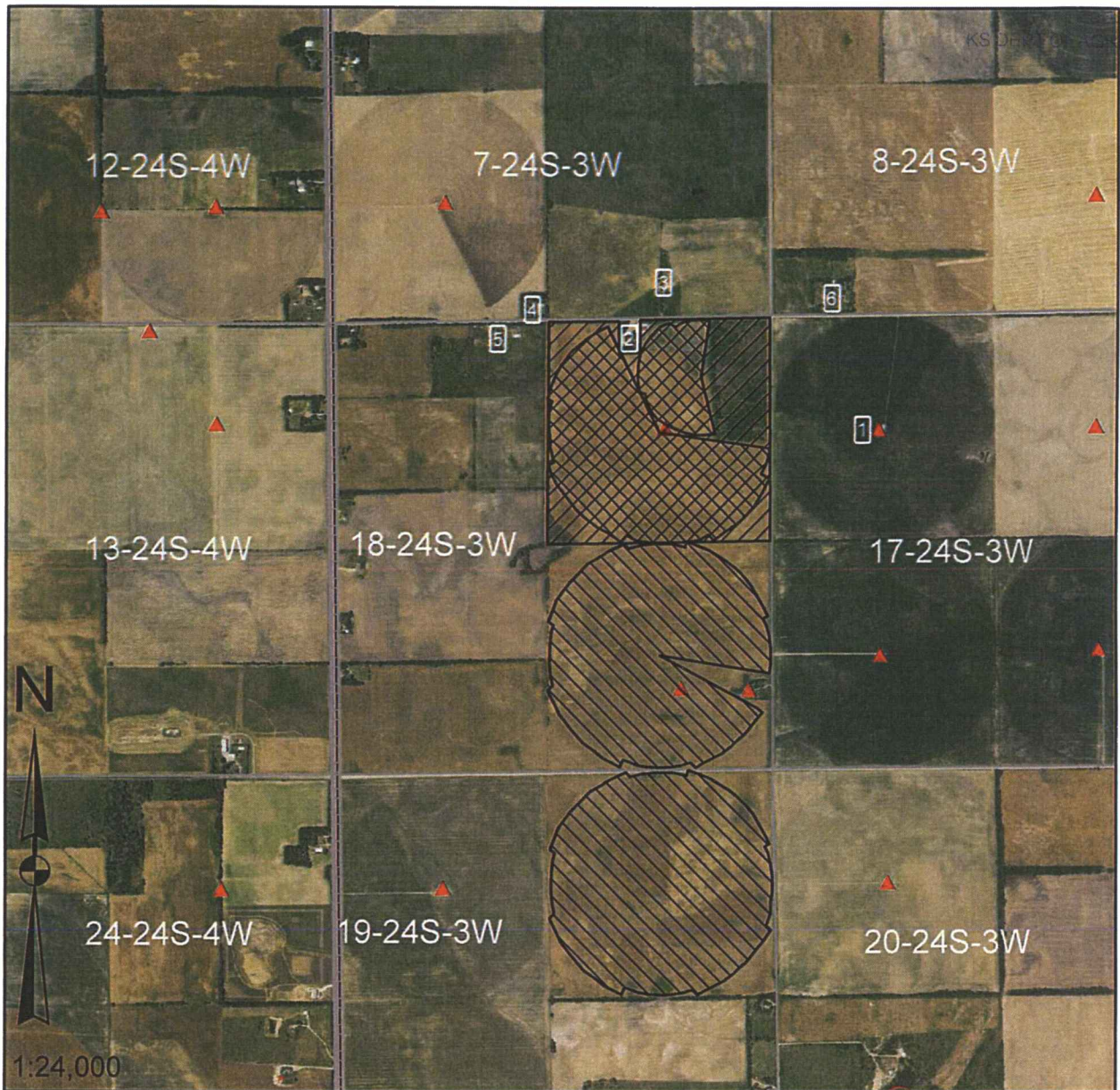
Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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.**

Application Map - File No. 49049

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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.

Judith M. Young
Signature

11-21-2022
Date

- New Application
- Application No. 49049 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) See attached sheet for details
- 2)
- 3)

Well owners within ½ mile

- 1) Irrigation Water Right Nos. 43090
Boyle Ranch 1886, LLC Attn: Julie Hamilton
14820 Bellbrook Dr.
Dallas, TX 75254-7647
- 2) Domestic Well
Mark & Tracy Young
C/O Ronnie Young 28817 W. 125th St. N.
Burrton, KS 67020-9262
- 3) Domestic Well
Casey & Kelli Rump
23022 SW 60th St.
Burrton, KS 67020-8821
- 4) Domestic Well
J. Donald & Jacqueline L. Harper
23402 SW 60th St.
Burrton, KS 67020-8842
- 5) Domestic Well
Michael Lee Fast Trust
23523 SW 60th St.
Burrton, KS 670202
- 6) Domestic Well
James & Jacqueline Hultman
22524 SW 60th St.
Burrton, KS 67020-8840

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KS DEPT OF AGRICULTURE

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

December 5, 2022

JUDITH M YOUNG
28817 W 125TH ST N
BURRTON KS 67020

RE: File No(s). **49049**

Dear Sir or Madam:

The Division of Water Resources (Division) has received your application(s) to change the place of use, point of diversion or use made of water for the file number(s) referenced above. Please be aware that the Division may have a large number of pending applications on hand at times and makes every attempt to process them in the order in which they are received. You will be contacted if additional information is required.

Please note, this letter only acknowledges receipt of your application(s) and does not guarantee approval. In accordance with the provisions of the Kansas Water Appropriation(s) Act, the use of water as proposed prior to approval of the application(s) is unlawful.

Additional information about the process may be found on our website at agriculture.ks.gov/divisions-programs/dwr. If you have any other questions, please contact our office at 785-564-6640 or your local Stafford Field Office at 620-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in black ink that reads "Kristen A. Baum". The signature is written in a cursive style.

Kristen Baum
New Applications and Changes Supervisor
Water Appropriation Program