

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

*OWNERSHIP CHANGE*

1. File Number: <b>9854</b>	2. Status Change Date: <b>4/10/23</b>	3. Change Num: <b>C2</b>	4. Field Office: <b>02</b>	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: <b>3/20/23</b>	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input checked="" type="checkbox"/>		Person ID _____ Add Seq# _____
			<b>RICH &amp; LIBBY SCHROEDER TR #1 22192 NE 219 RD JETMORE KS 67854</b>		
8b. Landowner(s) New to system <input checked="" type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/>		Person ID <b>66211</b> Add Seq# <b>1</b>
<b>SCHROEDER &amp; SCHROEDER FARM PART 22192 NE 219 RD JETMORE KS 67854</b>			<b>BRIT SCHROEDER 26032 SW L RD JETMORE KS 67854</b>		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/23</b> <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: <b>3/22/23</b>	By: <b>TMA</b>
				Date Entered:	By:

File No. **9854**      11. County: **HG**      Basin: **BUCKNER CREEK**      Stream: ---      Formation Code: **113**      Special Use: ---

12. Points of Diversion										Rate and Quantity									
CHK	MOD	DEL	ENT	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files		
<b>CHK</b>					<b>22458</b>	<b>SE</b>	<b>NW</b>	<b>NW</b>	<b>8</b>	<b>23S</b>	<b>23W</b>	<b>1</b>	<b>3920</b>	<b>3400</b>	<b>427</b>	<b>114</b>	<b>427</b>	<b>114</b>	<b>N</b>

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								
<b>DEL</b>				<b>3728</b>	<b>8</b>	<b>23S</b>	<b>23W</b>	<b>1</b>			<b>4</b>			<b>30</b>	<b>8</b>												<b>42</b>	<b>8B</b>	<b>Y</b>	<b>29062</b>			
<b>ENT</b>					<b>8</b>	<b>23S</b>	<b>23W</b>							<b>28</b>	<b>6.5</b>												<b>34.5</b>	<b>8B</b>	<b>Y</b>	<b>29062,38766</b>			
<b>ENT</b>					<b>8</b>	<b>23S</b>	<b>23W</b>			<b>39</b>	<b>16.5</b>	<b>5.5</b>	<b>8.5</b>													<b>69.5</b>	<b>8C</b>	<b>Y</b>	<b>29062,38766</b>				

Base Acres: **38**      Year: **1968**      Minimum Reasonable Quantity: **1.32**  
 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.

**RECEIVED**  
 9:40am  
 MAR 20 2023

File No. 9854

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: Brit Schroeder

26032 SW L RD, Jetmore, KS 67854

Phone Number: (620)357-5156                      Email address: britschroeder@msn.com

Name and address of Water Use Correspondent: Brit Schroeder

26032 SW L RD, Jetmore, KS 67854

Phone Number: (620)357-5156                      Email address: britschroeder@msn.com

3. The presently authorized place of use is:

Owner of Land --- NAME: 1) SCHROEDER & SCHROEDER FARM PART. 2) RICH & LIBBY SCHROEDER TR #1

ADDRESS: 1 & 2) 22192 NE 219 RD, JETMORE, KS 67854

(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	
1) 8	23	23W					30	8											38
2) 8	23	23W		4															4
																	Tot: 42		

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: 1) SCHROEDER & SCHROEDER FARM PART. 2) RICH & LIBBY SCHROEDER TR #1

ADDRESS: 1 & 2) 22192 NE 219 RD, JETMORE, KS 67854

(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	
1) 8	23	23W					28	6.5											34.5
2) 8	23	23W	39	16.5	5.5	8.5													69.5
																	Tot: 104		

<b>For Office Use Only:</b> Code <u>CDU</u> Fee \$ <u>200<sup>00</sup></u> TR # _____ Receipt Date _____ Check # <u>7888</u>
--

Limited to 208 AF on PU;  
 ↳ See additional condition 11a on Jr file

5. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NW Quarter of the NW Quarter of Section 8, Township 23 South, Range 23 W, in Hodgeman County, Kansas, 3,920 feet North 3,400 feet West of Southeast corner of section. Authorized Rate 427 gpm Authorized Quantity 114 AF Depth of well unknown (feet)  
 (DWR use only: Computer ID No. 1 GPS N/A feet North N/A 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 None

\*There is GPS on file for this well from '06 visit but may consider getting another measurement, wildly off from authorized?

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) Applicant would like to overlap the place of use of three water rights 9854, 29062, and 38766. The actual acres irrigated are now accurately reflected.

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

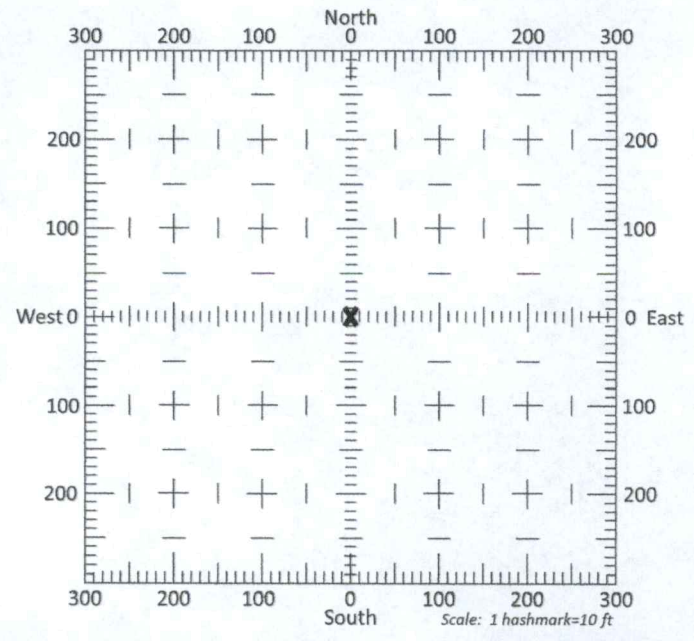
9. The change(s) (was)(will be) completed by?  
ASAP

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
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 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.)

MAR 20 2023

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 Jetmore, Kansas, this 16<sup>th</sup> day of March, 2023.

X Richard Schroeder  
Richard Schroeder  
(Owner)

Richard Schroeder  
(Please Print)

X Brit Schroeder  
Brit Schroeder  
(Owner)

Brit Schroeder  
(Please Print)

Brit Schroeder  
(Owner)

Brit Schroeder  
(Please Print)

X Elizabeth Schroeder  
Elizabeth Schroeder  
(Spouse)

Elizabeth Schroeder  
(Please Print)

Elizabeth Schroeder  
(Spouse)

Elizabeth Schroeder  
(Please Print)

Elizabeth Schroeder  
(Spouse)

Elizabeth Schroeder  
(Please Print)

State of Kansas }  
County of Hedgeman } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 16<sup>th</sup> day of March, 2023.



My Commission Expires 2/3/2025

Janice J. Thoben  
Notary Public

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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MAR 20 2023



Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

April 10<sup>th</sup> 2023

Brit Schroeder  
26032 SW L RD  
Jetmore, KS 67854

Re: Water Right, File No(s). 9854,29062,38766

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.

This order requires that a notice and completion of works form be submitted once the diversion works are completed, including a properly installed flowmeter. This form is available at the referenced website.

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

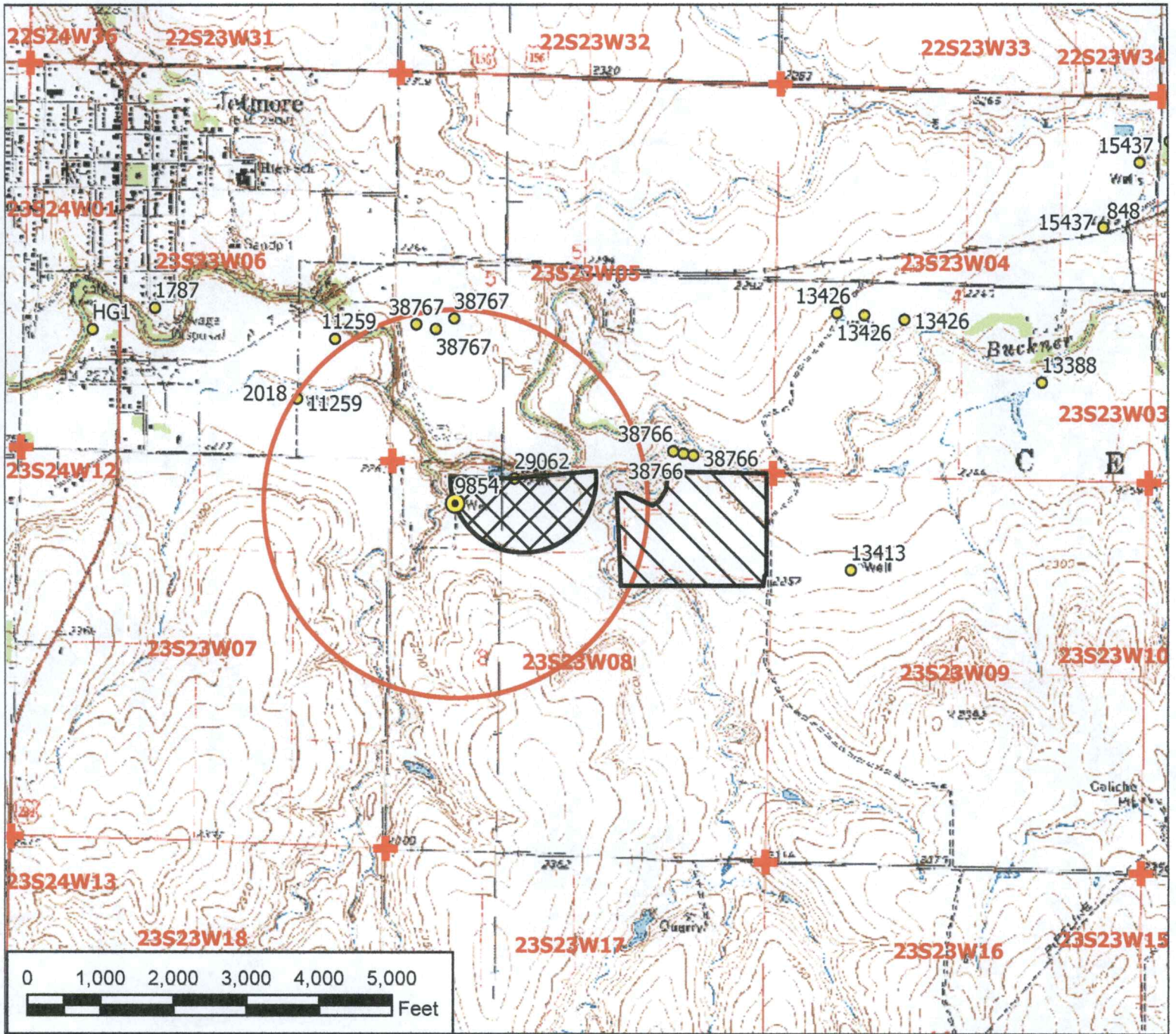
On this **10th** day of **April, 2023**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **9854, 29062, 38766**, dated **April 10th, 2023** was mailed via First Class U.S. mail to the following:

Brit Schroeder  
26032 SW L RD  
Jetmore KS, 67854

A copy of the letter was sent via electronic mail to the following:

Chelsi Snodgrass  
Staff





### Legend

- Water Appropriation
- Authorized Point of Diversion
- + Section Corner
- Section Line
- Half Mile Circle
- Authorized Place of Use
- Proposed Place of Use

## Water Right, File No. 9854

Change in Place of Use Map  
08-23-23W // Hodgeman County

To the best of my knowledge, all points of diversion within one-half mile of the authorized point of diversion have been shown.



RECEIVED

MAR 20 2023

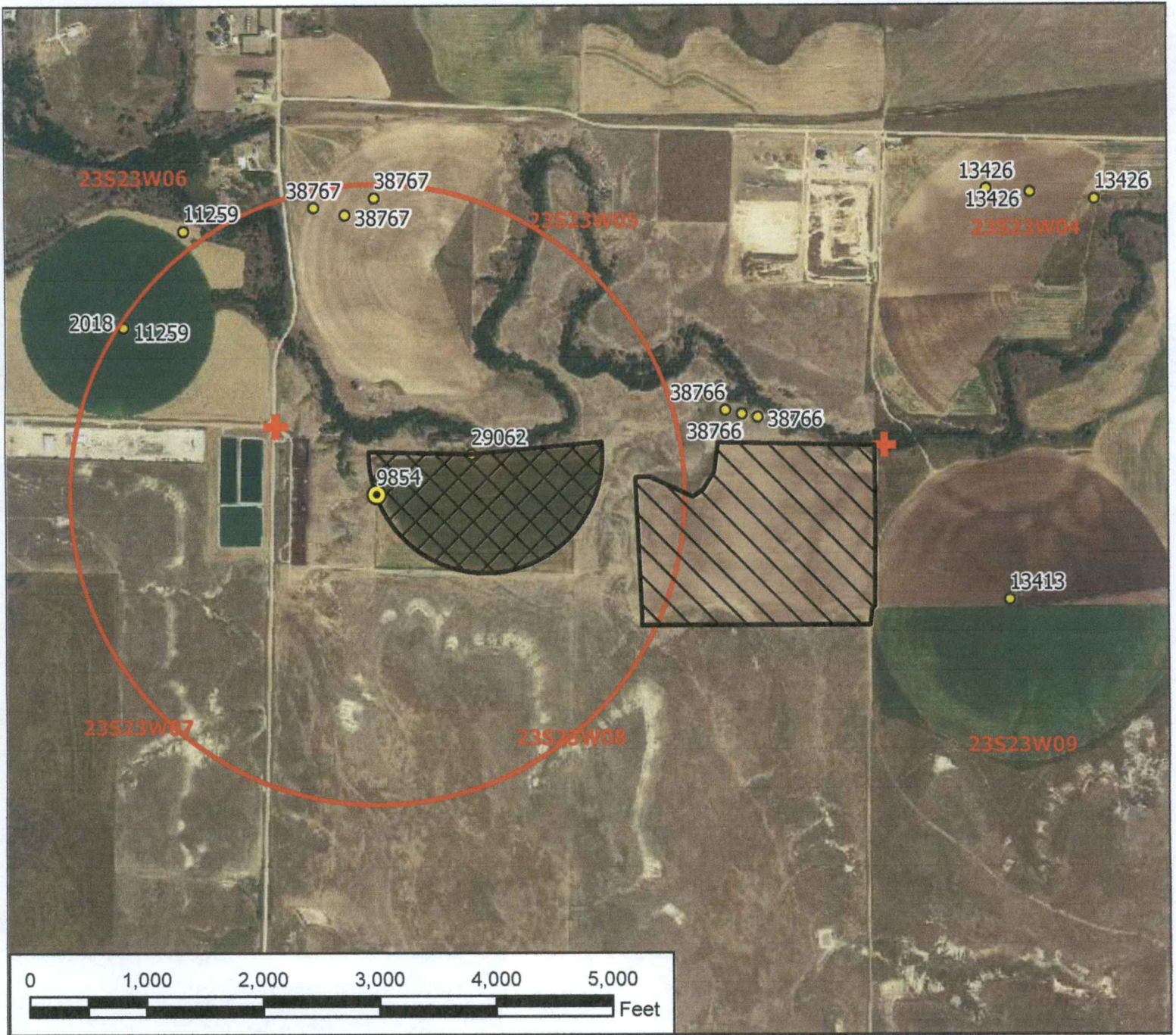
*Richard Schwabert*

3/16/23

Stafford Field Office  
Division of Water Resources

Signature / Date

03/08/2023 TMA/SFFO 1:24,000 scale



**Legend**

- Water Appropriation
- Authorized Point of Diversion
- ⊕ Section Corner
- Section Line
- Half Mile Circle
- ▨ Authorized Place of Use
- ▨ Proposed Place of Use

**Water Right, File No. 9854**

**Change in Place of Use Map  
08-23-23W // Hodgeman County**

To the best of my knowledge, all points of diversion within one-half mile of the authorized point of diversion have been shown.



RECEIVED

MAR 20 2023

*Richard Schwab*

3/16/23

Stafford Field Office  
Division of Water Resources

Signature / Date

03/08/2023 TMA/SFFO 1:15,000 scale

Change in Place of Use

File No. 9854: Nearby Well Owners

**Irrigation wells:**

**2018/11259:** Martha P Sparks  
622 Clay St  
Jetmore KS 67854

**29062:** Same ownership associated with this application.

**38767:** Richard W & Julie Ann Shroeder  
PO Box 623  
Jetmore KS 67854 - 0623

RECEIVED

MAR 20 2023

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:** 4/10/2023

**FROM:** Taylor Arrowood

**RE:** Water Right, File Nos. 9854, 29062,  
38766  
Place of Use Change Applications

Brit Schroeder has been in contact with the Stafford Field Office to find out the possibility of being able to move water from two separate places of use and three water rights that are referenced above in any which way necessary. Cameron Conant of the Stafford Field Office mentioned to Brit that this would require field office place of use changes on all three files to create a complete place of use overlap.

The referenced files are 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.

These changes in place of use were ultimately desired to create a place of use overlap to pump water from any point of diversion authorized by the three water rights to any place of use that is authorized under these three water rights. The following information was obtained from each water right and details the proposed changes in place of use to create the overlap:

**File No. 9854:** A base acre review was done in accordance with K.A.R. 5-5-11 which found the base acres on file to be 38 acres. A change in place of use would be able to increase by 3.8 acres from this if needed. The file is currently authorized 42 acres but not all 42 are irrigated. The place of use is a half pivot in the NW  $\frac{1}{4}$  of 8-23S-23W in Hodgeman County (a few acres in the NE  $\frac{1}{4}$  on the edge of the pivot). The point of diversion associated with this water right is located at 3,920' N, 3,400' W of the SE corner of 8-23S-23W and has no overlaps.

**File No. 29062:** This file is already overlapped in place of use with senior right 9854. The base acre review found no additional acres were ever irrigated beyond 9854, so the base is 0 additional acres to the 38 authorized by 9854. The point of diversion authorized by this file is currently 5,115' N and 3,565' W of the SE corner of 8-23S-23W. It will be modified to be better described with GPS to footages 5,180' N, 3,554' W. There is no overlap in point of diversion.

**File No. 38766:** The file authorizes a pivot system in the NE  $\frac{1}{4}$  of the same legal description as the previous files. The currently authorized place of use is 58 acres, all in the NE quarter of the section. Upon reviewing aerial imagery, it appears that the same ground that is authorized is actually greater than 58 acres, which is the primary reason for the base acre reviews being done. All of the same ground is covered that was covered previously, and there is technically no

new acres being irrigated, but the acreage totals are increasing to reflect the actual acres irrigated. The place of use map reflects this, as it is clearly seen there are no new acres being irrigated. The base acre review for this file determined a base acres of 58, with an allowable increase of 5.8 acres. The water right has an authorized point of diversion that is a battery of two wells in the SE ¼ of Section 5 of 23S-23W in Hodgeman County, footages of 100' N, 980' W for the E well and 220' N, 1,200' W for the W well. The geocenter is located at 160' N, 1,090' W. The locations are modified to reflect GPS coordinates as detailed in the application.

All three files will be completely overlapped in place of use going forward. The final total acreage being overlapped is 104 acres.

These approvals will comply with K.A.R. 5-5-3, *Change in consumptive use*. The acreage is increasing from 96 to 104, which is allowable per K.A.R. 5-5-11. The maximum acreage allowable is 105.6 acres. AF/acre on the water rights will still be reasonable because there will be a limitation placed on the junior water right (38766) that reduces quantity used on the entire place of use to 208 AF. This is 2 AF/acre, the maximum allowable in Hodgeman County. The applicant agreed to this limitation (see email and response on 4/10/23) and that the wells individually would retain their same quantities they have now.

The change applications were received at the Stafford Field office on March 20, 2023 along with the proper fee and signatures from all landowners.

Because this is a field office place of use change, nearby well owners, as stated in a previous memo, were not notified of this change. The files are not located in a GMD, so there was no GMD recommendation requested regarding these change applications.

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 the local source of supply will occur, it has been recommended that the applications be approved.

Taylor Arrowood  
Environmental Scientist - SFFO