

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

WATER METER REQUIRED

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.

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

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APR 17 2023
1300
KS DEPT OF AGRICULTURE

File No. 2065

2. Name of applicant: David Wood

Address: 1778 280TH Ave

City, State and Zip: Belpre, KS 67519

Phone Number: (785)259-7198 E-mail address: ddwoodfarms@hotmail.com

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

Name of water use correspondent: David Wood (to be updated with or before processing this change)

Address: 1778 280th Ave

City, State and Zip: Belpre, KS 67519

Phone Number: (785)259-7198 E-mail address: ddwoodfarms@hotmail.com

3. The change(s) proposed herein are desired for the following reasons (please be specific): The applicant desires an additional well be added to the existing water rights. The quantity and rate will be split between the current well authorized by 2065 / 34417 and the new well evenly. See PD information and map(s) for well details.

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

4/25/2023
LMoody

For Office Use Only:															
F.O.	<u>2</u>	GMD	<u>5</u>	Meets K.A.R. 5-5-1	(YES/NO)	Use	<u>IRR</u>	Source	<u>G/S</u>	County	<u>PN</u>	By	<u>ALB</u>	Date	<u>4/17/23</u>
Code	<u>CGT</u>	Fee \$	<u>200</u>	TR #		Receipt Date	<u>4/17/23</u>	Check #	<u>5114</u>						

4. The presently authorized place of use is:

Owner of Land — NAME: DAVID D WOOD

ADDRESS: 1778 280TH AVE, BELPRE, KS 67519-1907

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
31	23S	16W													40	40	40	40	160

List any other water rights that cover this place of use. 34417

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

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

(If there are more than two landowners, attach additional sheets as necessary.)

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

Owner of Land — NAME: NO CHANGE

ADDRESS: NO CHANGE

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

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

Owner of Land — NAME: _____

ADDRESS: _____

Sec.	Twp.	Range	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL ACRES
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

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

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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- 6. The presently authorized point(s) of diversion is one well and diversion works.
(Provide description and number of points)
- 7. The proposed point(s) of diversion is two wells and diversion works.
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **Presently authorized point of diversion:**
 One in the NW Quarter of the NW Quarter of the SE Quarter of Section 31, Township 23 South, Range 16 W, in Pawnee County, Kansas, 2,500 feet North 2,590 feet West of Southeast corner of section.
 Authorized Rate 510 gpm Authorized Quantity 71 AF
 (DWR use only: Computer ID No. 1 GPS 2,524 feet North 2,635 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 NW Quarter of the NW Quarter of the SE Quarter of Section 31, Township 23 South, Range 16 W, in Pawnee County, Kansas, 2,524 feet North 2,635 feet West of Southeast corner of section.
 Proposed Rate 255 gpm Proposed Quantity 35.5 AF
 This point is: Additional Well Geo Center List other water rights that will use this point 34417.

9. **Presently authorized point of diversion: ADDITIONAL WELL - PROPOSED**
 One in the --- Quarter of the --- Quarter of the --- Quarter of Section ---, Township --- South, Range ---, 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 NC SE Quarter of Section 31, Township 23 South, Range 16 W, in Pawnee County, Kansas, 576 feet North 1,414 feet West of Southeast corner of section.
 Proposed Rate 255 gpm Proposed Quantity 35.5 AF
 This point is: Additional Well Geo Center List other water rights that will use this point 34417.

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. N/A - All PDs will be used going forward.

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12. The presently authorized use of water is for Irrigation _____ purposes.

It is proposed that the use be changed to NO CHANGE - irrigation purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

The consumptive use will not be increased. This is a change in point of diversion and no new acres will be irrigated.

Pursuant to K.A.R. 5-5-16, consumptive use was considered in this change: 153 acres X 1.24 (80% NIR PN Co.) / 0.85 = 223.2 AF. The application(s) are requesting 223.2 AF. A reduction will be added to the junior file 34417 to account for this hit. This file will remain authorized 71 AF.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to No reduction (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to No reduction 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.

It is not anticipated this change will impair existing water rights because the spacing to all nearby wells is met. The local source of supply is intended to be the same source because the well will be drilled to a similar depth and there is no local variation in geology within the quarter to suggest a source change.

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.

No waiver is anticipated at this time.

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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 Stafford, Kansas, this 13 day of April, 2023.

<u>David D. Wood</u> (Owner)	_____	(Spouse)
<u>David D. Wood</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Owner)	_____	(Please Print)
_____	_____	(Please Print)
(Please Print)	_____	(Spouse)
_____	_____	(Please Print)
(Owner)	_____	(Please Print)
_____	_____	(Please Print)
(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 13th day of April, 2023.



Faith Curtis
Notary Public

My Commission Expires _____

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:

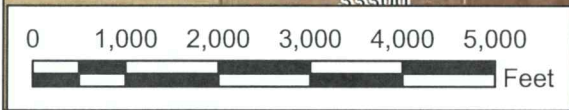
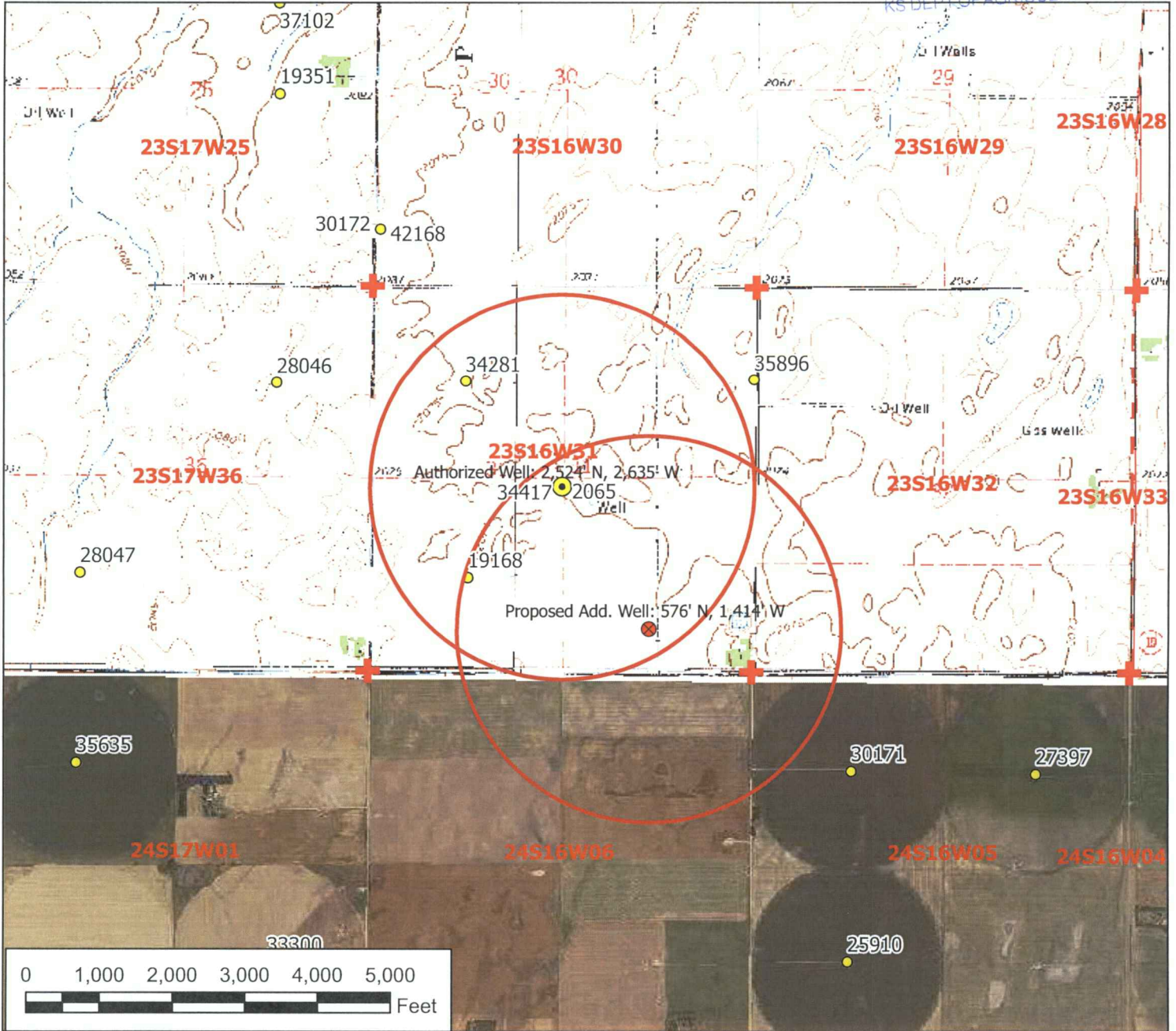
- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

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Legend

- Water Appropriation
- ⊗ Proposed Point of Diversion
- ⦿ Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- ▭ Section Line
- Half Mile Circle

Water Right, File Nos. 2065, 34417

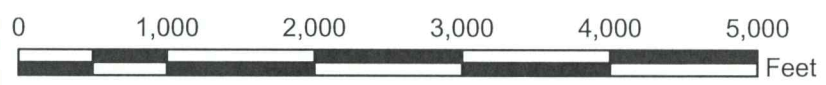
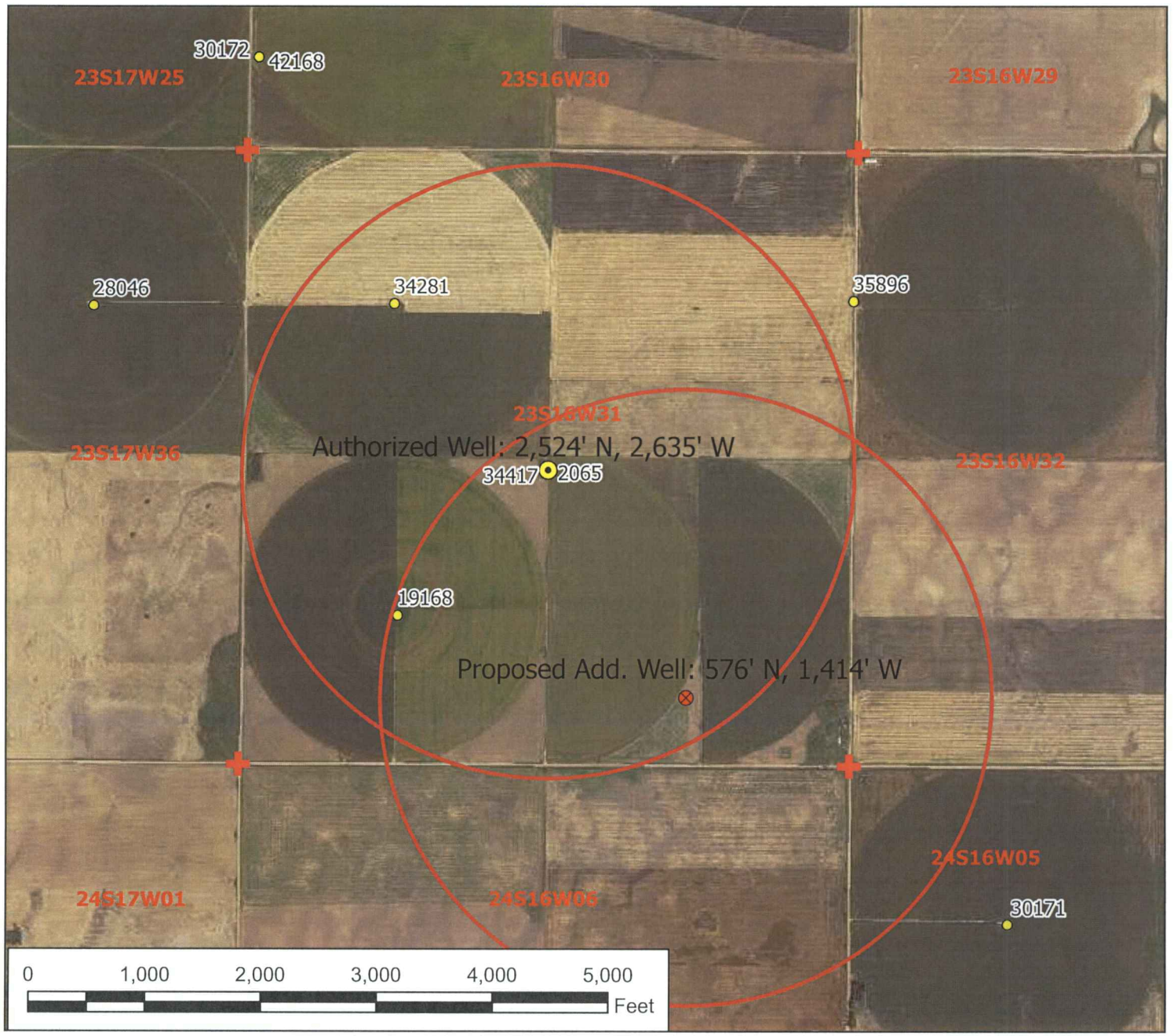
Change in Point of Diversion Map 31-23-16W // Pawnee County



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

[Handwritten Signature] 4/13/23

Signature / Date 04/13/2023 TMA/SFFO 1:24,000 scale



- Legend**
- Water Appropriation
 - ⊗ Proposed Point of Diversion
 - ⦿ Authorized Point of Diversion
 - ★ Domestic Well
 - ⊕ Section Corner
 - ▭ Section Line
 - Half Mile Circle

Water Right, File Nos. 2065, 34417

Change in Point of Diversion Map 31-23-16W // Pawnee County



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

[Handwritten Signature]

4/13/23

Signature / Date

04/13/2023 TMA/SFFO 1:15,000 scale

INPUTS	
Target Section Definition	
Section	31
Township	23
Range	16
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-99.118846
Target Latitude	38.0015055

Load Data and Compute

- Instructions**
1. Enter values for section, township, range and range direction.
 2. Enter **NAD27** or **NAD83** longitude and latitude of target point.
 3. Click "Load Data and Compute" button.
 4. Use feet distances corresponding to datum of target point.

File Nos. 2065, 34417
Location of additional well, UPDATED

Loaded Section Data From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.99981737	-99.13232647
NW	38.01440423	-99.13224919
NE	38.01448017	-99.11386248
SE	37.99992331	-99.11393858
Degrees Longitude per Foot		3.47049412E-06
Degrees Latitude per Foot		2.74608887E-06
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	615	-3884
NW	-4697	-3862
NE	-4725	1436
SE	576	1414

Loaded Section Data From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.99980200	-99.13194300
NW	38.01438900	-99.13186600
NE	38.01446500	-99.11348000
SE	37.99990800	-99.11355600
Degrees Longitude per Foot		3.47049340E-06
Degrees Latitude per Foot		2.74598553E-06
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	620	-3774
NW	-4692	-3752
NE	-4719	1546
SE	582	1524

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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

April 20, 2023

DAVID WOOD
1778 280TH ABE
BELPRE KS 67519

RE: File No(s). **2065 34117**

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