# 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 f f f

# 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



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 Eng  | gineer to change the RECEIVED  /: 43 PM  SEP 2 0 2023  |
|----|---|--|
|    | (Check one or more)   | Stafford Field Office Division of Water Resource   |
|    | File No. <u>2879</u>  | 99   |
| 2. | Name of applicant: John W Mundhenke   |  |
|    | Address: 1937 N Rd  |  |
|    | City, State and Zip: Lewis, KS 67552-5229   |  |
|    | Phone Number: <u>(620)324-5632</u> E-   | -mail address: jmundhenke@gbta.net   |
|    | What is your relationship to the water right; ☐ owner 〔   | Itenant ☐ agent ☐ other? If other, please explain  |
|    | Name of water use correspondent: <u>John W &amp; Gina L Mu</u> Address: <u>1937 N Rd</u> City, State and Zip: <u>Lewis, KS 67552-5229</u> | undhenke   |
|    | Phone Number: (620)324-5632 E-  | -mail address: <u>imundhenke@gbta.net</u>  |
| 3. |   | wing reasons (please be specific): To swap the rates and quantities thorize more quantity on the well that is actually used more between |
|    | The change(s) (was) completed by Nothing to complete  | e - paper change / quantity swap only  (Date)  |
| F. | or Office Use Only:  O2 GMD _5 Meets K.A.R. 5-5-1 (YES NO) Use _ Code Fee \$_7/50 TR #_   | IRR Source G'S County ED By ALB Date 10/11/23  Receipt Date Check # 1529   |
|    | 0 10  | Smothel  |

DWR 1-120 (Revised 06/16/2014)

10/24/2023 LMoody

Assisted by: TMA SFFO

|        |  |   | nd —   |                  |  |  |                     |             |                   |         | OL HING | ONLI        | \$ 675        | 02         |        |        |           |       |              |
|--------|--|---|--|------------------|--|--|---------------------|-------------|-------------------|---------|---------|-------------|---------------|------------|--------|--------|-----------|-------|--------------|
|        |  |   | AD   | DRES             | S: 12  | 1 PRA  | AIRIE               | DUNE        | S DR,             | HUI     | HINS    | ON, N       | 0000          | 02         |        |        | _         |       |              |
|        |  |   |  | NE               | 1/4  | 104  |                     | NV          | V1/4              |         |         | sv          | V1/4          |            | SE1/4  |        |           |       | TOTAL        |
| Sec.   | Twp.   | Range   | NE1/4  | NW1/4            | SW1/4  | SE1/4  | NE1/4               |             | SW1/4             | SE1/4   | NE1/4   | NW1/4       |               | SE1/4      | NE1/4  | NW1/4  | SW1/4     | SE1/4 | ACRE         |
| 6      | 25S  | 17W   |  |                  | 40   | 40   |                     |             |                   |         |         |             |               |            | 40     | 40     | 40        | 40    | 240          |
| 0      | 200  | 1744  |  |                  | 40   | 40   |                     |             |                   |         |         |             | -             |            | 10     | 10     |           | 10    | 2.10         |
|        |  |   |  |                  |  |  |                     |             |                   |         |         |             |               |            |        |        |           |       |              |
| st any | other  | water r                                       | ights t  | hat co           | ver th   | is plac  | ce of u             | se. No      | one               |         | Hier    | e mic       | q tier        | e iac      | line i |        | in is     |       |              |
|        | Owne   | er of La                                      |  |                  |  |  |                     |             |                   |         |         |             |               |            |        |        |           |       |              |
| Emic   |  |   | AD   | DRES             |  |  |                     |             |                   |         |         |             | M/            |            |        |        | -1/       |       |              |
| Con    | Tour   | Penns   | NE1/   | NW¼              | 5W1/4  | SE1/4  | NE1/4               | NV1/4       | V1/4<br>SW1/4     | SE1/4   | NE1/4   | SV<br>NW1/4 | V1/4<br>SW1/4 | SE1/4      | NE1/4  | NW1/4  | 5W1/4     | SE1/4 | TOTA<br>ACRE |
| Sec.   | Twp.   | Range   | NE1/4  | NVV/4            | SVV/4  | SE/4   | NE%                 | NVV/4       | SVV/4             | SE74    | NE74    | INVV74      | SVV/4         | SE74       | NE74   | INVV74 | 30074     | SE74  |              |
|        |  |   |  |                  |  |  |                     |             |                   |         |         |             |               | The second |        |        |           |       |              |
|        |  |   |  |                  |  |  |                     |             |                   |         |         |             |               |            |        |        |           |       |              |
|        |  |   |  |                  | F  |  |                     |             |                   |         |         |             |               |            |        |        |           |       |              |
|        | (If the  | water reere are                               | more t   | than tv          | wo lan   | downe  | ers, at             | tach a      | dditior           | nal she | eets as | s nece      | essary.       | )          |        |        |           |       |              |
|        | (If the  |   | more that the nd —   | than tw<br>place | wo lan<br>of use<br>IE: <u>NC</u>  | be ch  | ers, at             | tach a      | ddition           | nal she | eets as | s nece      | essary        | )          |        |        |           | 7/1   |              |
|        | (If the  | ere are                                       | more that the nd —   | than tw          | wo lan<br>of use<br>IE: <u>NC</u>  | be ch  | ers, at             | tach a      | ddition           | nal she | eets as |             |               | )          |        |        |           |       |              |
|        | (If the  | ere are<br>esed that<br>er of La              | more flat the pand — AD  | place NAM        | wo lan of use IE: NO SS: NO  | be ch  | ers, at             | tach a      | N <sup>1</sup> /4 |         |         | SV          | V¼            |            |        |        | = 1/4<br> |       | TOTA         |
|        | (If the  | ere are                                       | more that the nd —   | place NAM        | wo lan of use IE: NO SS: NO  | be ch  | ers, at             | tach a      | N <sup>1</sup> /4 | nal she | eets as |             |               |            | NE¾    | SE NW¼ | 5W/4      | SE1/4 |              |
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| It is  | (If the  | ere are<br>esed that<br>er of La              | nd — AD NE%  | NAM DRES NW%     | wo lan of use E: NC SS: NC SW4 SW4   | be checked be checked by CHA   | NE%                 | NW/4        | W/4<br>SW/4       | SE½     | NE1/4   | SV<br>NVV½  | V¼<br>SW¼     |            | NE½    |        |           | SE¼   |              |
| It is  | (If the  | ere are assed that are of La                  | nd — AD NE%  | NAM DRES         | wo lan of use E: NC SS: NC SW4 SW4  Diver the E: SS:   | be checked be checked by CHA   | NE%                 | NW/4        | W/4<br>SW/4       | SE½     | NE¾     | SW<br>NW¼   | W/4<br>SW/4   |            | NE¾    | NW%    | SW1/4     | SE1/4 | ACRE         |
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| Sec.   | (If the opposite of the opposi | ere are essed that er of La Range water of La | nd — AD NE1/4  | NAM DRES         | wo lan of use E: NC SS: NC SW/A SW/A  over the   | be characteristics be characteristics. | NGE NE%             | NW/4        | N¼ SW¼            | SE1/4   | NE¾     | SV<br>NVV½  | V¼<br>SW¼     | SE1/4      |        | NW¼    | SW1/4     |       | ACRE         |
| Sec.   | (If the opposite of the opposi | ere are essed that er of La Range water of La | nd — AD NE1/4  | NAM DRES         | wo lan of use E: NC SS: NC SW/A SW/A  over the   | be characteristics be characteristics. | NGE NE%             | NW/4        | N¼ SW¼            | SE1/4   | NE¾     | SV<br>NVV½  | V¼<br>SW¼     | SE1/4      |        | NW¼    | SW1/4     |       | TOTA         |

RECEITEMORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SEP 2 0 2023

Jeh Mudhat

|  |  |  |  |  | File No. <u>28799</u>  |  |
|--|--|--|--|--|--|--|
| The presently aut  | horized point(s)   | ) of diversion are two w   | ells and diversion   | on works (Provide description and num  | nber of points)  |  |
| The proposed poi   | int(s) of diversion  | on are two wells and div   | version works  | rgin folgisalish ke eta  |  |  |
| The proposed po  | in(o) or airoioid  | The trains and an  |  | (Provide description and num   | nber of points)  | THE LOW  |
| List all presently   | authorized po  | oint(s) of diversion:  |  |  |  |  |
| Presently author   | rized point of o   | diversion: SOUTHEAS  | T WELL   |  |  |  |
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| of Section   | 6  |  |  | South, Range   |  |  |
| of Section<br>in Edwards   | 6<br>Cou   | unty, Kansas, <u>3,335</u>   | feet North _   | South, Range 2,116 feet West of  |  |  |
| of Section<br>in <u>Edwards</u><br>Authorized Rate   | 6<br>Cou<br>640 GPM  | unty, Kansas, <u>3,335</u><br>Authorized Quantity  | feet North<br>/ 138 AF   | 2,116 feet West of   | Southeast corn   | er of section  |
| of Section in Edwards Authorized Rate (DWR use only:   | 6 Cou  | unty, Kansas, <u>3,335</u> _ Authorized Quantity No. 6 G   | feet North<br>/ 138 AF<br>PS 3,335   | 2,116 feet West of feet North2,1   | Southeast corne  | er of section  |
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11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. <u>All points of diversion will continue to be used.</u>

RECEIPTMORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

SEP 2 0 2023

Jh W milhel

|     |  |   | File No. <u>28799</u>   |
|-----|--|---|---|
| 12. | The pre                                | esently authorized use of water is for irrigation   | purposes.   |
|     | It is pro                              | posed that the use be changed to NO CHANGE - irrigation   | purposes.   |
| 13. | If chang                               | ging the place of use and/or use made of water, describe how the co   | onsumptive use will not be increased.   |
|     | The pla                                | ace of use and use made of water are not changing. The quantity and   | d rate on the two authorized wells will simply be   |
|     | swappe                                 | ed so that they match the way they are being utilized currently. Cons   | sumptive use will not be increased because the  |
|     | operati                                | ion of the two wells will not change. This is simply to give the water u  | ser more water on the well they already use   |
|     | more.                                  |   | · · · · · · · · · · · · · · · · · · ·   |
|     | (Please                                | show any calculations here.)  |   |
| 11  | It is roo                              | quested that the maximum annual quantity of water be reduced to No  | reduction (our feet or william relland)   |
| 14. | it is rec                              | quested that the maximum annual quantity of water be reduced to No  |   |
| 15. | It is req                              | quested that the maximum rate of diversion of water be reduced to N   | o reduction gallons per minute ( c.f.s.)  |
| 16. | 1:24,00<br>Kansas<br>Distand<br>should | oplication must include either a topographic map or detailed plat. A 00, is available through the Kansas Geological Survey, 1930 Cons 66047-3726 ( <a href="www.usgs.gov">www.usgs.gov</a> ). The map should show the location ces North and West of the Southeast corner of the section must be also be shown. Identify the center of the section, the section lines and township, and range numbers on the map. In addition the following | estant Avenue, University of Kansas, Lawrence, of the presently authorized point(s) of diversion as shown. The presently authorized place of use and the section corners and show the appropriate |
|     | a. If a                                | a change in the location of the point(s) of diversion is proposed, show   | v:  |
|     | 1)                                     | The location of the proposed point(s) of diversion. Distances Northmust be shown. Please be certain that the information shown of Paragraph Nos. 9, 10 and 11 of the application.   |   |
|     | 2)                                     | If the source of supply is groundwater, please show the locatio domestic wells, within ½ mile of the proposed well or wells. Ident mailing address of the property owner or owners. If there are no w   | tify each well as to its use and furnish name and   |
|     | 3)                                     | If the source of supply is surface water, the names and mailing and ½ mile upstream from your property lines must be shown.   | ddresses of all landowner(s) ½ mile downstream  |
|     | b. If a cer                            | a change in the place of use is desired, show the proposed place of tain that the information shown on the map agrees with the information  | of use by crosshatching on the map. Please be ion shown in Paragraph No. 5 of the application.  |
| 17. | local so                               | documentation to show the change(s) proposed herein will not impource of supply as to which the water right relates. This information gs, test hole logs, and other information as necessary information to below.  | n may include statements, plats, geology reports  |
|     | The cha                                | anges will not impair existing water rights because nothing will change   | ge operationally with these two wells. The water  |
|     | user wa                                | ants to ensure that the well they do pump more out of has the higher  | rate and quantity allotment. See items 3 and 13.  |
|     |  |   |   |

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.

A waiver of 1/2 mile change in point of diversion is requested to move rate and quantity of two wells of the same file #. As mentioned before, there is no physical moving or redrilling of any wells > 1/2 mile.

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IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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Any use of water that is not as authorized by the water right or permit to authorize water <u>before</u> 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.

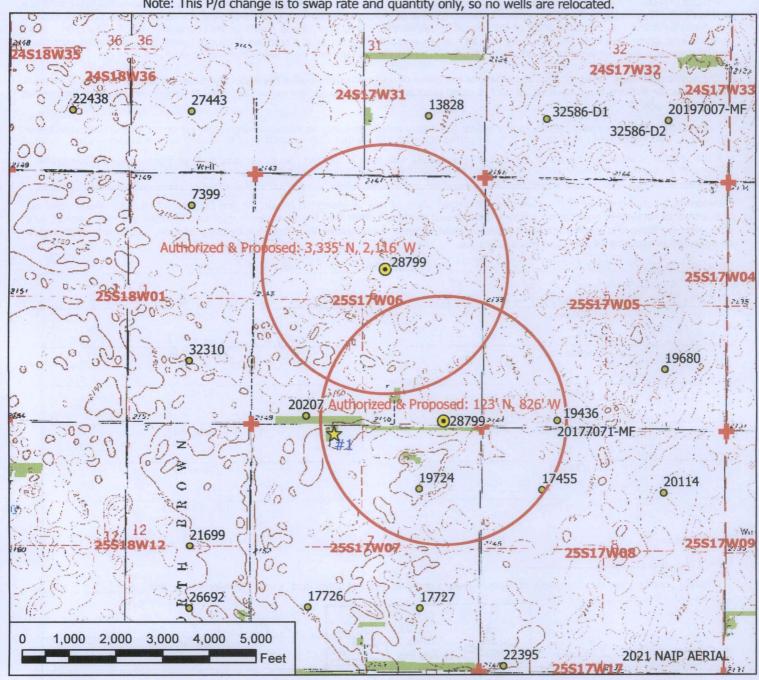
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

| as specified in sections 14 and  |  | C. D. Beer E. Soon of                       |  | 20              |
|--|--|---|--|-----------------|
| Dated at Supt. HU  | +chinson , Kansas, thi   | is day of                                   | Sept.                                      | , 20_25         |
| Stary L. Mundy   | nke Living Trust   | Sterry 1 in                                 | (Spouse)                                   | nestea          |
| BARYL MUNDHEN  | TE LIVING TRUST  | ENTERN M                                    | NOHENKE TR                                 | 4 E             |
|  | e Print)   | <u> </u>                                    | (Please Print)                             | 128128          |
| (Ov  | vner)  | HONDA LUSSE                                 | (Spouse)                                   |                 |
| (Pleas   | se Print)  |   | (Please Print)                             | 200             |
| (Ov  | vner)  |   | (Spouse)                                   |                 |
|  |  |   |  |                 |
| State of Kansas  | ee Print) ) ) SS   | , reec                                      | (Please Print)                             | des -           |
| State of Kansas County of Renu   | )  | presence and sworn to                       | 12<br>18W12                                | th day          |
| State of Kansas  County of RenU  I hereby certify that the fo  | ss s   | ORY Preside                                 | 12<br>18W12                                | day             |
| State of Kansas  County of <u>Renu</u> I hareby certify that the fo  | PRIL GREGINOTARY PUBSTATE OF KAN   | ORY Pyril (                                 | 12<br>18W12                                | day d           |
| State of Kansas  County of Renu  I hereby certify that the for 20  My Commission Expires   | APRIL GREGON APRIL GREGON NOTARY PUB STATE OF KAN MY Appt Exp.   | ORY Orpine 1<br>ISAS<br>19-24               | o before me this 5                         |                 |
| State of Kansas  County of Renu  I hereby certify that the for 20  My Commission Expires  Each application to change the papplication fee set forth in the sci | APRIL GREGO NOTARY PUB STATE OF KAN MY Appt Exp.  FEE SCHE Place of use, the point of diversion or the undedule below:   | ORY OLD | Notary Public Per this section shall be ac | companied by th |
| State of Kansas  County of Renu  I hereby certify that the for 20  My Commission Expires  Each application to change the papplication fee set forth in the sci | APRIL GREGNOTARY PUBSTATE OF KAN My Appt Exp.  FEE SCHE  Place of use, the point of diversion or the underlined below:  The point of diversion 300 feet or less are the place of use.  The place of use and of the water are the place of use.  The place of use are the place of the use made of the water are the place of use are the place of use are the place of the use made of the water are the place of use ar | ORY OLD | Notary Public Per this section shall be ac | companied by th |

Stafford Field Office Division of Water Resources

SEP 2 0 2023

Note: This P/d change is to swap rate and quantity only, so no wells are relocated.



#### Legend

- Water Appropriation
- **Proposed Point of Diversion**
- **Authorized Point of Diversion**
- Domestic Well
- Section Corner
- Section Line
  - Half Mile Circle

## Water Right, File No. 28799

#### Change in Point of Diversion Map 6-25-17W // Edwards County

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

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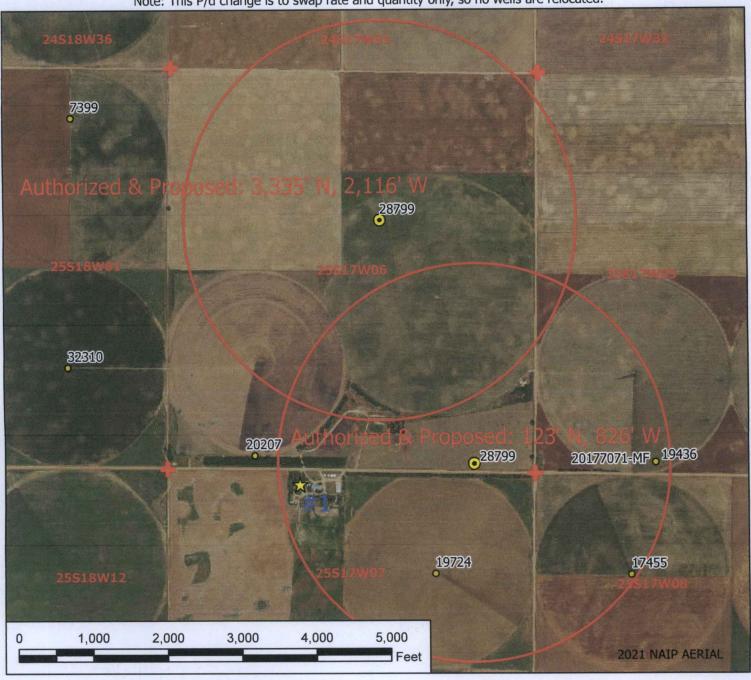
Signature / Date

05/24/2023 TMA/SFFO 1:24,000 scale

Stafford Field Office Division of Water Resources



Note: This P/d change is to swap rate and quantity only, so no wells are relocated.



#### Legend

- Water Appropriation
- Proposed Point of Diversion
- **Authorized Point of Diversion**
- **Domestic Well**
- Section Corner
- Section Line
- Half Mile Circle

### Water Right, File No. 28799

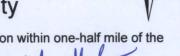
#### Change in Point of Diversion Map 6-25-17W // Edwards County

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

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Signature / Pate Office Division of Water Resources



**Change in Point of Diversion** 

File No. 28799

**Nearby Well Owners** 

**Domestic wells:** 

#1:

JOHN & GINA MUNDHENKE (Applicant)

1937 N RD

LEWIS, KS 67552

Irrigation and other wells:

17455:

**DOUGLAS K MCLEAN REV TR** 

101 MARSH AVE

KINSLEY, KS 67547

19436:

TRIPLE R CORPORATION

MARY JANE RANDEL

**608 WALNUT ST** 

FORD, KS 67842-9440

19724:

JOHN W & GINA L MUNDHENKE (Applicant)

1937 N RD

LEWIS, KS 67552

JWM

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