

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

**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

File No. 26275

**APR 04 2018
 4:17 AM
 Stockton Field Office
 Division of Water Resources**

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

2. Name and address of Applicant: Ericson-Oakleaf Farms, LLC
 Shannon Ericson ^{Manager} 5425 W 100th Terr. Overland Park, KS 66207

Phone Number: (913)754-6104 Email address: _____

Name and address of Water Use Correspondent: Ronald W. & Kelly L. Larson
412 S. Bridge St. Marquette, KS 67464

Phone Number: (620)242-3503 Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Ericson-Oakleaf Farms, LLC
 ADDRESS: Shannon Ericson ^{Manager} 5425 W 100th Terr. Overland Park, KS 66207

(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 | |
| 27 | 17 | 5 W | | | | | | | | | 39 | 40 | 23 | 38 | 11 | 35 | 38 | 36 | 260 |
| | | | | | | | | | | | | | | | | | | | |

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: Willard I. Ericson Living Trust Ericson-Oakleaf Farms, LLC
 ADDRESS: Shannon Ericson ^{Manager} 5425 W 100th Terr. Overland Park, KS 66207

(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 | |
| 27 | 17 | 5 W | | | | | | | | | 39 | 40 | 23 | 38 | 11 | 35 | 38 | 36 | 260 |
| | | | | | | | | | | | | | | | | | | | |

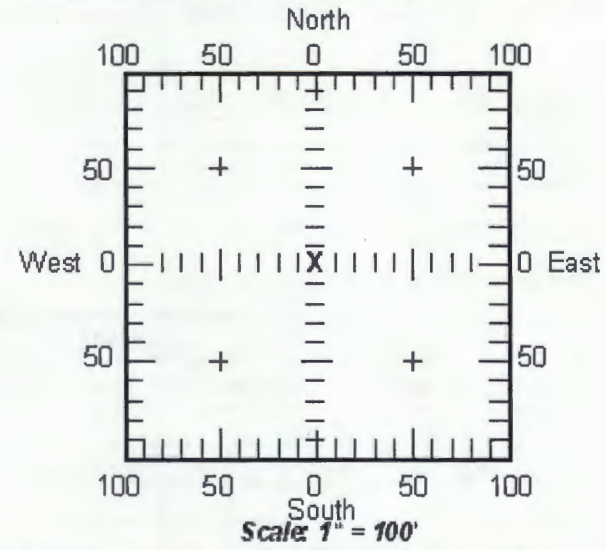
For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____

5. **Presently authorized point of diversion:**
 One in the NW Quarter of the NE Quarter of the SE Quarter of Section 27, Township 17 South, Range 5 WEST, in McPherson County, Kansas, 2190 feet North 840 feet West of Southeast corner of section.
 Authorized Rate 845 gpm Authorized Quantity 36 AF Depth of well n/a (feet)
 (DWR use only: Computer ID No. 9 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 SW Quarter of the NW Quarter of the NE Quarter of Section 27, Township 17 South, Range 5 WEST, in McPherson County, Kansas, 4010 feet North 2354 feet West of Southeast corner of section.
 Proposed Rate 845 gpm Proposed Quantity 36 AF Proposed well depth (feet) n/a
 This point is: Additional Well Geo Center List other water rights that will use this point MP21, 613. 7901

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter of Section _____, Township _____ South, Range _____ WEST, 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:
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 _____ WEST, 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. Why do you need a new point of diversion? swapping
pd with 4835.D2 to allow the North pumpsite to pump at a
higher rate.
8. If a well, is the test hole log attached? Yes No
9. When do you propose to complete the new point of diversion?
n/a
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 DLM

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 Overland Park, Kansas, this 30th day of March, 20 18.

| | |
|---|--|
| <u>Shannon B. Ericson</u> (Owner) | |
| <u>Shannon B. Ericson</u> (Please Print) | |
| <u>Larry R. Oakleaf</u> (Owner) | |
| <u>Larry R. Oakleaf</u> (Please Print) | |
| | |
| | |
| | |
| | |

State of Kansas }
 County of Johnson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30 day of March, 20 18.

DWIGHT E BUTTS
 Notary Public - State of Kansas
 My Commission Expires 4/20/2020

[Signature]
Notary Public

My Commission Expires 4/20/2020

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 |

RECEIVED
 APR 04 2018

RECEIVED

APR 04 2018

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO. 26275

MAKE ADDITIONAL COPIES AS NECESSARY

Stockton Field Office Division of water Resources

3. Continued: The presently authorized place of use is:

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column.

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column.

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column.

4. Continued: 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: The Terry Oakleaf Revocable Trust Agreement ADDRESS: 10030 Delmar Ln. Overland Park, KS 66207

Table with columns for Sec., Twp., Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column. Includes data for Section 27, Township 17, Range 5W.

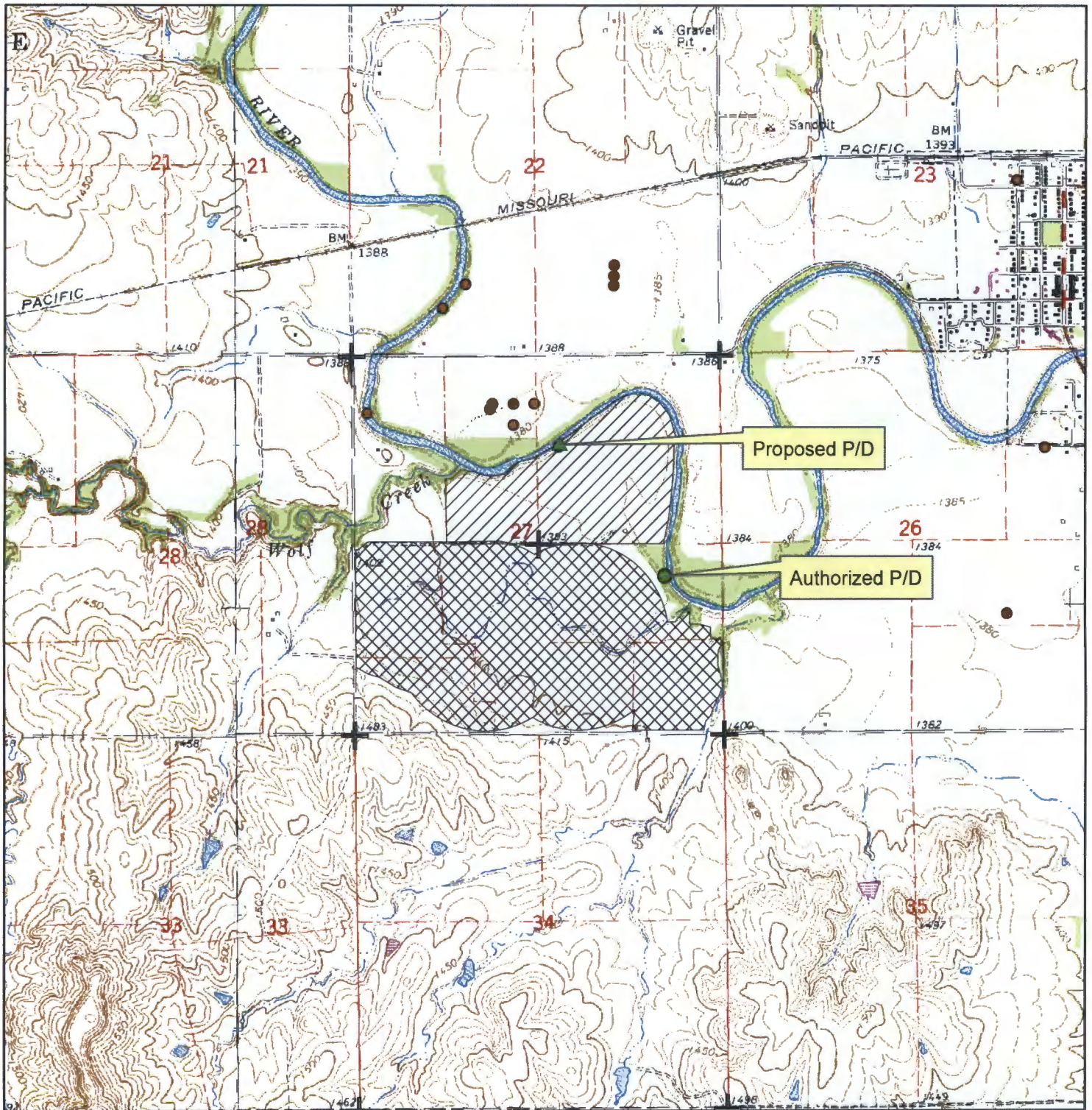
Owner of Land --- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column.

Owner of Land --- NAME: ADDRESS:

Table with columns for Sec., Twp., Range and sub-sections (NE, NW, SW, SE) and a TOTAL ACRES column.

Application to Change the Place of Use and Point of Diversion For Water Right File No. 26275



Authorized Place of Use

● Authorized P/D

▲ Proposed P/D

1:24,000



Proposed Place of Use
RECEIVED

The names and addresses of the landowners 1/2 mile downstream and 1/2 mile upstream from my property lines are shown.



APR 04 2018

Signature *Tim R. Clark*

Date 4-2-2018

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
STOCKTON FIELD OFFICE
820 S. WALNUT
STOCKTON, KS 67669-0192

STATE OF KANSAS



PHONE: (785) 425-6787
FAX: (785) 425-6842
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

JAMES D CLOUATRE
426 SIOUX RD
MCPHERSON, KS 67460

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Sir :

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the *place of use & point of diversion* under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Mark Billinger
Assistant Water Commissioner

MB:rh

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

PEGGY WICKSTROM
1827 5TH AVE
MCPHERSON, KS 67460

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Madam :

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use & point of diversion under the above referenced application.

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Sincerely,

Mark Billinger
Assistant Water Commissioner

MB:rh

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

JENNIFER JOHNSON KINZEL
PO BOX 866
MCPHERSON, KS 67460

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

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Assistant Water Commissioner

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

GREGORY T KEENAN
649 NAVAJO RD
MCPHERSON, KS 67460

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Sincerely,

Mark Billinger
Assistant Water Commissioner

MB:rh

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GOVERNOR JEFF COLYER, M.D.
JACKIE MCCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

JOSHUA D & CASIE A NELSON
2596 4TH AVE
MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Mr. & Mrs. Nelson:

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use & point of diversion under the above referenced application.

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Sincerely,

A handwritten signature in black ink that reads "Mark Billinger". The signature is written in a cursive style with a large initial "M".

Mark Billinger
Assistant Water Commissioner

MB:rh

STATE OF KANSAS

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

DEAN L ELVIN
520 N CHESTNUT ST
LINDSBÖRG, KS 67456

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Sir :

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use & point of diversion under the above referenced application.

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Sincerely,

Mark Billinger
Assistant Water Commissioner

MB:rh

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

ROBERT A & WILLA M LODER
2884 4TH AVE
MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Mr. & Mrs. Loder:

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use & point of diversion under the above referenced application.

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Sincerely,

A handwritten signature in black ink, appearing to read "Mark Billinger".

Mark Billinger
Assistant Water Commissioner

MB:rh

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

ENGEL E & REBECCA YODER
S 2584 3RD AVE
MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

Dear Mr. & Mrs. Yoder:

This is to advise you that the Terry Oakleaf Revocable Trust has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use & point of diversion under the above referenced application.

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Sincerely,

Mark Billinger
Assistant Water Commissioner

MB:rh

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GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

April 9, 2018

ELVIN, DONNA F TRUST TTEE
320 WELLS FARGO RD
MARQUETTE, KS 67464

Re: Water Right, File No. MP21, 613, 4835-D2, 7901, 26275, 9221, 29247, 36308

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Sincerely,

Mark Billinger
Assistant Water Commissioner

MB:rh

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.

Kansas Department of Agriculture / Division of Water Resources
Stockton Field Office

TO: HEADQUARTERS

RE Vested Right; Water Right; Appropriation of Water; Application

File No(s) MP21, 613, 4835-02, 7901, 26275, 9221, 29247, 36308 County MP

Enclosed are the following checked items:

A FIR Full Partial Inspection Return to Field Office

Proposed Certificate to deliver to Certificate Unit

Meter Order: GMD#4

Lower Smoky

Other _____

A Compliance Check Inspection on _____

Meter Install New App Chg App Other _____

In Compliance Not in Compliance, why _____

Modify Point of Diversion No Yes, document attached

Indicate all overlapping p/d files _____

An application and judgment sheet with recommendation.

A memorandum dated _____

A request for an extension of time to perfect or complete.

A verified report.

A closure request.

A field investigation report.

Notice of Non-Compliance _____

Violation

Date

An ownership change (name(s) and address(es) below).

A water use report for _____

A letter dated _____

A copy of an Approval to Change the place of use and/or point of diversion,

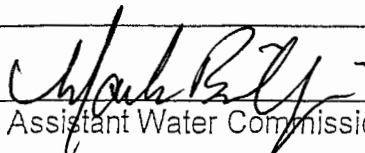
Filing Fee attached.

An Advanced copy of a change application and the filing fee, to be processed at the field office. # 2374

\$ 2800.00

An original field office change application and the filing fee needing headquarters office review and further processing.

Other: _____


Assistant Water Commissioner

4-6-18
Date