

Stockton Field Office  
820 S. Walnut  
Stockton, KS 67669-0192



Phone: 785-425-6787  
Fax: 785-425-6842  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

February 18, 2020

C. RICHARD ROEMER TRUST  
PO BOX 129  
QUINTER, KS 67752

Re: Water Rights, File Nos. 1,355 & 3,102

Dear Mr. Roemer:

Enclosed are two (2) orders executed by David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the terms, conditions, and limitations specified in these approvals for change. Also, the approval of the orders does require the installation of a water flow meter(s) on the point(s) of diversion authorized under the above file numbers by **December 31, 2020**. Please complete and return the enclosed Notice(s) of Completion of Diversion Works when a water flow meter has been installed. A copy of the Chief Engineer's specifications for the water flow meters is found in K.A.R. 5-1-4 through K.A.R. 5-1-12, along with a partial list of those flow meters found to be acceptable for installation in Kansas can be found on our website at the following web address: <http://agriculture.ks.gov/meters>

Please note that all meters must be installed and maintained in accordance with the specifications for water flow meters referenced above.

The abandoned water well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment (KDHE). If the well is to be retained by the landowner for other purposes, a copy of the legal transfer of responsibility for maintenance of the well must be forwarded to KDHE Geology Section, 1000 SW Jackson, Suite 420, Topeka, Kansas 66612, telephone number (785) 296-5524. More information is available online at: <http://kdheks.gov/waterwell>

Since these orders modify the original certificates, they should be recorded with the Register of Deeds just as other legal documents affecting real estate. Such records are maintained at the Register of Deeds Office in the county wherein the place of use is located.

**These documents are summary orders by this agency regarding this matter.** These orders shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order.

(over)

If you have any questions, please feel free to contact this office at (785)425-6787. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,



Mark Billinger  
Assistant Water Commissioner

MB:rfh  
Enclosures

**CERTIFICATE OF SERVICE**

On this 18<sup>th</sup> day of February, 2020, I hereby certify that the attached **SUMMARY ORDERS APPROVING APPLICATIONS FOR CHANGE in POINT OF DIVERSION** for water right, File Nos. 1,355 & 3,102, dated on the 18<sup>th</sup> day of February, 2020, were mailed postage prepaid, first class, U.S. mail, to the following:

C. RICHARD ROEMER TRUST  
PO BOX 129  
QUINTER, KS 67752



Staff

Copies of these Change Approvals were sent to the following:

NICK ZERR  
PO BOX 157  
GOVE, KS 67736

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**

APPLICATION COMPLETE

2/18/2020

Reviewer MB

**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.

WATER METER REQUIRED

**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.

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11:50 AM

Stockton Field Office  
 Division of Water Resources

File No. 1.355

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: Nick Zerr

Box 157 Gove, KS 67736

Phone Number: (785)673-6424

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Doug Roemer

4010 County Road S Grainfield, KS 67737

Phone Number: (      )

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Richard Roemer Trust

ADDRESS: PO Box 129 Quinter, KS 67752

(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	
3	13	29W	Lot 1 24	Lot 2 40	35		Lot 3 40	Lot 4 31	28	39	40	40							317
4	13	29W	Lot 1 39	Lot 2 40	40	35													154

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: NO CHANGE REQUESTED.

ADDRESS: \_\_\_\_\_

(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	

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

5. **Presently authorized point of diversion: \*\*Actual location based on GPS is in Sec. 4-13S-29W.**  
 One in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 3, Township 13 South, Range 29 W, in Gove County, Kansas, 3,465 feet North 5,181 feet West of Southeast corner of section. Authorized Rate 950 gpm \* Authorized Quantity 240 AF \* Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 2 GPS 3,806\*\* feet North 61\*\* 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 Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 4, Township 13 South, Range 29 W, in Gove County, Kansas, 3,673 feet North 73 feet West of Southeast corner of section. Proposed Rate 950 gpm \* Proposed Quantity 240 AF \* Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 3,102

6. **Presently authorized point of diversion: \*Blanket Rate and Quantity.**  
 One in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of Section 3, Township 13 South, Range 29 W, in Gove County, Kansas, 2,589 feet North 2,598 feet West of Southeast corner of section. Authorized Rate 950 gpm\* Authorized Quantity 240 AF\* Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 6 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 3,102

7. The changes herein are desired for the following reasons?  
 (please be specific) Old well has been inactive for a long time. Would like to redrill and begin using again.

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

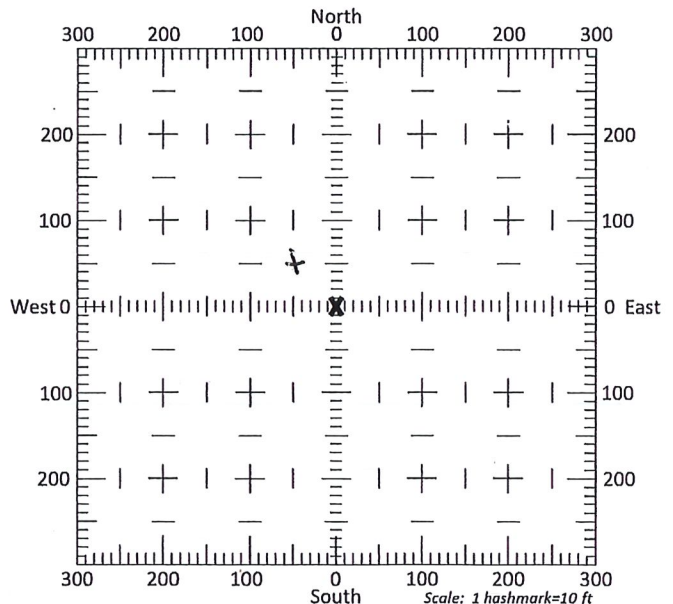
9. The change(s) (was)(will be) completed by?  
12/31/19

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
Plug it.  
 (b) When will this be done? After project completion

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by DLM

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.)**

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Stockton Field Office  
 Division of Water Resources

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 Gove, Kansas, this 28 day of MARCH, 2019.

<u>C. Richard Roemer Trust</u>	_____	_____
By <u>Jimm Burris (Trustee)</u>	(Owner)	(Spouse)
<u>C. Richard Roemer Trust</u>	_____	_____
By <u>Tim Burris Trustee</u>	(Please Print)	(Please Print)
<u>C. Richard Roemer Trust</u>	_____	_____
By <u>Douglas Roemer Trustee</u>	(Owner)	(Spouse)
<u>C. Richard Roemer Trust</u>	_____	_____
By <u>Douglas Roemer Trustee</u>	(Please Print)	(Please Print)
_____	(Owner)	(Spouse)
_____	(Please Print)	(Please Print)

State of Kansas }  
 County of Gove } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28 day of MARCH, 2019.

CHERYL REMINGTON  
 NOTARY PUBLIC  
 STATE OF KANSAS  
 My Comm. Expires 11-18-2021

Cheryl Remington  
 Notary Public

My Commission Expires 11-18-2021

**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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**FEB 14 2020**

