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



Phone: 785-425-6787 Fax: 785-425-6842 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

January 12, 2022

DEBRA G LINDSTEN 814 N BRISTOL CT WICHITA, KS 67206

Re: Water Right, File No. 10,543

Dear Ms. Lindsten:

Enclosed is the order executed by Earl Lewis, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the terms, conditions, and limitations specified in this approval for change. Also, the approval of the order 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**, **2022**. 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: <a href="http://agriculture.ks.gov/meters">http://agriculture.ks.gov/meters</a>

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: <a href="http://kdheks.gov/waterwell">http://kdheks.gov/waterwell</a>

Since these orders modify the original certificate, it 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.

This document is a summary order by this agency regarding this matter. This order 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.

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

Wall Bil

MB:ndh Enclosures

pc: G.M.D. No. 4

### **CERTIFICATE OF SERVICE**

On this 12<sup>th</sup> day of January, 2022, I hereby certify that the attached <u>SUMMARY ORDER</u> <u>APPROVING APPLICATION FOR CHANGE in POINT OF DIVERSION</u> for water right, File No. 10,543, dated on the 11<sup>th</sup> day of January, 2022, were mailed postage prepaid, first class, U.S. mail, to the following:

Eleca Xogunar

DEBRA G LINDSTEN 814 N BRISTOL CT WICHITA, KS 67206

Copies of these Change Approvals were sent to the following:

Groundwater Management District No. 4 P.O. Box 905 Colby, KS 67701

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
//// 22
Reviewer m6

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 10:05AM File No. 10,543 JAN 0 5 2022 Application is hereby made for approval of the Chief Engineer to change the (check one or both): Stockton Field Office Division of Water Resources Point of Diversion ☐ Place of Use under the water right which is the subject of this application in accordance with the conditions described below. ☐ Surface water The source of supply is: Name and address of Applicant: DEBRA G LINDSTEN 814 N BRISTOL CT, WICHITA KS 67206 Email address: DLINDSTEN@SBCGLOBAL.NET Phone Number: <u>(785)332-0441</u> Name and address of Water Use Correspondent: SAME AS ABOVE Email address: \_\_\_\_\_ Phone Number: ( ) 3. The presently authorized place of use is: Owner of Land ---- NAME: No Change in Place of Use. ADDRESS: (If there is more than one landowner, attach supplemental sheets as necessary.) SE1/4 TOTAL SW1/4 NW1/4 NE1/4 NW1/4 SW1/4 ACRES NE'4 NW'4 SW'4 NW1/4 SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NE1/4 Sec. Twp. Range 0 0 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: \_\_\_\_\_ ADDRESS: \_ (If there is more than one landowner, attach supplemental sheets as necessary.) SE1/4 TOTAL NW1/4 SW¼ NE1/4 NW1/4 SW1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 **ACRES** NE'/4 NW'/4 SW'/4 SE1/4 Sec. Twp. Range 0 0 For Office Use Only: Code \_\_\_\_\_ Fee \$\_\_\_\_ TR #\_\_\_\_\_ Receipt Date \_\_\_\_\_ Check #\_\_\_\_

5. <b></b>	Presently autho	rized point of	liversion:						
	One in the		Quarter of the	NC	Quarter of the	NE	Quarter		
l	of Section	34	, Township	5	South, Range	42	W,		
					1478 feet West of S				
		ervani			Depth of well	•	•		
					9 feet North <u>-102.01</u>				
					☐ No change, point better d				
	Proposed point	of diversion: (	Complete only if chang	<u>je is requeste</u>	ed or if existing point is	better describ	ed by GPS)		
	One in the		Quarter of the	NC	Quarter of the	NE	Quarter		
					South, Range				
					1483 feet West of S				
					et Proposed well depth (				
L	This point is: 📙	Additional Well	☐ Geo Center List o	ther water rigi	nts that will use this point		•		
_									
6.	Presently autho					<b>~</b> =			
	One in the	NE	Quarter of the	<u>NW</u>	Quarter of the	SE	Quarter		
	of Section	34	, Township	5	South, Range	42	(VV),		
					1598 feet West of S				
		Authorized Rate 340 GPM Authorized Quantity 150 AF Depth of well (feet)  (DWR use only: Computer ID No. 1 GPS 39.575290 feet North -102.01840 feet West)							
	(DWR use only:	Computer ID	No. 1 GP	S 39.5/529	The stem of the traction of	1840 teet vv	est)		
	☐ 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	NE NE	Quarter of the	<u>NVV</u>	Quarter of the	SE 40	Quarter		
	of Section	34	, Township	5 foot North	South, Range	4Z	vv,		
	in <u>Cheyenne</u> County, Kansas, <u>2589</u> feet North <u>1576</u> feet West of Southeast corner of section.  Proposed Rate <u>340 gpm</u> Proposed Quantity <u>123.5 acre-feet</u> Proposed well depth (feet)								
	This point is: Additional Well Geo Center List other water rights that will use this point								
L	This point is.	Additional vveii	☐ Geo Center List o	ther water ngi	itts triat will use triis point		·		
7.	The changes herein are desired for the following reasons?  downstream and one-half mile upstream from your property								
	(please be specific) Moving 26.5 acre-feet from the south well  ID 1 to the north well ID 2 for more effective use of the water								
	ID 1 to the north	well ID 2 for mo	e effective use of the wa	<u>ter</u>	A1				
	ngnu			300	) 200 100 North	100 200	300		
			A	F		որուկումուկու	Mm3		
			10 Elv. [7] N.				=		
8.	If a well, is the tes	st hole log attach	ed? 🗌 Yes 🛛 No	200	-1+1+1=	1 + 1 +	J ====================================		
9.	The change(s) (w	as)(will be) com	oleted by?		Taran Caran	Annual desired	=		
	As soon as the ar	oplication is appr	oved.	100	-1+1+1=	1+1+	= 100		
10.	If the point of dive	ersion is a well:					=		
	(a) What are you		the old well?	· West 0	admilionton þruti m <b>æ</b> n	վուվավավա	ıı ı₩₫ 0 East		
	Both wells will cor						1		
				100		1+1+	100		
	(b) When will this	s be done? <u>As s</u>	oon as approved.				=		
	One we division Man	and District	racommondation attachs	d2 700			1 - 200		
11.	Groundwater Mar		recommendation attache	d? 200 E		1 7 1 7	1		
	K	100 [] 110					. 🗐		
12.	Assisted by CE/K	CS STKFO		300 300	inludududududu <del>‡</del> u ) 200 100 0	<u></u>	300 Timp		
13a	South Scale: 1 hashmark=10 ft  13a. If the proposed point of diversion will be relocated more than 300								

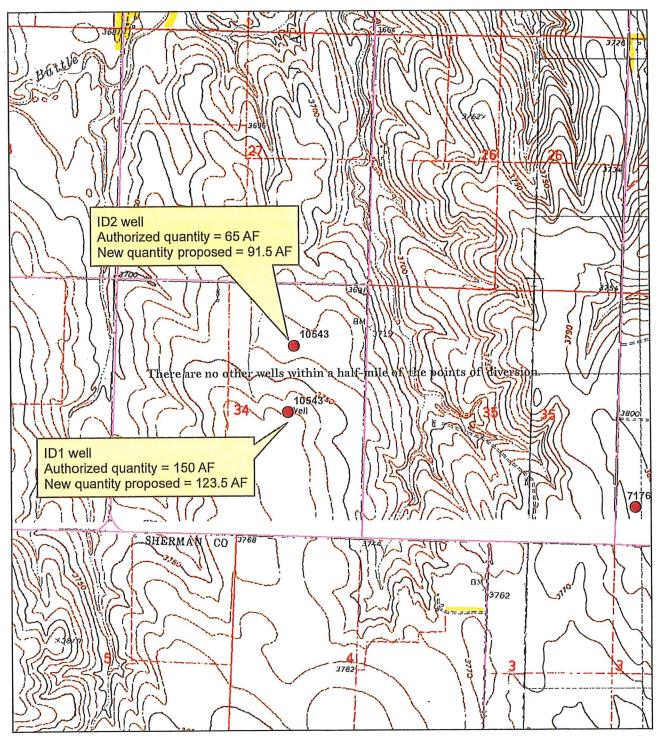
addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile

4. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:						
<ul> <li>(a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?</li> <li>☑ Yes ☐ No (If no, all owners must sign this application.)</li> </ul>						
(b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversel 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 or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized					
I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriation are true, correct and complete.	zed agent of the owner(s) to make this application on lication pertains. I further verify that the statements					
Dated at, Kansas, this	23 d day of December, 2021.					
Debra G. Lindsten (Please Print)	(Spouse)					
Debra G. Lindsten (Please Print)	(Please Print)					
(Owner)	(Spouse)					
(Please Print)	(Please Print)					
(Owner)	(Spouse)					
State of Kansas  County of Sedqwick	JAN M. STEINER (Please Print)  Notary Public - State of Kansas My Appt. Expires 6/24/2024					
I hereby certify that the foregoing application was signed in of <u>December</u> , 20.21	my presence and sworn to before me this 23rd day					
My Commission Expires 6-24-2024.	Gaw M. Steinert  Notary Public					
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the athe appropriate fee must be paid.	of the applicable portions of the application form must be completed wit ppropriate owners' must be affixed to the application and notarized; and					
FEE SCHEDI						
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ent of Agriculture \$100 \$200					

# SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable provisions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.,</i> and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 10,543							
		requesting that the place of use and / or point of be changed as described in the application.					
	On and after the effective date of this summary order, the author the topographic map accompanying the application to chang	e the place of use.					
	radius of the authorized point(s) of diversion.	Not Applicable					
4.	The point(s) of diversion described herein is administratively Positioning System (GPS), as described in the application.	corrected to be more accurately described using the Global  Applicable Not Applicable					
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☐ Not	located more than feet from the previously Applicable					
	K.A.R. 5-6-13.	s shall be installed, operated and maintained in accordance with					
	and maintained in accordance with K.A.R. 5-1-4 through 5-5-3-5e, the owner shall maintain records and report the reading annually to the Chief Engineer by March 1 following the end   ☑ Applicable ☐ Not Applicable	of each calendar year.					
8.	Installation of the works for diversion of water shall be completed on or before December 31, 2022, or within any authorized extension of time. By March 1, 2023 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  ☑ Applicable ☐ Not Applicable						
9.	The completed well log shall be submitted with the required notice.   Applicable   Not Applicable						
10.	<ol> <li>All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.   Applicable  Not Applicable</li> </ol>						
11. Additional Conditions are attached. ☐ Yes ☐ No							
12.	12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.						
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY  APPLICATION APPROVED AND					
lf v	you are aggrieved by this order, pursuant to K.S.A. 82a-1901,	SUMMARY ORDER ISSUED					
VOL	ou may request an evidentiary hearing before the Chief ingineer or request administrative review by the Secretary of	1 / D OI					
Aα	ariculture. A request for hearing by the Chief Engineer must be	By: Duly Authorized Designee of the Chief Engineer					
adi	led within 15 days of service of this Order and a request for dministrative review by the Secretary must be filed within 30	(Print Name): MAKK Brewick					
rev	lays pursuant to K.S.A. 77-531. Any request for administrative eview must state a basis for review pursuant to K.S.A. 77-527.	Division of Water Resources - Kansas Department of Agriculture					
File	ile any request with Kansas Department of Agriculture, egal Division, 1320 Research Park Drive, Wanhattan, KS	Date of Issuance: 1/11/22					
66	6502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.	State of Kansas ) SS					
-	For Use by Register of Deeds	County of Rooks					
		Acknowledged before me on 1-1-22					
		by Mar Y Billinger					
		Signature: Notary Public					
		My commission expires:  G-29-23  REBECCA F. HAGEMAN  PUBLIC ANOTARY  REBECCA F. HAGEMAN  PUBLIC ANOTARY  REBECCA F. HAGEMAN  PUBLIC ANOTARY  PUBLIC ANOTARY  REBECCA F. HAGEMAN  PUBLIC ANOTARY  REBECCA F. HAGEMAN  PUBLIC ANOTARY  REBECCA F. HAGEMAN					

## Water Right 10,543 Change in Point of Diversion Application - Groundwater Assisted by Division of Water Resources Stockton Field Office



Map reviewed and approved by:

1:24,000



Uko Kindster 12-23-21 Signature