

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**

RECEIVED  
 10/13/22 2:35pm  
 Ch# 341  
 \$200.00

Stockton Field Office  
 Division of Water Resources



**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.

File No. 3,927

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: Ryan Cassaw  
PO Box 57, Gove, KS 67736

Phone Number: (     )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: Ryan Cassaw  
PO Box 57, Gove, KS 67736

Phone Number: (785)462-5646                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: JR & B Land LLC

ADDRESS: 5076 A Rd N Gove, KS 67736

(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	
15	13	28w	28	29	32	22	19				16								146

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: Ryan Cassaw

ADDRESS: PO Box 57, Gove, KS 67736

(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	
15	13	28w	10	15	35	17	3				12								150

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

5. **Presently authorized point of diversion:** \*RATE & QUANTITY TOTAL ALL PDS

One in the NE Quarter of the NE Quarter of the NE Quarter of Section 15, Township 13 South, Range 28 W, in Gove County, Kansas, 5279 feet North 9 feet West of Southeast corner of section. Authorized Rate 1000 gpm\* Authorized Quantity 302 AF\* Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. 1 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 1000 gpm\* Proposed Quantity 300 AF\* Proposed well depth (feet) \_\_\_\_\_.

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_.

6. **Presently authorized point of diversion:**

One in the NE Quarter of the NW Quarter of the NE Quarter of Section 15, Township 13 South, Range 28 W, in Gove County, Kansas, 5275 feet North 1812 feet West of Southeast corner of section. Authorized Rate \*See ID1 Authorized Quantity \*See ID1 Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. 3 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 \_\_\_\_\_.

7. The changes herein are desired for the following reasons?  
 (please be specific) Change PU to add additional pivot.  
Change in authorized acres requires reduction in auth. AF  
to maintain 2 AF/acre.

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

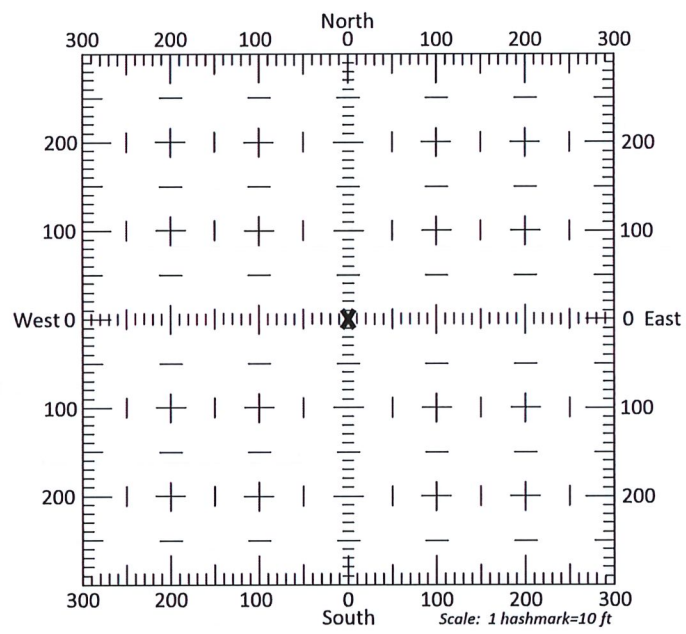
9. The change(s) (was)(will be) completed by?  
On approval

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? na/

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by jkb STK FO

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.)



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 3,927

**Presently authorized point of diversion:**

One in the NW Quarter of the NE Quarter of the NE Quarter  
of Section 15, Township 13 South, Range 28 W,  
in Gove County, Kansas, 5232 feet North 1288 feet West of Southeast corner of section.

Authorized Rate \*See ID1 Authorized Quantity \*See ID1 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 \_\_\_\_\_ 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 \_\_\_\_\_.

**Presently authorized point of diversion:**

One in the NW Quarter of the SW Quarter of the NE Quarter  
of Section 15, Township 13 South, Range 28 W,  
in Gove County, Kansas, 3687 feet North 2108 feet West of Southeast corner of section.

Authorized Rate \*See ID1 Authorized Quantity See ID1 Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. 8 GPS 3654 feet North 2159 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 NW Quarter of the SW Quarter of the NE Quarter  
of Section 15, Township 13 South, Range 28 W,  
in Gove County, Kansas, 3654 feet North 2159 feet West of Southeast corner of section.

Proposed Rate \*See ID1 Proposed Quantity \*See ID1 Proposed well depth (feet) \_\_\_\_\_.

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_.

**Presently authorized point of diversion:**

One in the NW Quarter of the SE Quarter of the NE Quarter  
of Section 15, Township 13 South, Range 28 W,  
in Gove County, Kansas, 3567 feet North 1309 feet West of Southeast corner of section.

Authorized Rate \*See ID1 Authorized Quantity \*See ID1 Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. 9 GPS 3574 feet North 1314 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 NE Quarter of the SE Quarter of the NE Quarter  
of Section 15, Township 13 South, Range 28 W,  
in Gove County, Kansas, 3574 feet North 1314 feet West of Southeast corner of section.

Proposed Rate \*See ID1 Proposed Quantity \*See ID1 Proposed well depth (feet) \_\_\_\_\_.

This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_.

**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 \_\_\_\_\_ 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:  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 \_\_\_\_\_.

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.)

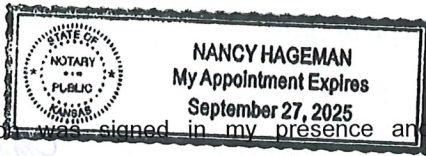
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized 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 Stockton, Kansas, this 13<sup>th</sup> day of October, 20 22.

	
(Owner)	(Spouse)
<u>Ryan R. Cassaw</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }  
 County of Rooks } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 13<sup>th</sup> day of October, 20 22.

Nancy Hageman  
 Notary Public

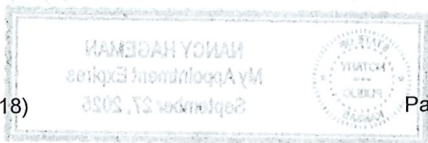
My Commission Expires 9-27-25.

**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





**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, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et seq.*, 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. 3,927.

1. A change application was received on 10/13/22 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20\_\_\_\_, or before the first use of water, whichever occurs first.** The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_, or within any authorized extension of time.** By March 1, 20\_\_\_\_ 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. 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
11. Additional Conditions are attached.  Yes  No
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 *Kansas Water Appropriation Law* and the *Rules and Regulations* 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.

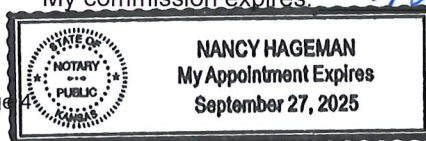
**Administrative Appeal and Effective Date of Order**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502.** Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

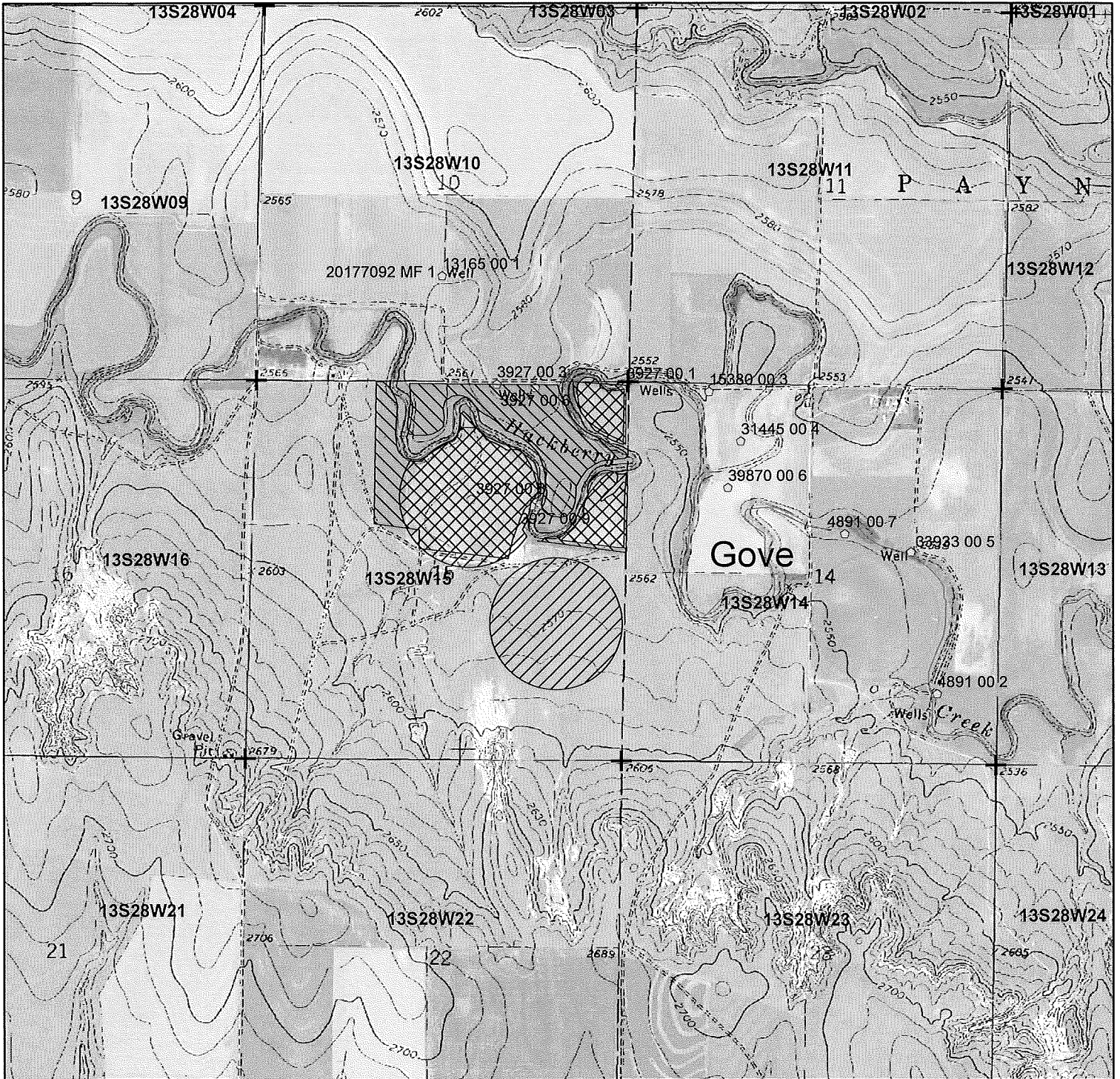
FOR OFFICE USE ONLY  
**APPLICATION APPROVED AND SUMMARY ORDER ISSUED**

By: Mark Billinger  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MARK BILLINGER  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: 10/14/22  
State of Kansas )  
County of hookers ) SS  
Acknowledged before me on 10/14/22  
by Mark Billinger  
Signature: Nancy Hageman  
Notary Public  
My commission expires: 9/27/2025  
(Notary Seal)







# Application for Change in Place of Use Water Right, File No. 3,927



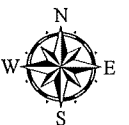
+ Section Corners

◊ Authorized Point of Diversion

 Present place of use

 Proposed place of use

1:24,000



  
Signature

10-13-22  
Date

Date: 10/13/2022

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

October 14, 2022

Ryan Cassaw  
PO Box 57  
Gove, KS 67736

Re: Water Right, File No. 3927

Dear Mr. Cassaw:

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.

Since this order modifies the original certificate, it should be recorded with the Register of Deeds as other instruments affecting real estate.

**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. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

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

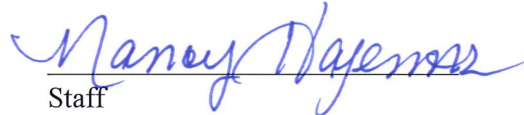
Mark Billinger  
Assistant Water Commissioner

MB:ndh  
Enclosures

**CERTIFICATE OF SERVICE**

On this 14<sup>th</sup> day of October 2022, I hereby certify that the attached **SUMMARY ORDER APPROVING APPLICATION FOR CHANGE in Place of Use** for water right, File No. 3927, dated on the 14th day of October 2022, was mailed postage prepaid, first class, U.S. mail, to the following:

Ryan Cassaw  
PO Box 57  
Gove, KS 67736

  
Staff