

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U WORKSHEET

Document Signature _____

| | | | | |
|---------------------------------|--------------------------------------------|-----------------------------|-------------------------------|---------|
| 1. File Number: 8,997 | 2. Status Change Date: 7/19/2016 | 3. Change Num: C4 | 4. Field Office: 01 | 5. GMD: |
|---------------------------------|--------------------------------------------|-----------------------------|-------------------------------|---------|

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| 6. Status: <input type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return | 7. Filing Date of Change: 11-APR-2016 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8a. Applicant(s) Person ID 30093 New to system <input type="checkbox"/> Add Seq# 1 FRED L & NOREEN ALTWEGG 10354 J HILL RD JUNCTION CITY KS 66441-7904 | 8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8b. Landowner(s) Person ID 30093 New to system <input type="checkbox"/> Add Seq# 1 FRED L & NOREEN ALTWEGG 10354 J HILL RD JUNCTION CITY KS 66441-7904 | 8d. WUC Person ID 30093 New to system <input type="checkbox"/> Add Seq# 1 NO CHANGE FRED L & NOREEN ALTWEGG 10354 J HILL RD JUNCTION CITY KS 66441-7904 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/2016** N & P Date to Comply: _____

Anti-Reverse Meter
 Meter Seal
 Check Valve
 N & P Form
 Water Tube
 Driller Copy
 H & E Letter

Conservation Plan
 Date Required: _____
 Date Approved: _____
 Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **07/12/16** By: **RAK**
 Date Entered: **7/20/2016** By: **WM**

| 12. Points of Diversion | | | | | | | | | | Rate and Quantity | | | | | |
|-----------------------------------------------------------------------------|-------|-------|-----------|---|----|----|----|------|------|-------------------|-----------------|--------------------|-----------------|--------------------|------------------|
| | | | | | | | | | | Authorized | | Additional | | | |
| MOD | DEL | PDIV | Qualifier | S | T | R | ID | 'N | 'W | Comment | Rate gpm/cfs | Quantity af/mgy | Rate gpm/cfs | Quantity af/mgy | Overlap PD Files |
| MOD | 68436 | LOT 3 | | 6 | 12 | 6E | 4 | 3337 | 3961 | | 330 gpm | 24.2 AF | 330 gpm | 24.2 AF | 45621 |
| KEEP PD COMMENT 100'E FROM PREVIOUS WELL, L-3 SPECIAL SEC 8, FRACTION SEC 6 | | | | | | | | | | | | | | | |

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

| 16. Place of Use T MOD DEL ENT | PUSE | S | T | R | ID | NE¼ | | | | NW¼ | | | | SW¼ | | | | SE¼ | | | | Total | Owner | Chg? | Overlap Files | |
|----------------------------------------------------------------------------------------------|------|-----|----|---|----|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|-------|-------|-----------|---------------|--|
| | | | | | | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | | | | | |
| MOD 61362 | 36 | 11S | 5E | | 2 | | | | | | | | | | | | | | | 2.00 | 2.00 | 8B | NO | 45621 | | |
| ADD PU COMMENT: SPECIAL SECTION 3; HYPOTHETICAL SECTION 36 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOD 61363 | 31 | 11S | 6E | | 4 | | | | | | | 4.00 | 8.00 | | | | | | | | 12.00 | 8B | NO | see above | | |
| ADD PU COMMENT: SPECIAL SECTION 4; HYPOTHETICAL SECTION 31 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOD 61364 | 1 | 12S | 5E | | 4 | 17.00 | | | 14.00 | | | | | | | | | | 8.00 | | 39.00 | 8B | NO | see above | | |
| ADD PU COMMENT: SPECIAL SECTION 11; HYPOTHETICAL SECTION 1 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MOD 11919 | 6 | 12S | 6E | | 1 | | 0.5 | 15.00 | | 37.50 | 12.00 | 4.00 | 39.00 | 36.00 | 4.50 | | | | 23.50 | | 172.00 | 8B | NO | see above | | |
| ADD PU COMMENT: SPECIAL SECTION 8; HYPOTHETICAL SECTION 6 L-1; L-2; L-3; L-4; L-5; L-6 | | | | | | | | | | | | | | | | | | | | | | | | | | |

Comments: **TOTAL 225 ACRES**



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 22, 2016

FREDERICK L & NOREEN ALTWEGG
10354 J HILL RD
JUNCTION CITY KS 66441-7904

RE: Water Right, File No. 8,997
Appropriation of Water, File No. 45,621

Dear Mr. and Mrs. Altwegg:

Enclosed are the orders executed by the 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 enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the installation of the required meter as soon as these actions are completed.

Since the order for File No. 8,997 modifies the original document referred to above it should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.G.
Change Application Unit Supervisor
Water Appropriation Program

Enclosures

pc: Topeka Field Office

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources
M E M O R A N D U M

TO: Files

DATE: July 18, 2016

FROM: Richelle A. Krueger

RE: Water Right
File No. 8,997
Appropriation of Water
File No. 45,621

Fred L. and Noreen Altwegg, water right owners, filed applications for approval to change the authorized place of use for the referenced file numbers, authorized groundwater for irrigation use in the Smoky Hill River Basin.

The referenced files do not appear abandoned as per K.S.A. 82a-718. The perfection period for File No. 45,621 expires December 31, 2016.

The referenced appropriations are authorized a combined limited total of 238 acre-feet of groundwater @ 1,400 g.p.m. from the same well for irrigation of the same 225 acres in Geary County, Kansas. The water right owners propose to add a new pivot, dropping and adding acres for a total of 225 acres within the same presently authorized sections, see Attachment A for written description of the proposed place of use. The proposal appears to meet K.A.R. 5-5-11(b) since the proposal will not exceed base acres (225 acres) by 10 acres or 10 percent, whichever is less.

The total 238 acre-feet that will be available under the referenced files can irrigate the proposed 225 acres with 1.1 acre-feet per acre, which appears reasonable.

The same local source of supply will not change.


The authorized point of diversion will be better described with g.p.s. feet distances as:

one(1) well located in Lot 3 of Special Section 8, more particularly described as being near a point 3,337 feet North and 3,961 feet West of the Southeast corner of Fractional Section 6, in Township 12 South, Range 6 East, Geary County, Kansas.

In an e-mail dated July 12, 2016, Katie Tietsort, Water Commissioner of the Topeka Field Office, recommended approval of the referenced change applications.

A water flow meter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in the local source of supply will occur, it has been recommended that the applications be approved.


Richelle Krueger
Environmental Scientist

ATTACHMENT A

PLACE OF USE DESCRIPTION
FILE NOS. 8,997 AND 45,621

2 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of hypothetical Section 36,
within Special Section 3, in Township 11 South, Range 5 East,

4 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
8 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),

a total of 12 acres in hypothetical Section 31, within Special Section 4, in Township 11 South,
Range 6 East,

17 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
14 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
8 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 39 acres in hypothetical Section 1, within Special Section 11, in Township 12 South,
Range 5 East,

19.0 Acres in Lot 1
30.0 Acres in Lot 2
25.5 Acres in Lot 3
36.0 Acres in Lot 4
43.5 Acres in Lot 5
18.0 Acres in Lot 6

a total of 172 acres in hypothetical Section 6, within Special Section 8, Township 12 South,
Range 6 East,

all in Geary County, Kansas.



**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE AND
ORDER BETTER DESCRIBING THE LOCATION OF THE
AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 8,997**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Frederick L. and Noreen Altwegg, 10354 J Hill Road, Junction City, Kansas, 66441-7904, received in this office on April 11, 2016, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Correctional Order of the Chief Engineer dated February 3, 1971, correcting the file number, the Findings and Order of the Chief Engineer dated January 25, 1982, better defining the tract of land upon which the authorized point of diversion is located, by the Order of the Chief Engineer dated February 6, 2003, approving the application to change the point of diversion, and by the Orders of the Chief Engineer dated June 18, 2004 and April 8, 2010, approving applications to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order better describes the location of the authorized point of diversion as follows:

one (1) well located in Lot 3 of Special Section 8, more particularly described as being near a point 3,337 feet North and 3,961 feet West of the Southeast corner of Fractional Section 6, in Township 12 South, Range 6 East, Geary County, Kansas.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

2 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of hypothetical Section 36, within Special Section 3, in Township 11 South, Range 5 East,

4 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
8 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),

a total of 12 acres in hypothetical Section 31, within Special Section 4, in Township 11 South, Range 6 East,

17 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
14 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
8 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 39 acres in hypothetical Section 1, within Special Section 11, in Township 12 South, Range 5 East,

19.0 Acres in Lot 1
30.0 Acres in Lot 2
25.5 Acres in Lot 3
36.0 Acres in Lot 4
43.5 Acres in Lot 5
18.0 Acres in Lot 6

a total of 172 acres in hypothetical Section 6, within Special Section 8, Township 12 South, Range 6 East,

all in Geary County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use.

All diversion works into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 8,997, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated January 11, 1971, as modified and amended by the aforementioned orders.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. Any person aggrieved by this Summary Order may petition for administrative review, pursuant to K.S.A. 82a-708b(a) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 19th day of July, 2016, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau

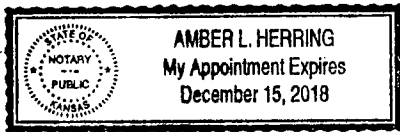
Lane P. Letourneau, P.G.
Program Manager
Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 19th day of July, 2016, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

Amber L. Herring

Notary Public



CERTIFICATE OF SERVICE

On this 20 day of July, 2016, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 8,997, dated July 19, 2016 was mailed postage prepaid, first class, US mail to the following:

FRED L & NOREEN ALTWEGG
10354 J HILL RD
JUNCTION CITY KS 66441-7904

With photocopies to:
Topeka Field Office

Daniel Wilson

Division of Water Resources

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**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**



State of Kansas

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 Engineer to change the

- Place of Use
- Point of Diversion
- Use Made of Water

(Check one or more)

File No. 8,997

2. Name of applicant: FRED L & NOREEN ALTWEGG

Address: 10354 J HILL RD

City, State and Zip: JUNCTION CITY KS 66441-7904

Phone Number: (785) 238-1482 E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Same as applicant

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

Change will allow for a more efficient irrigation system (another partial pivot) to be installed.

The change(s) (was) (will be) completed by Spring 2016

(Date)

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--|
| For Office Use Only: | |
| F.O. <u>1</u> <u>GMD</u> <u>0</u> Meets K.A.R. 5-5-1 (YES/NO) Use <u>IPR</u> Source <u>@ S</u> County <u>SE</u> By <u>ADW</u> Date <u>4/12/16</u> | |
| Code <u>AW</u> Fee \$ <u>20</u> TR # _____ Receipt Date <u>4/11/16</u> Check # <u>5984</u> | |

WATER RESOURCES
RECEIVED

JUL 05 2016

WATER RESOURCES
RECEIVED

APR 11 2016

SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: FRED L & NOREEN ALTWEGG

ADDRESS: 10354 J HILL RD, JUNCTION CITY, KS 66441-7904

| 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 | |
| 36 | 11S | 5E | | | | | | | | | | | | | | | | 2 | 2 |
| 31 | 11S | 6E | | | | | | | | | | 4 | 10 | | | | | | 14 |
| 1 | 12S | 5E | 19 | | | | | | | | | | | | | | | 4 | 23 |
| 6 | 12S | 6E | | 0.5 | 17 | | | 39.5 | 12 | 9 | 39 | 36 | 9 | | | | 24 | | 186 |

List any other water rights that cover this place of use. 45,621

Total = 225

Owner of Land — NAME: _____

ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

** See Attachment A for written description*

Owner of Land — FRED L & NOREEN ALTWEGG

ADDRESS: 10354 J HILL RD, JUNCTION CITY, KS 66441-7904

| 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 | |
| 36 | 11S | 5E | | | | | | | | | | | | | | | | 2 | 2 |
| 31 | 11S | 6E | | | | | | | | | | 4 | 8 | | | | | | 12 |
| 1 | 12S | 5E | 17 | | | | | | | | | | | | | 8 | | | 39 |
| 6 | 12S | 6E | | 0.5 | 15 | | | 37.5 | 12 | 4 | 39 | 36 | 4.5 | | | | 23.5 | | 172 |

List any other water rights that cover this place of use. 45,621

Total = 225

Owner of Land — NAME: _____

ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

APPLICANT'S SIGNATURE

* Rsk/om 6/17/16

- 6. The presently authorized point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

List all presently authorized point(s) of diversion:

8. **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 _____
 (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 _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

9. **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 _____
 (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 _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

10. **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 _____
 (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 _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

WATER RESOURCES RECEIVED
 JUL 05 2016
 WATER RESOURCES RECEIVED

APR 11 2016
 KS DEPT OF AGRICULTURE
 SCANNED
 KS DEPT OF AGRICULTURE
 SCANNED

12. The presently authorized use of water is for IRRIGATION purposes.

It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.

The reduction in currently authorized acreage offsets the proposed new acreage to be covered to ensure no increase in consumptive use.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to _____ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

a. If a change in the location of the point(s) of diversion is proposed, show:

- 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
- 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
- 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.

b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGES TO EXISTING WELL

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.

N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at _____, Kansas, this 7 day of 7, 2016

Fredrick L Stuegg
(Owner)

(Spouse)

Fredrick L Stuegg
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Geary } SS

I hereby certify that the foregoing application, was signed in my presence and sworn to before me this 7th day of April, 2016

My Commission Expires 3/25/2019
MAY LOU NUTTELMAN
Notary Public - State of Kansas
My Appt. Expires 3/25/19
Mary Lou Nuttelman
Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

WATER RESOURCES RECEIVED

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JUL 05 2016

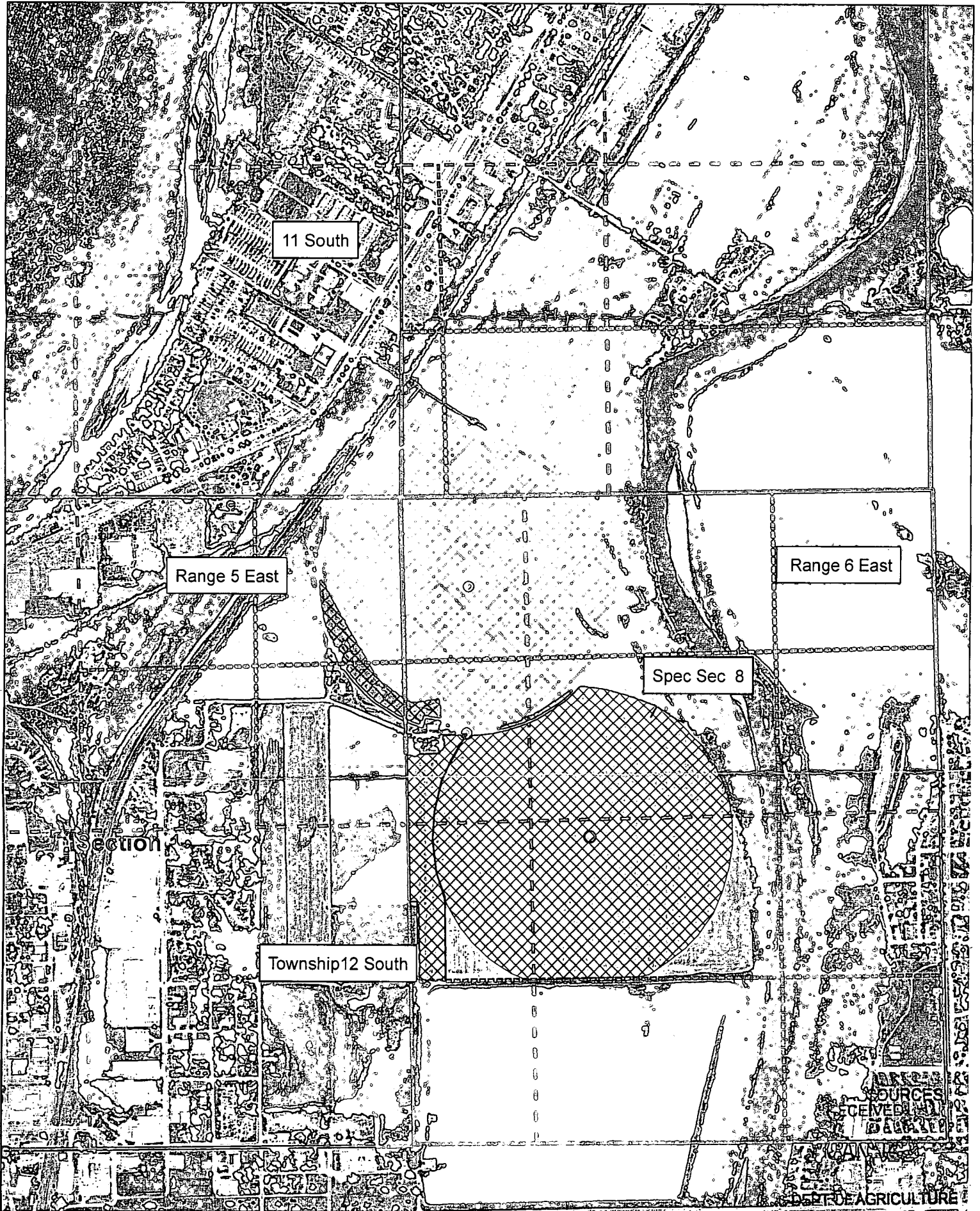
APR 11 2016

KS DEPT OF AGRICULTURE

KS DEPT OF AGRICULTURE

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ATTACHMENT A

KS DEPT OF AGRICULTURE

PLACE OF USE DESCRIPTION
FILE NOS. 8,997 AND 45,621

2 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of hypothetical Section 36,
within Special Section 3, in Township 11 South, Range 5 East,

4 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
8 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),

a total of 12 acres in hypothetical Section 31, within Special Section 4, in Township 11 South,
Range 6 East,

17 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
14 acres in the Southeast Quarter of the ^{Northwest} Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), ^{NE $\frac{1}{4}$}
8 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 39 acres in hypothetical Section 1, within Special Section 11, in Township 12 South,
Range 5 East,

19.0 Acres in Lot 1
30.0 Acres in Lot 2
25.5 Acres in Lot 3
36.0 Acres in Lot 4
43.5 Acres in Lot 5
18.0 Acres in Lot 6

a total of 172 acres in hypothetical Section 6, within Special Section 8, Township 12 South,
Range 6 East,

all in Geary County, Kansas.

WATER RESOURCES
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JUN 16 2016

KS DEPT OF AGRICULTURE

* per Map & Pur 5

* ROK/low 6/16/16

SCANNED

Submit To: CHIEF ENGINEER
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502
http://agriculture.ks.gov/dwr

**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**



State of Kansas

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 Engineer to change the

Place of Use

(Check one or more) Point of Diversion

Use Made of Water

File No. 8,997

2. Name of applicant: FRED L & NOREEN ALTWEGG

Address: 10354 J HILL RD

City, State and Zip: JUNCTION CITY KS 66441-7904

Phone Number: (785) 238-1482 E-mail address: _____

What is your relationship to the water right; owner tenant agent other? If other, please explain. _____

Name of water use correspondent: Same as applicant

Address: _____

City, State and Zip: _____

Phone Number: () _____ E-mail address: _____

3. The change(s) proposed herein are desired for the following reasons (please be specific): _____

Change will allow for a more efficient irrigation system (another partial pivot) to be installed.

The change(s) (was) (will be) completed by Spring 2016

(Date)

| | | | | | | | |
|----------------------|------------|-----------------------------|----------|----------------|------------------------------------|---------------------|---------------------|
| For Office Use Only: | | | | | | | |
| F.O. Code | <u>GMD</u> | <u>0</u> Meets K.A.R. 5-5-1 | (YES/NO) | Use <u>IPR</u> | Source <u>G</u> S County <u>GF</u> | By <u>AW</u> | Date <u>4/12/16</u> |
| | <u>AW</u> | Fee \$ <u>200</u> | | TR # _____ | Receipt Date <u>4/11/16</u> | Check # <u>5984</u> | |

APPLICATION COMPLETE

7105116
Reviewer RAIK

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SCANNED

4. The presently authorized place of use is:

Owner of Land — NAME: FRED L & NOREEN ALTWEGG

ADDRESS: 10354 J HILL RD, JUNCTION CITY, KS 66441-7904

| 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 | |
| 36 | 11S | 5E | | | | | | | | | | | | | | | | 2 | 2 |
| 31 | 11S | 6E | | | | | | | | | | | 4 | 10 | | | | | 14 |
| 1 | 12S | 5E | 19 | | | 4 | | | | | | | | | | | | | 23 |
| 6 | 12S | 6E | | 0.5 | 17 | | 39.5 | 12 | 9 | 39 | 36 | 9 | | | | 24 | | | 186 |

List any other water rights that cover this place of use. 45,621

Total = 225

Owner of Land — NAME: _____

ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

List any other water rights that cover this place of use. _____

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

** See Attachment A for written description*

Owner of Land — FRED L & NOREEN ALTWEGG

ADDRESS: 10354 J HILL RD, JUNCTION CITY, KS 66441-7904

| 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 | |
| 36 | 11S | 5E | | | | | | | | | | | | | | | | 2 | 2 |
| 31 | 11S | 6E | | | | | | | | | | | 4 | 8 | | | | | 12 |
| 1 | 12S | 5E | 17 | | | 14 | | | | | | | | | 8 | | | | 39 |
| 6 | 12S | 6E | | 0.5 | 15 | | 37.5 | 12 | 4 | 39 | 36 | 4.5 | | | | 23.5 | | | 172 |

List any other water rights that cover this place of use. 45,621

Total = 225

Owner of Land — NAME: _____

ADDRESS: _____

| 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 | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

List any other water rights that cover this place of use. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

- 6. The presently authorized point(s) of diversion (is) (are) ONE WELL
(Provide description and number of points)
- 7. The proposed point(s) of diversion (is) (are) NO CHANGE
(Provide description and number of points)

List all presently authorized point(s) of diversion: *Better Describe w/ 905 feet distances*

* 8. **Presently authorized point of diversion:** *Lot 3 of Special Section 8*

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township 12 South, Range 6 (E/W),
 in Gery County, Kansas, 3366' feet North 3943 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (DWR use only: Computer ID No. 4D02V68436 GPS 3337 feet North 3961 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 the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (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 the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

One in the _____ Quarter of the _____ Quarter of the _____ Quarter of the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____
 (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 the _____
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. _____

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

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APR 11 2016

* RSK/pw 7/18/16

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12. The presently authorized use of water is for IRRIGATION purposes.
It is proposed that the use be changed to NO CHANGE purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.
The reduction in currently authorized acreage offsets the proposed new acreage to be covered to ensure no increase in consumptive use.

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to _____ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to _____ gallons per minute (_____ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 (www.usgs.gov). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
 - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
 - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
 - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

NO CHANGES TO EXISTING WELL

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.

N/A

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

Any use of water that is not as authorized by the water right or permit to authorize water **before** 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.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at _____, Kansas, this 7 day of July, 2016.

Fredrick J. Stuegg
(Owner)

(Spouse)

Fredrick L. Stuegg
(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

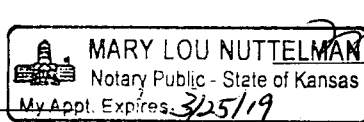
(Please Print)

(Please Print)

State of Kansas)
County of Geary) SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 7th day of April, 2016.

My Commission Expires 3/25/2019



Mary Lou Nuttelman
Notary Public

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

**WATER RESOURCES
RECEIVED**

APR 11 2016

KS DEPT OF AGRICULTURE

SCANNED

ATTACHMENT A

PLACE OF USE DESCRIPTION
FILE NOS. 8,997 AND 45,621

2 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of hypothetical Section 36,
within Special Section 3, in Township 11 South, Range 5 East,

4 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
8 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),

a total of 12 acres in hypothetical Section 31, within Special Section 4, in Township 11 South,
Range 6 East,

17 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
14 acres in the Southeast Quarter of the ^{Northwest} Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), ^{NE $\frac{1}{4}$}
8 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 39 acres in hypothetical Section 1, within Special Section 11, in Township 12 South,
Range 5 East,

- 19.0 Acres in Lot 1
- 30.0 Acres in Lot 2
- 25.5 Acres in Lot 3
- 36.0 Acres in Lot 4
- 43.5 Acres in Lot 5
- 18.0 Acres in Lot 6

a total of 172 acres in hypothetical Section 6, within Special Section 8, Township 12 South,
Range 6 East,

all in Geary County, Kansas.

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KS DEPT OF AGRICULTURE

* per Map & Pur 5

* ROK/aww 6/16/16

Krueger, Richelle

From: Bunger, Brett
Sent: Thursday, May 19, 2016 2:32 PM
To: Krueger, Richelle
Subject: FW: Map for Altwegg Change App
Attachments: Scan - Inbox #001.pdf

Richelle, copy of map as requested

From: Lee, Amanda
Sent: Thursday, May 19, 2016 2:18 PM
To: Bunger, Brett
Subject:

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MAY 23 2016

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Krueger, Richelle

From: Schemm, Doug
Sent: Thursday, June 16, 2016 1:28 PM
To: Krueger, Richelle; Bungler, Brett
Subject: RE: Applications to Change the PU File Nos. 8997 and 45621 Altwegg
Attachments: Allwegg PU description.docx; Altwegg Change Proposed Place of Use 3.pdf

Hello Richelle,

Hope all is well with you. I talked with Brett about this and the acreage listed in the quarter/quarter method is just a way to get it entered into WRIS.

The actual (true) description is as you noted written out per the 2010 PU change. I have attached a description and a site map with Lots shown.

Sorry about that, this is a complex thing,

Doug

From: Krueger, Richelle
Sent: Thursday, June 16, 2016 11:06 AM
To: Bungler, Brett; Schemm, Doug
Cc: Turney, Brent
Subject: Applications to Change the PU File Nos. 8997 and 45621 Altwegg

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JUN 16 2016
KS DEPT OF AGRICULTURE

Good Morning Brett and Doug,

I am hoping I can pick your brains cause mine is fried, ha ha! These files are located near Fort Riley where there are all kinds of unique surveying, as you know. I am thinking we probably have to write the proposed place of use out rather than put it in a table, like you did Brett on the 2010 pu change. I think this might be certified in 2016 so I want to make sure I get this right for them and I don't want to goof it up. I was thinking it would be something like this:

2 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of hypothetical Section 36, within Special Section 3, in Township 11 South, Range 5 East,

4 acres in the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$),
8 acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),

a total of 12 acres in hypothetical Section 31, within Special Section 4, in Township 11 South, Range 6 East,

17 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
14 acres in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$),
8 acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$),

a total of 39 acres in hypothetical Section 1, within Special Section 11, in Township 12 South, Range 5 East,

the 172 acres shown in hypothetical Section 6, within Special Section 8, in Township 12 South, Range 5 East, I am really confused, are you saying that these acres aren't really in Lots and I should describe them in quarter quarters as shown on the application? Or should the descriptions be in lots? I have tried to look at the survey plat but end up confusing myself -they show lots east of the river in Section 6 so I am thinking there must be other lots I am not aware of? Any help you guys could give me on clearing up this part of the description would really be appreciated!

Also, fyi we did not get Mrs. Altweggs signature on the application for File No. 8997 so I am sending out a signature page along with a copy of the application and hopefully get that back soon.

Thanks, as always, for your help!

Richelle Krueger, Environmental Scientist
Kansas Department of Agriculture
Water Appropriation Program
(785) 564-6635
Richelle.Krueger@kda.ks.gov
www.ksda.gov/dwr

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WATER RESOURCES
DIVISION

APR 15 2014

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 17, 2016

FRED L & NOREEN ALTWEGG
10354 J HILL RD
JUNCTION CITY KS 66441-7904

RE: Water Right, File No. 8,997

Dear Mr. and Altwegg,

Reference is made to the application for approval of the Chief Engineer to change the place of use under the referenced file number which was received in the office of the Chief Engineer on April 11, 2016. Upon review of the application, we find that additional information is needed.

Please note that the application must be signed by each landowner and their spouse in the presence of a notary. I am enclosing a copy of the application and an additional signature form so that you may obtain the original notarized signature of Noreen Altwegg. Please return the form with the original notarized signature at your earliest convenience so that I may continue with processing your application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures

pc: Topeka Field Office

WATER RESOURCES
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JUL 05 2016

KS DEPT OF AGRICULTURE

Any use of water that is not as authorized by the water right or permit to authorize water **before** 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.

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I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at Junction City, Kansas, this 6-29-16 day of June, 2016

| | |
|----------------|----------------|
| _____ | _____ |
| (Owner) | (Spouse) |
| _____ | _____ |
| (Please Print) | (Please Print) |
| _____ | _____ |
| (Owner) | (Spouse) |
| _____ | _____ |
| (Please Print) | (Please Print) |
| _____ | _____ |
| (Owner) | (Spouse) |
| _____ | _____ |
| (Please Print) | (Please Print) |

State of Kansas }
County of Geary } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 29th day of June, 2016.

Notary Public

My Commission Expires 4/09/19

CALVIN POTTSBERG
Notary Public - State of Kansas
My Appt. Expires 4/09/19

FEE SCHEDULE

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water \$300

Make check payable to **Kansas Department of Agriculture.**

**WATER RESOURCES
RECEIVED**
JUL 05 2016

KS DEPT OF AGRICULTURE

SCANNED


Kansas
Department of Agriculture
Division of Water Resources

Topeka Field Office
6531 SE Forbes Ave., Suite B
Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733
Fax: (785) 862-2460
www.agriculture.ks.gov
Sam Brownback, Governor

March 22, 2016

FRED L & NOREEN ALTWEGG
10354 J HILL RD
JUNCTION CITY KS 66441-7904

RE: Change Applications, File Nos. 8,997 and 45,621

Dear Mr. and Mrs. Altwegg:

Enclosed are application forms related to completing a change in place of use under Water Right, File No. 8,997 and Appropriation of Water, File No. 45,621. This change will modify your place of use to allow you to install a partial pivot in the East Half of Section 1, Township 12 South, Range 5 East in Geary County. Please note that the change application forms must be **signed by both you and your spouse, and the signatures must be notarized**. For the requested changes in place of use, the required filing fee would be \$200 per application, for a total fee of **\$400**.

Please submit the applications and filing fee to the **Kansas Department of Agriculture, Division of Water Resources, 1320 Research Park Drive, Manhattan, KS 66502**.

You may contact the Topeka Field Office at (785) 296-5733, or myself at (785) 296-3495, for any additional assistance in completing this application form.

Sincerely,



Douglas Schemm
Environmental Scientist
Topeka Field Office

Enclosures

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APR 11 2016
SCANNED

KS DEPT OF AGRICULTURE

Krueger, Richelle

From: Tietsort, Katie
Sent: Wednesday, July 13, 2016 9:11 AM
To: Krueger, Richelle; Schemm, Doug
Cc: Bunger, Brett
Subject: RE: Request for Recommendation Chg in PU File Nos. 8997 and 45621 Altwegg

Richelle,

I don't know if Doug answered you separately that I didn't see, but I wanted to let you know that nothing on the Smoky goes to the KS WAD.

Thanks! Katie

Katie Tietsort
Water Commissioner, Topeka Field Office
Kansas Department of Agriculture, Division of Water Resources
6531 SE Forbes Ave, Ste B
Topeka, KS 66619
(785) 296-5733
Katie.Tietsort@ks.gov

From: Krueger, Richelle
Sent: Wednesday, July 6, 2016 7:49 AM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: Request for Recommendation Chg in PU File Nos. 8997 and 45621 Altwegg

Good Morning,

Attached is a draft memo for the referenced changes in pu, I am also better describing the pd. Doug, I can't remember if this has to go to KWO or assurance district for comments? If it does not, do you recommend approval of the referenced changes Katie?

Thanks,
Richelle

Krueger, Richelle

From: Tietsort, Katie
Sent: Tuesday, July 12, 2016 10:13 AM
To: Krueger, Richelle; Schemm, Doug
Cc: Bunger, Brett
Subject: RE: Request for Recommendation Chg in PU File Nos. 8997 and 45621 Altwegg

Richelle,

The TFO agrees with your recommendation for Approval of the referenced application for change for Altwegg as it appears to meet all applicable rules and regulations of the KWAA.

Thank you,
Katie

Katie Tietsort
Water Commissioner, Topeka Field Office
Kansas Department of Agriculture, Division of Water Resources
6531 SE Forbes Ave, Ste B
Topeka, KS 66619
(785) 296-5733
Katie.Tietsort@ks.gov

From: Krueger, Richelle
Sent: Wednesday, July 6, 2016 7:49 AM
To: Tietsort, Katie <Katie.Tietsort@ks.gov>; Schemm, Doug <Doug.Schemm@ks.gov>
Cc: Bunger, Brett <Brett.Bunger@ks.gov>
Subject: Request for Recommendation Chg in PU File Nos. 8997 and 45621 Altwegg

Good Morning,
Attached is a draft memo for the referenced changes in pu, I am also better describing the pd. Doug, I can't remember if this has to go to KWO or assurance district for comments? If it does not, do you recommend approval of the referenced changes Katie?

Thanks,
Richelle

1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700



900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

June 17, 2016

FRED L & NOREEN ALTWEGG
10354 J HILL RD
JUNCTION CITY KS 66441-7904

RE: Water Right, File No. 8,997


Dear Mr. and Altwegg,

Reference is made to the application for approval of the Chief Engineer to change the place of use under the referenced file number which was received in the office of the Chief Engineer on April 11, 2016. Upon review of the application, we find that additional information is needed.

Please note that the application must be signed by each landowner and their spouse in the presence of a notary. I am enclosing a copy of the application and an additional signature form so that you may obtain the original notarized signature of Noreen Altwegg. Please return the form with the original notarized signature at your earliest convenience so that I may continue with processing your application.

If you have any questions, please contact me at (785) 564-6635 or Change Application Unit Supervisor, Brent Turney, at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,


Richelle A. Krueger
Environmental Scientist
Water Appropriation Program

RAK
Enclosures

pc: Topeka Field Office



1320 Research Park Drive
Manhattan, Kansas 66502
Jackie McClaskey, Secretary

Phone: (785) 564-6700
Fax: (785) 564-6777
Email: ksag@kda.ks.gov
www.agriculture.ks.gov
Sam Brownback, Governor

FRED L & NOREEN ALTWEGG
10354 J HILL RD
JUNCTION CITY KS 66441

April 13, 2016

RE: File No. 8997

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use CPU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

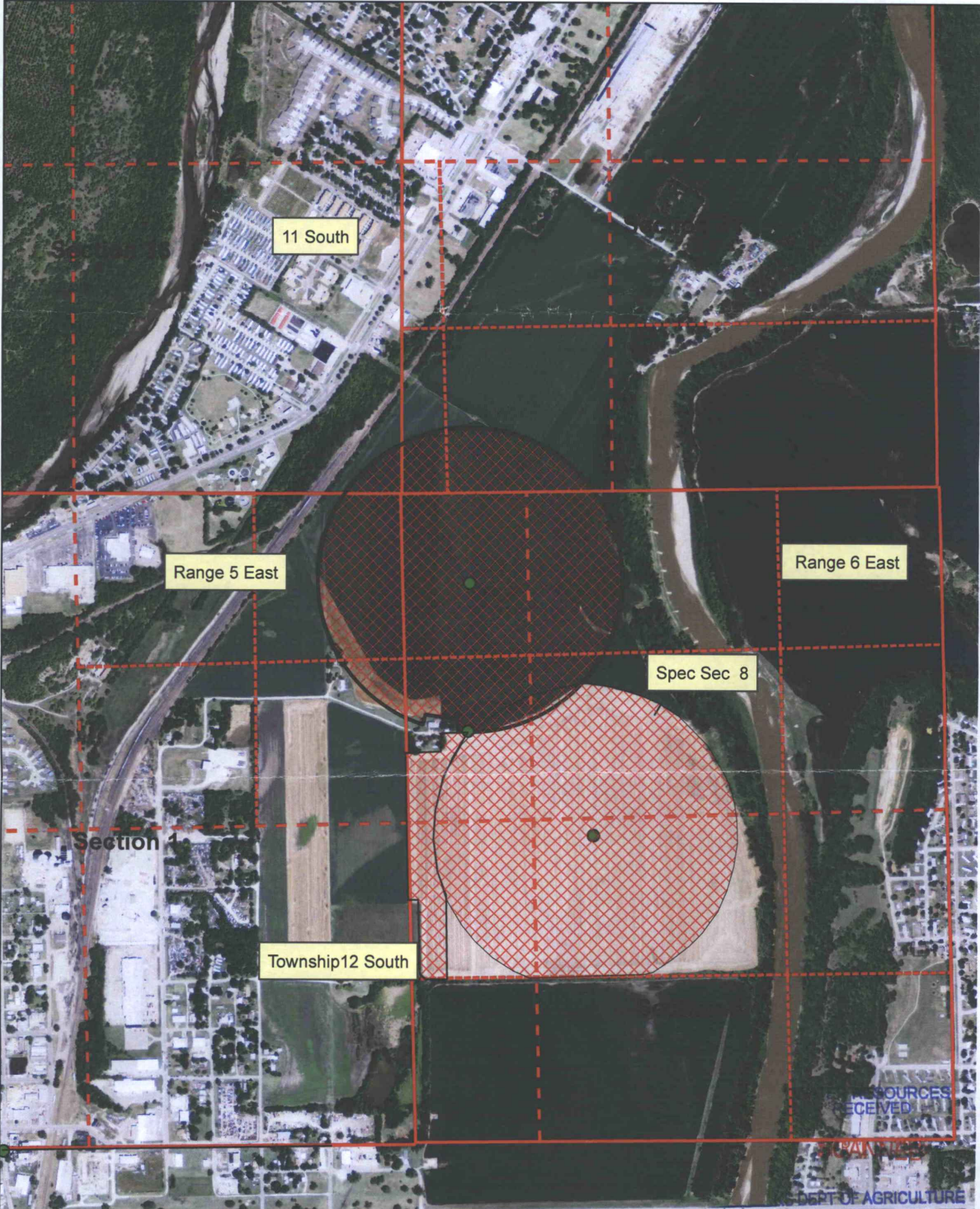
Sincerely,

Brent A Turney, L.G.
Change Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: TOPEKA.Field Office GMD

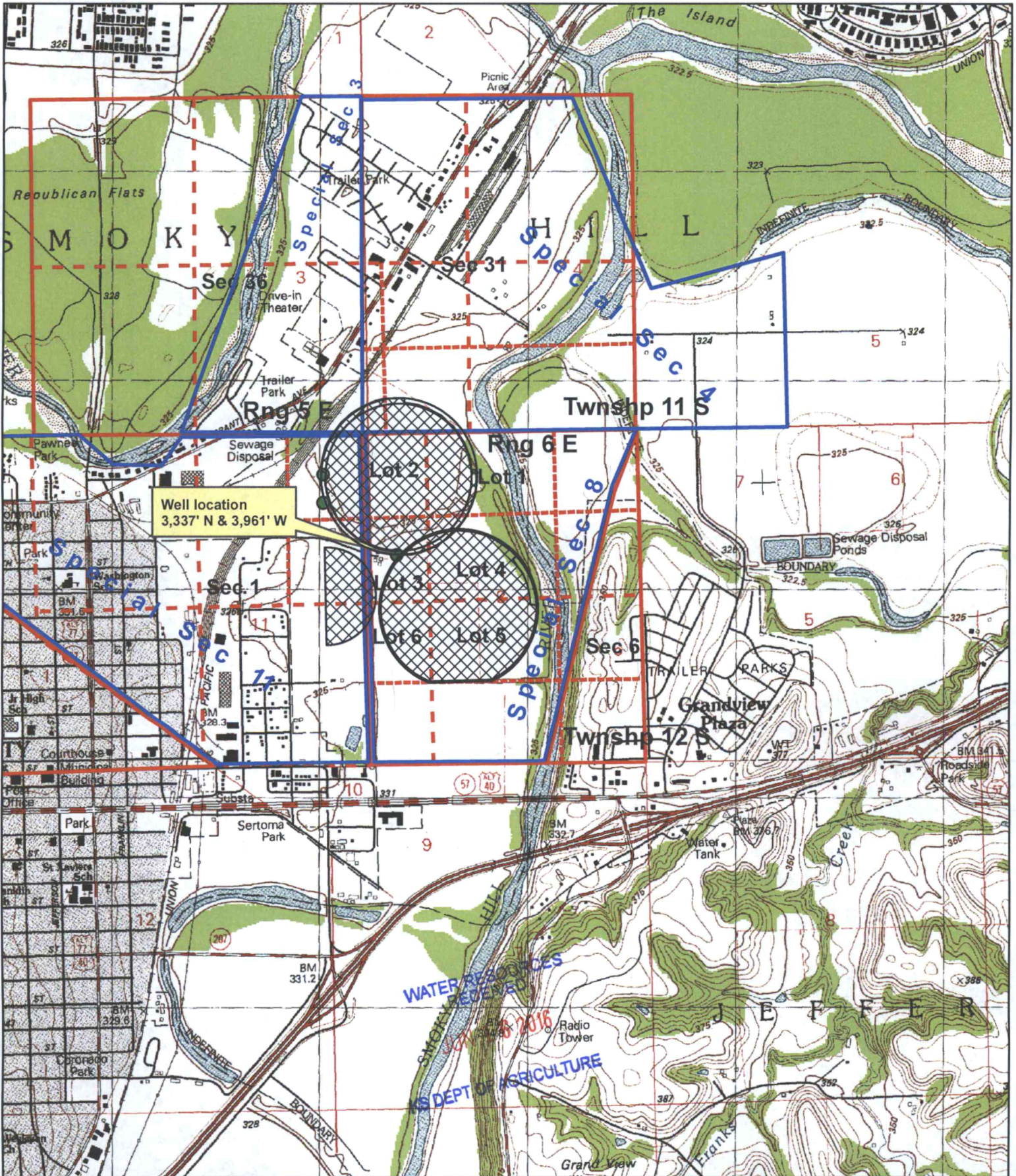
SCANNED

1:12,000 Authorized Place of Use - File No. 8,997



File No. 45,621 * J 8997 PROPOSED PLACE OF USE

1:24,000



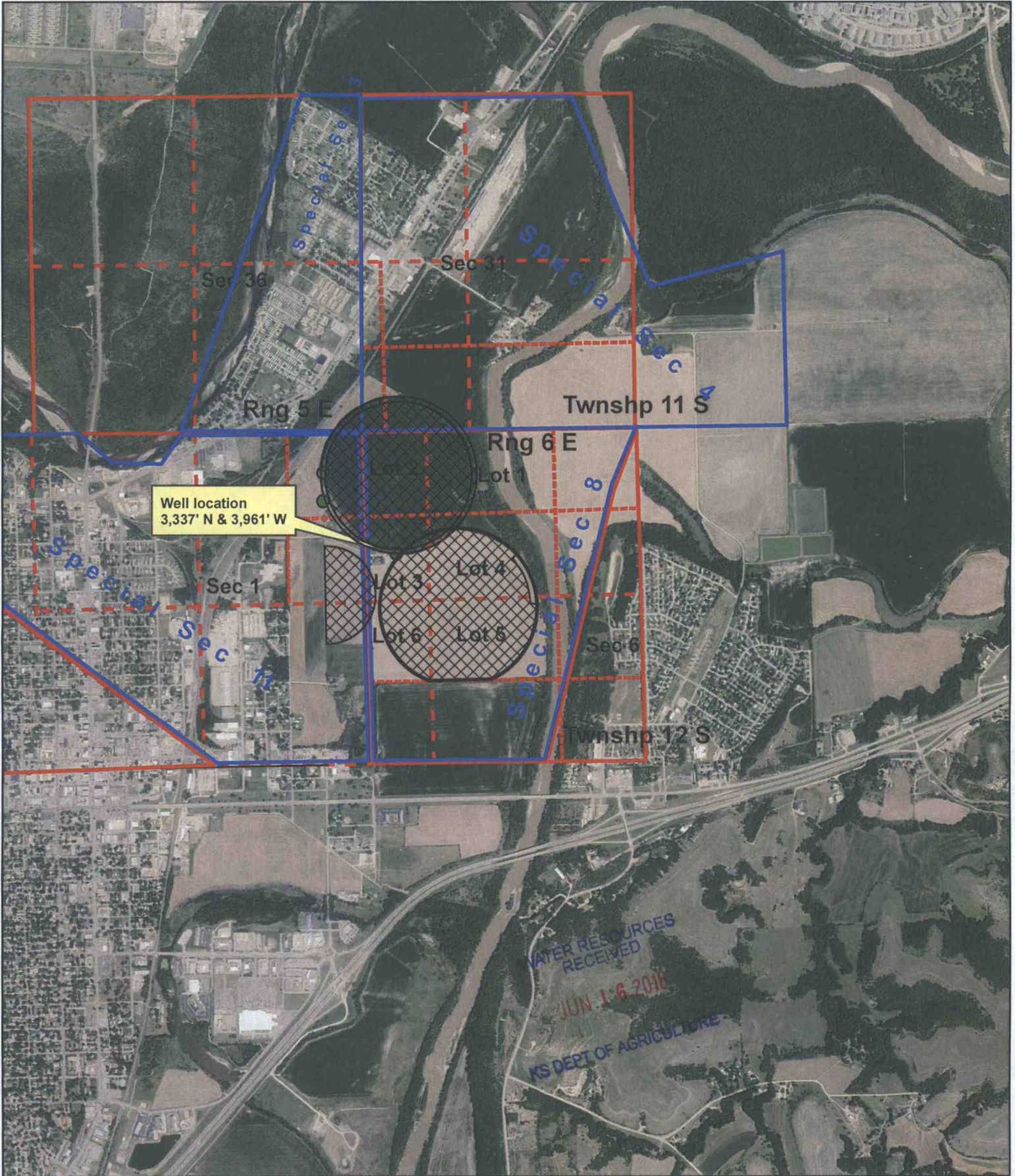
Well location
3,337' N & 3,961' W

WATER RESOURCES DIVISION
MS DEPT OF AGRICULTURE
JUN 28 2016

* RAK/aw/c/16/16

File No. 45,621 * + 8997
PROPOSED PLACE OF USE

1:24,000



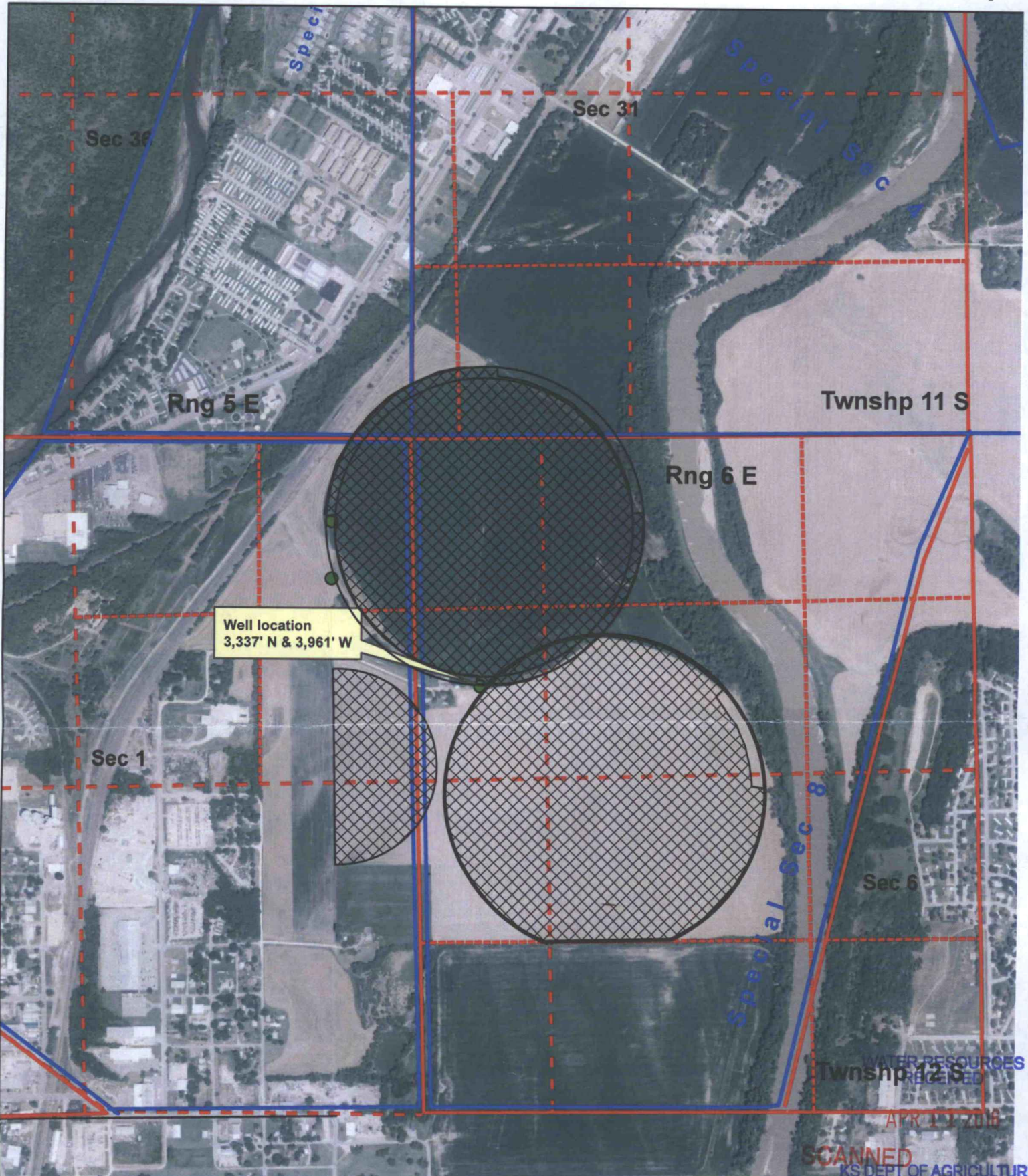
Well location
3,337' N & 3,961' W

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JUN. 16 2016
KS DEPT OF AGRICULTURE

* DAKLOW 6/16/16

File No. 8,997 PROPOSED PLACE OF USE

1:12,000



Well location
3,337' N & 3,961' W

WATER RESOURCES
DIVISION

APR 11 2016

SCANNED
KS DEPT OF AGRICULTURE

1:12,000 Proposed Place of Use - File No. 8,997

