

# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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**

Water Resources  
Received  
DEC 26 2018  
11:03 AM  
KS Dept of Agriculture  
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. 40,196

2. Name of applicant: RURAL WATER DISTRICT NO 1 - MORRIS COUNTY

Address: PO BOX 146

City, State and Zip: DWIGHT, KS 66849

Phone Number: (785) 482-3303 E-mail address: rwdno1@tctelco.net

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

Name of water use correspondent: RURAL WATER DISTRICT NO 1 - MORRIS COUNTY

Address: PO BOX 146

City, State and Zip: DWIGHT, KS 66849

Phone Number: (785) 482-3303 E-mail address: rwdno1@tctelco.net

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

To form a complete overlap in points of diversion between File Nos. 40,196 and 40,197 and create a battery of wells to allow more flexibility in the amount of water pumped from each well. This application proposes no new wells.

The change(s) (was) (will be) completed by Upon approval of the application.

(Date)

For Office Use Only:													
F.O.	<u>L</u>	GMD	<u>Meets K.A.R. 5-5-1 (YES) NO</u>	Use	<u>MUN</u>	Source	<u>G</u>	S County	<u>MR</u>	By	<u>AV</u>	Date	<u>12-26-18</u>
Code	<u>001</u>	<u>01</u>	Fee \$	<u>100</u>	TR #		Receipt Date	<u>12/26/18</u>	Check #	<u>8140</u>			

4. The presently authorized place of use is:

Owner of Land — NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

DEC 26 2018

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	

KS Dept Of Agriculture

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

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:

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. \_\_\_\_\_

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. \_\_\_\_\_

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6. The presently authorized point(s) of diversion is one (1) well  
(Provide description and number of points)
7. The proposed point(s) of diversion is a battery of two (2) existing wells  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

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8. **Presently authorized point of diversion:**  
 One in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 24, Township 11 South, Range 6 East (E/W), in Geary County, Kansas, 1445 feet North 3608 feet West of Southeast corner of section.  
 Authorized Rate 300 gpm Authorized Quantity 54.0 MGY  
 (DWR use only: Computer ID No. 42131 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 Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 24, Township 11 South, Range 6 East (E/W), in Geary County, Kansas, 1434 feet North 3756 feet West of Southeast corner of section.  
 Proposed Rate 300 gpm Proposed Quantity 54.0 MGY  
 This point is:  Additional Well  Geo Center List other water rights that will use this point File No. 40,197

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. \_\_\_\_\_  
No wells would be abandoned with approval of this application.

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

It is proposed that the use be changed to Municipal (no change)

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13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased. No change in place of use and/or use made of water is being proposed. Approval of the applicatoin would not result in an increase in consumptive use.

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(Please show any calculations here.)

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

15. It is requested that the maximum rate of diversion of water be reduced to N/A gallons per minute (N/A 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](http://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.

The application proposes to form a complete overlap between two existing files and their existing wells.

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.

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 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-727, as amended.

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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 landlord 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 Dwight, Kansas, this 26<sup>th</sup> day of December, 2018

Stephen L. Euler  
(Owner)

Stephen L. Euler  
(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

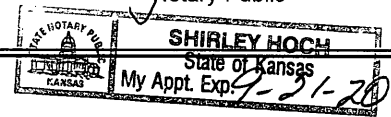
(Please Print)

State of Kansas }  
County of Morris } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26<sup>th</sup> day of December, 2018.

My Commission Expires September 21, 2020

Shirley Hoch  
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.**

**Attachment**  
**Applications to Change the Points of Diversion**  
**File Nos. 40,196 and 40,197**

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**The location of the proposed point of diversion is:**

A battery of two (2) wells with a geographic center located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 24, more particularly described as being near a point 1434 feet North and 3756 feet West of the Southeast corner of said section, in Township 11 South, Range 6 East, Geary County, Kansas.

**The locations of individual wells are as follows:**

**Existing well #1:**

One (1) well in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 24, more particularly described as being near a point 1423 feet North and 3903 feet West of the Southeast corner of said section, in Township 11 South, Range 6 East, Geary County, Kansas. (DWR PDIV ID 13686)

**Existing well #2:**

One (1) well in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 24, more particularly described as being near a point 1445 feet North and 3608 feet West of the Southeast corner of said section, in Township 11 South, Range 6 East, Geary County, Kansas. (DWR PDIV ID 42131)

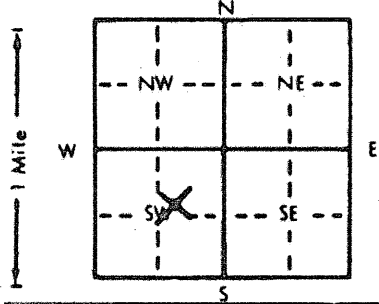
1] LOCATION OF WATER WELL: Fraction SW 1/4 NE 1/4 SW 1/4 Section Number 24 Township Number T 11 S Range Number R 6 E  
 County: Geary

Distance and direction from nearest town or city street address of well if located within city?

4 miles East & 3 1/2 mile North of Grandview Plaza, KS

2] WATER WELL OWNER: Morris County RWD #1  
 RR#, St. Address, Box # : c/o Bartlett & West Engineers Board of Agriculture, Division of Water Resources  
 City, State, ZIP Code : Topeka, KS Application Number: 40,196

3] LOCATE WELL'S LOCATION WITH AN "X" IN SECTION BOX: 4] DEPTH OF COMPLETED WELL... 57 ft. ELEVATION: .....



Depth(s) Groundwater Encountered 1... 10.5 ft. 2... .. ft. 3... .. ft.  
 WELL'S STATIC WATER LEVEL ... 10.5 ft. below land surface measured on mo/day/yr 7-28-93  
 Pump test data: Well water was ... ft. after ... hours pumping ... gpm  
 Est. Yield 1000 gpm: Well water was ... ft. after ... hours pumping ... gpm  
 Bore Hole Diameter. 30 in. to ... 58 ft., and ... in. to ... ft.  
 WELL WATER TO BE USED AS: 5 Public water supply 8 Air conditioning 11 Injection well  
 1 Domestic 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below)  
 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well  
 Was a chemical/bacteriological sample submitted to Department? Yes..... No. ; If yes, mo/day/yr sample was submitted

5] TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued ... Clamped ...  
 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) Welded   
 2 PVC 4 ABS 7 Fiberglass Threaded .....

Blank casing diameter ... 12 in. to ... 40 ft., Dia. ... in. to ... ft., Dia. ... in. to ... ft.  
 Casing height above land surface ... 48 in., weight ... 54 lbs./ft. Wall thickness or gauge No. ... 3.75

TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement  
 1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify) ...  
 2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole)

SCREEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole)  
 1 Continuous slot . 100 Mill slot 6 Wire wrapped 9 Drilled holes  
 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify) .....

SCREEN-PERFORATED INTERVALS: From ... 40 ft. to ... 57 ft., From ... ft. to ... ft.  
 From ... ft. to ... ft., From ... ft. to ... ft.  
 GRAVEL PACK INTERVALS: From ... 20 ft. to ... 57 ft., From ... ft. to ... ft.  
 From ... ft. to ... ft., From ... ft. to ... ft.

6] GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other  
 Grout intervals: From ... 0 ft. to ... 20 ft., From ... ft. to ... ft., From ... ft. to ... ft.

What is the nearest source of possible contamination:  
 1 Septic tank 4 Lateral lines 7 Pit privy 10 Livestock pens 14 Abandoned water well  
 2 Sewer lines 5 Cess pool 8 Sewage lagoon 11 Fuel storage 15 Oil well/Gas well  
 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 12 Fertilizer storage 16 Other (specify below) Creek  
 13 Insecticide storage

Direction from well? East How many feet? 700 ft

FROM	TO	LITHOLOGIC LOG	FROM	TO	PLUGGING INTERVALS
0	4	Top Soil			
4	14	Silty Brown Clay			
14	23	Brown Clay			
23	30	Gray Clay			
30	36	Gray Clay & Chert			
36	55	Chert-Very Course			
55	58	Gray Shale			

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7] CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was completed on (mo/day/year) ... 7-28-93 ... and this record is true to the best of my knowledge and belief. Kansas Water Well Contractor's License No. ... 138 ... This Water Well Record was completed on (mo/day/yr) ... 8-10-93 ... under the business name of Peterson Irrigation Inc. by (signature) Mike Peterson

INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department of Health and Environment, Bureau of Water, Topeka, Kansas 66620-0001. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.



# STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
1320 RESEARCH PARK DRIVE  
MANHATTAN, KS 66502  
PHONE: (785) 564-6700  
FAX: (785) 564-6777



900 SW JACKSON, ROOM 456  
TOPEKA, KS 66612  
PHONE: (785) 296-3556  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

RURAL WATER DISTRICT NO 1 - MORRIS CO  
PO BOX 146  
DWIGHT, KS 66849

January 3, 2019

RE: File No 40196

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 PD
- 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...**

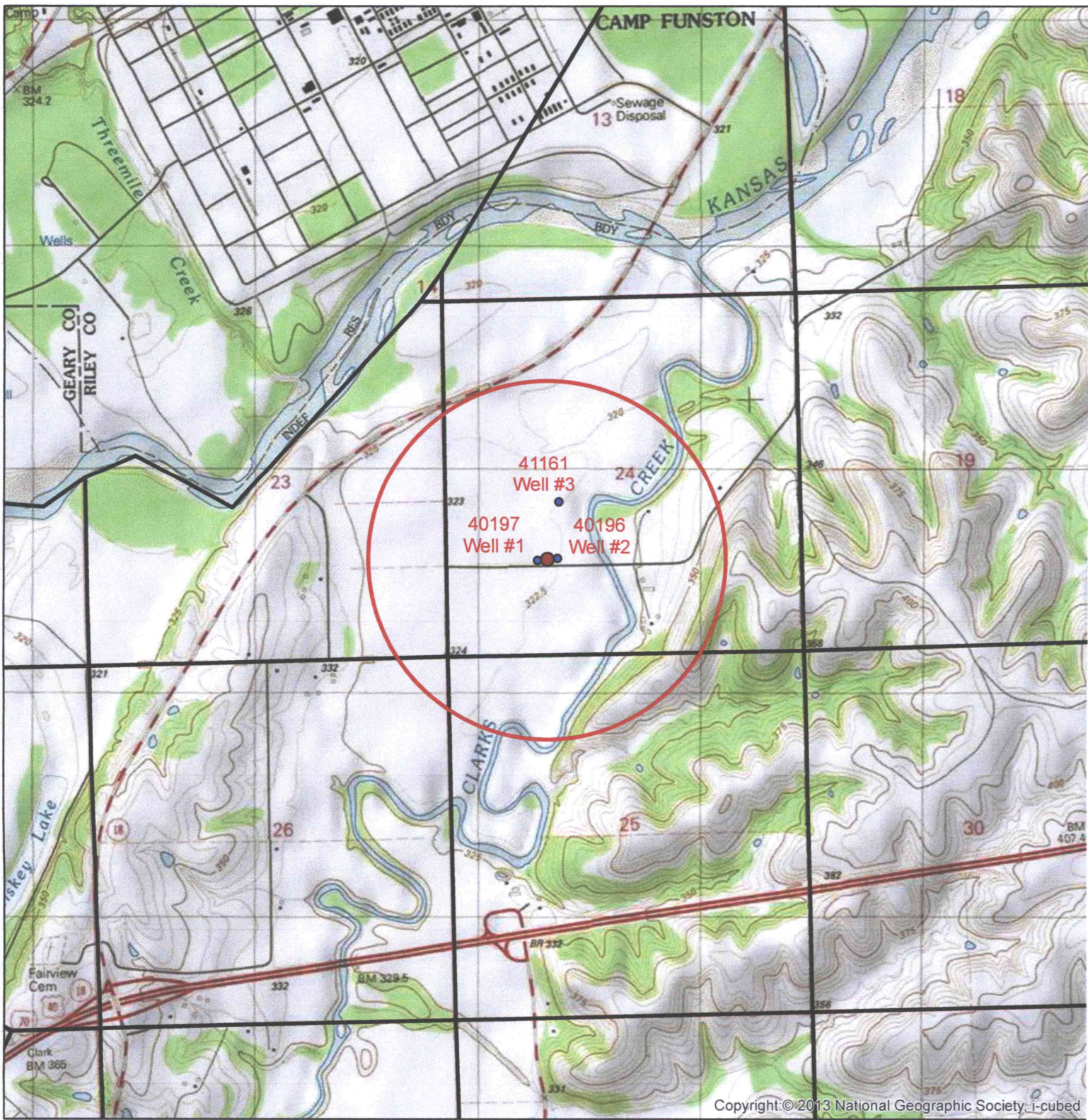
**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

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 Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: TOPEKA Field Office GMD



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## Point of Diversion Change Application - File No. 40,196

**Legend**

- Morris RWD 2 Wells
- Proposed Geographic Center
- Half-Mile Buffer
- Section Lines



KDA/DWR File Nos. 40,196, 40,197 and 41,161  
 Authorized Water Well Locations

Water Resources  
 Received  
 DEC 26 2018

Map prepared by:  
 Kenneth A. Kopp, P.G.  
 Kansas Rural Water Association  
 August 14, 2018

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