Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



## STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

		nd/or p			iii be ci	nange	a, incic	ide a t	opogra	apnic n	nap or	detalle	a piat	Snowii	ng the	autnor	ized ai	na prop	osea point(s)
																		REC	EIVED
						i	File No	. <u>4830</u>	)7					-			J		5 2021
1. A	Application is hereby made for approval of the Chief Engineer to change the (check one or both):														Горека F	ield Office			
	☑ Place of Use ☐ Point of Diversion														DIVISIO	N OF W	ATER RESOURCE		
ur	under the water right which is the subject of this application in accordance with the conditions described below.																		
TI	he sour	ce of s	upply is	s:			round	water		$\boxtimes$	Surfa	ce wat	er						
	Name and address of Applicant: THOMAS E ROTTINGHAUS																		
	1131 160 <sup>TH</sup> RD SENECA KS 66538																		
	Phone Number: () Email address:																		
N.	Name and address of Water Use Correspondent: SAME AS LANDOWNER																		
P	hone N	umber:		)			Email address:												
3. TI	The presently authorized place of use is:																		
0	Owner of Land NAME: THOMAS E ROTTINGHAUS																		
	ADDRESS: 1131 160 <sup>TH</sup> RD SENECA KS 66538																		
(lf	there is	more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE	1/4			NV.	N <sup>1</sup> /4			SV	<b>№</b>			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
	2	12E							-		-		-	<u> </u>	11	22	33.5	4.5	71
23	2	12E							-	-	33.5	12	33	27	40	40	37	30	254.5
				<u> </u>			<u></u>		<u> </u>	<u> </u>	<u> </u>								
4. If	this ap	plication	n is for	a cha	nae in	place	of use	. it is p	ropose	ed that	the pla	ace of	use be	e chan	aed to				
		f Land -												o i i ai i	904 10				
					1131 1					66538						6			
(If	there is	more th	an one	landov	ner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE¼ NW¼				SW1/4			SE1/4			TOTAL					
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE%	NE14	NW1/4	SW1/4	SE1/4	NE%	NW1/4	SW1/4	SE1/4	ACRES
23	2	12E									36	34	31.5	19	31	36.5	28	22	238
26	2	12E		19			40	21	.5	5									85.5
	,																		
F	or Offic	e Use	Only:	Code	CPC	/ Fee	e \$ 2	00	TR	#		Re	eceipt	Date	1/25	1/21	Chec	k# 5	007

5.	Presently authoriz	ed point	of diversion:				
	One in the	NW	Quarter of the _	NW	Quarter of the	SW	Quarter
- 1	of Section	23	, Township	2	South, Range	12E	(E/W),
	in <b>NEMAHA</b>		County, Kansas, <b>208</b>	60 feet North	5115 feet West of Souther	ast comer of sect	ion.
	Authorized Rate		Authorized Quant	ity	Depth of well	(feet	:)
- 1	•	-	<del></del>		feet North		•
	_	_		-	No change, point better of		
					ted or if existing point is		
					Quarter of the		
					South, Range		
-					feet West of		
			•	•	Proposed well depth	. ,	
L	This point is:  Ac	iditional W	ell 🔲 Geo Center Li	st other water n	ghts that will use this point		•
ا ء	Presently authoriz	ed noint	of diversion:				
۱،۰					Quarter of the		Ouarter
					South, Range		
					feet West of		
l					Depth of well		
	(DWR use only: C	omputer	D No.	GPS	feet North	feet Wes	st)
l					☐ No change, point better d		
					ted or if existing point is		
1					Quarter of the		
					South, Range		
	in		County, Kansas,	feet North	feet West of	Southeast comer	of section.
					Proposed well depth		
	This point is: Ad	lditional W	'ell 🔲 Geo Center Li	st other water ri	ghts that will use this point		
7.			ed for the following rea		M		
	TO CORRECT THE	PLACE O	USE AND ACCOMMO	DATE 3	North 00 200 100 0	100 200	300
			W CENTER PIVOT		Emhanlandan		Tring
							=
8.	If a well, is the test he	ole log atta	ched? Yes No	200	上十十十二	1 + 1 +	1 = 200
	,				= = =		4
9.	The change(s) (was)	(will be) co	mpleted by?	100		1 + 1 +	100
						' ' '	' <b>∄</b>
40	testa a a cius de atrodaci	!					1
10.	If the point of diversion			West 0	<u> </u>		I ++ ∰ 0 East
	(a) What are you go	oing to do v	vith the old well?		<u> </u>		4
				100		1 + 1 +	100
	763 3875 and 1211 46 in the					' ' ' '	· ====
	(b) When will this be	e aone?		<del></del>			=
4 4	One un divintaria la la companya la compan	amant Dist	aint un no un man am almatia m. 144	200		1 + 1 +	1======================================
17.	Groundwater Manage		rict recommendation attac	cnea?	E =	<del></del>	4
	L 163	, K-71140			<u> </u>		_ لَمُسَا
12.	Assisted by BRETT	BUNGER	11-6-20	<del></del>	00 200 100 0 South	100 200 Scale: 1 hashmark	300 k=10 ft

feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines

13a. If the proposed point of diversion will be relocated more than 300 13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from	m the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently autho ☐ Yes ☐ No (If no, all owners must sign this applic	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorisaffected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	
(c) If this application is not approved expeditiously, will there be subs ☐ Yes ☐ No (If no, all owners must sign this application)	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirmating age and the owner, the spouse of the owner, or a duly authorize their behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application or
Dated at, Kansas, this _	21 day of Tanun , 2021.
1. 21	
None & Kelling	
(Owner)	(Spouse)
Thomas = Rothlyhaus	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas )	/
County of Nemans SS	
	We proceed and super to before the Alice Alice
of	y presence and sworn to before me this _2)_ day
My Commission Expires 05-27-27	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all o accurate information; maps, if necessary, must be included; signatures of all the app the appropriate fee must be paid.	f the applicable portions of the application form must be completed with propriate owners' must be affixed to the application and notarized; and
FEE SCHEDUL	F
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Department (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	this section shall be accompanied by the application fee set  nt of Agriculture

## SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a-70 visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-</i> th the exception of those conditions expressly contained herein tations of File No	701 et. seq., and rules and regul	ations promulgated thereunder,				
1.	A change application was received on diversion authorized under the above-referenced file numbers.	requesting that the	e place of use and / or point of e application.				
2.	On and after the effective date of this summary order, the aut the topographic map accompanying the application to cha	thorized place(s) of use shall be lo inge the place of use.	cated substantially as shown on cable □ Not Applicable				
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	y this summary order shall be loca	e source or sources of water as ated within afoot				
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application	ely corrected to be more accurat .   Applicable  Not Applicable	ely described using the Global				
5.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.   Applicable  N	be located more than ot Applicable	feet from the previously				
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a wor other device suitable for making water level measureme K.A.R. 5-6-13.   Applicable  Not Applicable	vell with a diversion rate of 100 ga ents shall be installed, operated and	llons per minute or more, a tube d maintained in accordance with				
7.	The owner of the authorized place(s) of use shall proper December 31, 20, or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 K.A.R. 5-3-5e, the owner shall maintain records and report diverted annually to the Chief Engineer by March 1 following Applicable Not Applicable	whichever occurs first. The wate through 5-1-12. As required by K. t the reading of the water flow met	er flow meter shall be installed, S.A. 82a-732, as amended, and er and the total quantity of water				
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form prov ☐ Applicable ☐ Not Applicable	completed on or before Decem applicant shall notify the Chief E ided by the Chief Engineer, as rec	tber 31, 20, or within any ngineer that construction of the quired by K.A.R. 5-8-4e.				
9.	The completed well log shall be submitted with the requi	ired notice.	☐ Not Applicable				
10.	All diversion works into which any type of chemical or other to with an in-line, automatic, quick-closing check valve capa check valve(s) shall be installed, operated and maintained	ble of preventing pollution of the s	source of the water supply. The				
11.	Additional Conditions are attached.						
12.	In accordance with K.S.A. 82a-708a, as amended, and K.A water appropriated under the above-referenced file numb limitations, as amended and/or supplemented by this Sun Appropriation Law and the Rules and Regulations promuresult in civil penalties pursuant to K.S.A. 82a-737, as an water or appropriation right or any other enforcement actions.	per are responsible for complianc nmary Order, and with applicable algated thereunder. Failure to contended, and/or the suspension or	e with its terms, conditions and provisions of the <i>Kansas Water</i> mply with these provisions may				
4	Administrative Appeal and Effective Date of Order	FOR OFFICE					
you Eng Agri	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief inneer or request administrative review by the Secretary of iculture. A request for hearing by the Chief Engineer must be	By:Duly Authorized Design	RDER ISSUED				
adn	within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30						
revi	ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):					
Leg	any request with Kansas Department of Agriculture, all Division, 1320 Research Park Drive, Manhattan, KS	Date of Issuance:					
665 pred	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas	)				
	For Use by Register of Deeds	County of	) SS )				
		Acknowledged before me on					
		by					
		Signature:					
		Signature:Notary Public					
		My commission expires:					
			(Notary Seal)				

PROPOSED PLACE OF USE

1:14,000 FILE NO. 48307 E O T w sid 2 South 23 12 East de