

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

Document Signature \_\_\_\_\_

1. File Number: <b>ST-009</b>	2. Status Change Date: <u>7/19/2016</u>	3. Change Num: <b>C4</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>22-FEB-2016</b>
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8a. Applicant(s) <input type="checkbox"/> New to system Person ID <b>40622</b> Add Seq# <u>1</u>  <b>DOUGLAS F &amp; RENELL M BELL</b> <b>1 FORD DRIVE</b> <b>COLBY KS 67701</b>	8c. Landowner(s) <input type="checkbox"/> New to system Person ID _____ Add Seq# _____  8d. Landowner(s) <input type="checkbox"/> New to system Person ID _____ Add Seq# _____
8b. Landowner(s) <input type="checkbox"/> New to system Person ID _____ Add Seq# _____  <b>8a.</b>	8e. WUC <input type="checkbox"/> New to system Person ID _____ Add Seq# _____  <b>No change</b>

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/17</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/17</u>
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____

10. Use Made of Water    From: _____    To: _____
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Date Prepared: <b>7/14/2016</b> By: <b>AM</b>
Date Entered: <u>7/21/2016</u> By: <u>UM</u>



**KANSAS DEPARTMENT OF AGRICULTURE**  
**Division of Water Resources**

**M E M O R A N D U M**

**TO:** Files

**DATE:** July 13, 2016

**FROM:** Austin McColloch

**RE:** Water Right,  
File Nos. 26,825; 5,404  
Vested Right,  
File No. ST-009

On February 22, 2016, Douglas F. and Renell M. Bell, owners of the referenced water rights, have filed an application for approval to change the authorized point of diversion under the above referenced files, authorized for irrigation use in the N F Cimarron River Basin.

The above referenced water rights do not appear to be abandoned as per K.S.A. 82a-718.

The referenced Vested Right is authorized 300 acre-feet at a diversion rate of 1,000 gallons per minute, the referenced Water Right is authorized 498 acre-feet at a diversion rate limited to 1,000 gallons per minute when combined with File No. ST-009 for irrigation use on 631.81 acres located in Sections 2 and 11, Township 29 South, Range 39 West, Stanton County, Kansas. Both files have the same authorized point of diversion while the authorized place of use includes Water Right, File No. 5,404 as well. The application proposes drilling an additional well, adding another point of diversion for Vested Right, File No. ST-009 and Water Right, File No. 26,825.

The currently authorized well is located as:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 230 feet North and 1,171 feet West of the Southeast corner of said section, in Township 29 South, Range 39 West, Stanton County, Kansas.

The proposed additional well is located as:

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 2,014 feet North and 2,627 feet West of the Southeast corner of said section, in Township 29 South, Range 39 West, Stanton County, Kansas.

K.A.R. 5-5-16 *Additional wells* is applicable and the K.A.R. 5-5-16 (a)(2)(C)(i) calculation indicates that a reduction in the authorized quantity of File No. ST-009 and 26,825 is required. This calculation brings the authorized combined quantity from 798 acre-feet to 773.9 acre-feet.

maximum number of acres leally irrigated in any one year during perfection period for File No. ST-009 = 160 acres and File No. 26,825 = 300 acres, so

160 acres (St-009) x 1.43 (80% NIR) / .85 = 296.17 acre-feet  
300 acres (26,825) x 1.43 (80% NIR) / .85 = 504.70 acre-feet  
296.17 + 504.70 = 773.9 acre-feet.

Furthermore, a required rate test was conducted on the authorized well by Mike Meyer, Garden City Field Office. The results of the rate test provided a total of 960 gallons per minute that will be divided between the currently authorized well and proposed well. The rate and quantity for both File Nos. and wells were assigned by the applicant per phone conversion dated June 9, 2016 and are as follows:

ST-009

Currently Authorized Well:

Authorized – 480 gpm 150 AF      Additional – 480 gpm 150 AF

Proposed Additional Well:

Authorized – 480 gpm 150 AF      Additional – 480 gpm 150 AF

26,825 – Limited to 960 gpm 773.9 AF

Currently Authorized Well:

Authorized – 457.5 gpm 236.95 AF      Additional – 0 gpm 236.95 AF

Proposed Additional Well:

Authorized – 457.5 gpm 236.95 AF      Additional – 0 gpm 236.95 AF

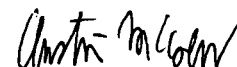
The referenced File Nos. overlap in Place of Use with File No. 5,404, and the referenced File Nos. are removing a farmstead from the Place of Use, a 4.3 acre tract, a Request to Reduce a Portion of an Existing Water Right was received from the applicant for File No. 5,404 on May 23, 2016. This will maintain the overlap in Place of Use between all File Nos., no other changes are required for File No. 5,404.

Approval of the application will be subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (February 22, 2106) to add the additional well.

The point of diversion is located within the boundary of Groundwater Management District No. 3. A letter was sent to GMD No. 3 for a recommendation on the application on June 13, 2016. GMD No. 3 provided a recommendation for approval on June 30, 2016. Per GMD No. 3 review, the application meets their rules and regulations.

In an email dated July 1, 2016, with Michael Meyer, Water Commissioner, Garden City Field Office, indicated he is not opposed to approval of the request.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely. It is recommended that if the change applications for File No. ST-009 & 26,825 are approved along with the request to reduce a portion of a water right for File No. 5,404.



Austin McColloch  
Environmental Scientist

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 21, 2016

DOUGLAS F & RENELL M BELL  
1 FORD DRIVE  
COLBY KS 67701

RE: Water Right, File No. 26,825  
Vested Right, File No. ST-009

**FILE COPY**

Dear Mr. and Mrs. Bell:

Enclosed is 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.

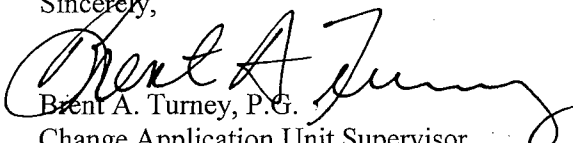
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approval for change. A condition of these approvals is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers. Please return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

Please note that the application for File Nos. ST-009 & 26,825 is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (February 22, 2016) to add the additional well. In addition, the Chief Engineer specifically retains jurisdiction in the matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Since the order for the referenced file numbers modifies the original documents referred to above they 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

BAT:am  
Enclosures

pc: Garden City Field Office  
Groundwater Management District No. 3



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

**APPROVAL OF APPLICATION  
FOR  
CHANGE IN  
POINT OF DIVERSION AND  
ORDER REDUCING THE  
AUTHORIZED PLACE OF USE  
UNDER VESTED RIGHT  
FILE NO. ST-009**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Douglas F. & Renell M. Bell, 1 Ford Drive, Colby, Kansas, 67730, received in this office on February 22, 2016, for approval of a change in the location of the point of diversion under the vested right order, determining and establishing a vested right to continue the beneficial use of water, then identified in the office of the Chief Engineer as Vested Right, Code 629, Stanton County, Now identified as Vested Right, File No. ST-009, as modified and amended by the Orders of the Chief Engineer dated March 10, 1978, approving the application to change the authorized point of diversion and place of use, and by the Orders of the Chief Engineer dated June 1, 1994, approving the application to change the authorized place of use, and by the Orders of the Chief Engineer dated October 31, 2013, approving the application to change the authorized point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

This order effectively reduces the authorized diversion rate to 960 gallons per minute (2.13 c.f.s.).

The application, therefore, is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (February 22, 2106) to add the additional well.

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 point of diversion shall be:

one (1) well located in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 230 feet North and 1,171 feet West of the Southeast corner of said section, at a diversion rate not in excess of 480 gallons per minute (1.07 c.f.s.) and in a quantity not to exceed 150 acre-feet of water per calendar year, in Township 29 South, Range 39 West, Stanton County, Kansas,

one (1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section 2, more particularly described as being near a point 2,014 feet North and 2,627 feet West of the Southeast corner of said section, at a diversion rate not in excess of 480 gallons per minute (1.07 c.f.s.) and in a quantity not to exceed 150 acre-feet of water per calendar year, in Township 29 South, Range 39 West, Stanton County, Kansas,

and the location of the authorized place of use shall be reduced to:

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	
11	29S	39W	40.00	40.00	40.00	40.00													160.00
2	29S	39W					Lot 3 40.01	Lot 4 31.80	40.00	40.00	40.00	40.00	40.00	40.00	40.00	35.70	40.00		467.51

a total of 627.51 acres all in Township 29 South, Range 39 West, Stanton County, Kansas, located substantially as shown on the map accompanying the application to change the point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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.

The Chief Engineer specifically retains jurisdiction in the matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

In all other respects, the vested right order, determining and establishing a vested right to continue the beneficial use of water, identified in the office of the Chief Engineer as Vested Right, File No. ST-009, is as stated and set forth in the vested right order executed by the Chief Engineer on January 8, 1960, 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 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 19<sup>th</sup> 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 19<sup>th</sup> day of July, 2016, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

*Amber L. Herring*

Notary Public





### CERTIFICATE OF SERVICE

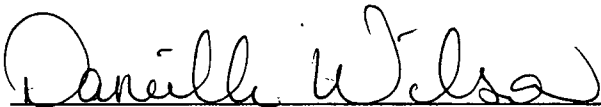
On this 21 day of July, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, File No. ST-009, dated July 19, 2016 was mailed postage prepaid, first class, US mail to the following:

DOUGLAS F & RENELL M BELL  
1 FORD DRIVE  
COLBY KS 67701

With photocopies to:

Garden City Field Office

Groundwater Management District No. 3

  
\_\_\_\_\_  
Division of Water Resources

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, KS 66502  
[www.ksda.gov/dwr](http://www.ksda.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

WATER RESOURCES  
RECEIVED

FEB 22 2016

11:51

KS DEPT OF AGRICULTURE

File No. ST009

2. Name of applicant: Douglas F. and Renell M. Bell

Address: 1 Ford Drive

City, State and Zip: Colby, KS. 67730

Phone Number: (785)462-6757 E-mail address: NA

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

Name of water use correspondent: Douglas Bell

Address: 1 Ford Drive

City, State and Zip: Colby, KS. 67669

Phone Number: (785)462-6757 E-mail address: NA

3. The change(s) proposed herein are desired for the following reasons (please be specific): a complete an additional well under this file.

The change(s) will be completed by June 2016

(Date)

<b>For Office Use Only:</b>							
F.O. <u>4</u>	GMD <u>3</u>	Meets K.A.R. 5-5-1 <u>(YES/NO)</u>	Use <u>IRR</u>	Source <u>G/S</u>	County <u>ST</u>	By <u>ASW</u>	Date <u>2/22/16</u>
Code <u>601</u>	Fee \$ <u>20</u>	TR # <u>110129700</u>	Receipt Date <u>2/22/16</u>	Check # <u>609</u>			

APPLICATION COMPLETE

7/1/16  
Reviewer AM

SCANNED

Accepted by 2/25/2016 WJ

4. The presently authorized place of use is:

Owner of Land — NAME: Douglas F. and Renell M. Bell

ADDRESS: 1 Ford Drive Colby, KS. 67701

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	
2	29	39W					40.01	31.80	40	40	40	40	40	40	40	40	40	40	471.81
11	29	39W	40	40	40	40													160

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. Water Right File No. 5404 No other land owners

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

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

Owner of Land — NAME: No Change in Place of Use is being proposed

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. \_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

- 6. The presently authorized point(s) of diversion are One well; pump and motor  
(Provide description and number of points)
- 7. The proposed point(s) of diversion two wells two pumps and two motors  
(Provide description and number of points)

List all presently authorized point(s) of diversion:

\* 8. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SE Quarter of the SE Quarter of Section 2, Township 29 South, Range 39 W, in Stanton County, Kansas, 212<sup>230</sup> feet North 1066<sup>117</sup> feet West of Southeast corner of section.  
 Authorized Rate 1000 gpm Authorized Quantity 300 AF  
 (DWR use only: Computer ID No. 51082396) GPS 212 feet North 1066 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) the additional point of diversion described below:**  
 One in the NW Quarter of the NW Quarter of the SE Quarter of Section 2, Township 29 South, Range 39 W, in Stanton County, Kansas, 2014 feet North 2627 feet West of Southeast corner of section.  
 Proposed Rate 1000 gpm Proposed Quantity 300 AF Proposed Rate 480\*\* Proposed Quantity 150\*\* AF  
 This point is:  Additional Well  Geo Center List other water rights that will use this point (\*) 26825

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ W, in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 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) Better Describe PD**  
 One in the SW Quarter of the SE Quarter of the SE Quarter of Section 2, Township 29 South, Range 39 W, in Stanton County, Kansas, 212 feet North 1066 feet West of Southeast corner of section.  
 Proposed Rate 480\*\* Proposed Quantity 150\*\*  
 This point is:  Additional Well  Geo Center List other water rights that will use this point (\*) 26825

10. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ W, in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 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 \_\_\_\_\_ 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. At present all wells proposed will be used.

WATER RESOURCES RECEIVED

\* Modified per WRIS & 7/24/14 Compliance investigation  
CCFD \* RAK/dm 6/9/16

FEB 22 2016

(\*) RAK/dm 6/9/16

\*\*BAT 6-9-16  
AS PER PHONE D.BEL

SCANNED

KS DEPT OF AGRICULTURE

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

It is proposed that the use be changed to No Change is proposed purposes.

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

No Changes in Consumptive Use are proposed

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to No change (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to No change gallons per minute (NA 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.

Well spacing is met; no impairment is anticipated

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.

NA

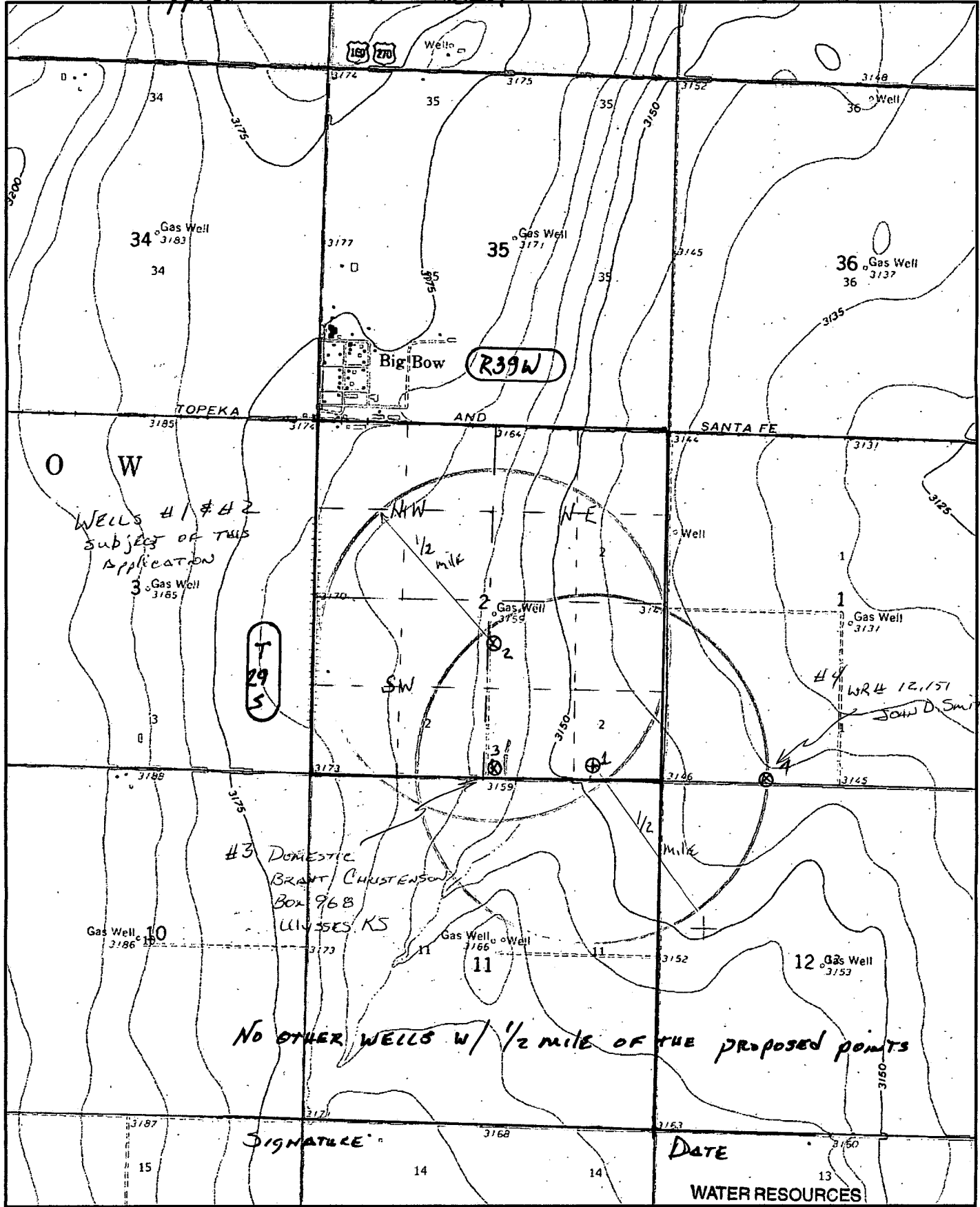
**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

RECEIVED IN THE  
OFFICE OF THE  
COMMISSIONER

8/15/16

\* RSK/aw 6/9/16

Application For An Additional Well File No. ST009



FEB 22 2016



WATER RESOURCES RECEIVED

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 Colby, Kansas, this 17<sup>th</sup> day of February, 2016.

[Signature]  
(Owner)

[Signature]  
(Spouse)

Douglas F. Beck  
(Please Print)

Renell M Bell  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

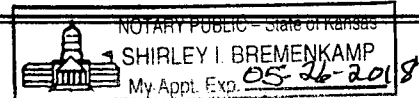
State of Kansas }  
County of Thomas } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 17<sup>th</sup> day of February, 2016.

[Signature]  
Notary Public

My Commission Expires May 26, 2018.

**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  
SCANNED  
FEB 22 2016  
KS DEPT OF AGRICULTURE

**Supplement to Applications for Additional Wells**  
**Additional information required under K.A.R. 5-5-16**

Checklist

Vested Right, File No. 57009

Water Right File No. 26,825

Maximum Quantity Perfected 300 + 498 = 798 AF;

Maximum Quantity Authorized prior to Change. 798 AF

Maximum Consumptive Use during the Perfection period. 773.9 AF

(based on maximum acres during perfection X 80% NIR @ 85% efficiency)

Certified Rate of Diversion 1000 / 915 GPM

Current tested Rate of Diversion \_\_\_\_\_ GPM

(based on a current rate test by a person certified to make such a test)

Attach a stratigraphic well log of the well authorized prior to the application for change;

Current Well Depth \_\_\_\_\_;

Current Well Static Water Level \_\_\_\_\_ as of \_\_\_\_\_ 20 \_\_\_\_\_;

Attach a stratigraphic well log of the area within 300 feet of the proposed well location;

Proposed Well Depth 620'

Proposed Well Static Water Level \_\_\_\_\_

Other

information: 57009 and 26,825 authorize the same well.

57009 has 160 Perfected Ac; 26,825 has 300 Perfected Ac. Total 460 Perfected Ac.

CU = 460 Perfected Ac X 1.43 AF/Ac (80% NIR ST.Co) ÷ 0.85 = 773.9 AF

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WATER RESOURCES  
RECEIVED

FEB 22 2016

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KS DEPT OF AGRICULTURE



Douglas + Belle

Sec. 2, T-29

Survey R-39 Co. Stanton

N. 37-5530 W. 101-5530

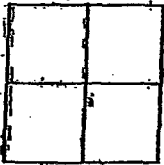


Hydro Resources

No. 19894

P.O. Box 274  
Slaton, Texas 79086  
(806) 948-4121

Beth Nelson



Test  Waterwell

NO. 9-11

DATE 4-15-14

FROM	TO	DESCRIPTION	SAND
0	20	Surface top soil brown clay w/ sandy clay strip	
20	320	Sand w/ clay over sticky clay strip	
320	340	med. fine fairly loose sandy clay mix	20
340	360	med. fine fairly loose sandy clay mix	20
360	380	med. fine fairly loose sandy clay mix to brown clay	9
380	400	Brown sandy clay to fine to med. fairly loose sand	16
400	420	med. fine fairly loose sand	20
420	440	med. to coarse fairly loose sand w/ gravel + light gravel strip	20
440	460	Brown sandy clay to fine little light sand w/ clay mix	13
460	480	Fine little light sand w/ brown and yellow clay mix	20
480	500	Fine little light sand w/ brown and yellow clay mix	20
500	520	Fine little light sand w/ little brown and yellow clay mix	20
520	540	Fine fairly loose sand w/ little clay mix	20
540	560	Fine little light sand w/ little clay mix	20
560	580	Fine little light sand w/ little clay mix	20
580	600	Fine little light sand w/ little clay mix	20
600	620	Brown, gray and red clay shale	0
620	640	Red clay shale	0

USED SOME WATER

USED SOME WATER

WATER RESOURCES RECEIVED

MAY 09 2014

1/2 SK Wells

KS DEPT OF AGRICULTURE WATER RESOURCES RECEIVED

SCANNED

FEB 22 2016

KS DEPT OF AGRICULTURE

## McColloch, Austin

---

**From:** Meyer, Mike  
**Sent:** Friday, July 01, 2016 8:05 AM  
**To:** McColloch, Austin  
**Subject:** RE: Recommendation File Nos. ST-009; 26,825; 5,404

I recommend approval

thanks

---

**From:** McColloch, Austin  
**Sent:** Thursday, June 30, 2016 3:28 PM  
**To:** Meyer, Mike <Mike.Meyer@ks.gov>  
**Cc:** Makens, Thom <Thom.Makens@ks.gov>  
**Subject:** Recommendation File Nos. ST-009; 26,825; 5,404

Mike,

I am looking for your recommendation on the attached memo for Change Applications File Nos. St-009 & 26,825 and Request to Reduce a Water Right File No. 5,404 all from Douglas F. and Renell M. Bell. The change applications are for an additional well and the request to reduce is to clean up the PU for all files to keep an overlap.

Thanks,

Austin McColloch  
Environmental Scientist  
(785) 546-6643



**Southwest Kansas**  
**Groundwater Management District No. 3**  
2009 E. Spruce Street  
Garden City, Kansas 67846  
(620) 275-7147 phone (620) 275-1431 fax  
www.gmd3.org

June 28, 2016

Brent A. Turney  
Kansas Department of Agriculture  
Division of Water Resources  
1320 Research Park Drive  
Manhattan, Kansas 66502

**WATER RESOURCES  
RECEIVED**

**JUN 30 2016**

**KS DEPT OF AGRICULTURE**

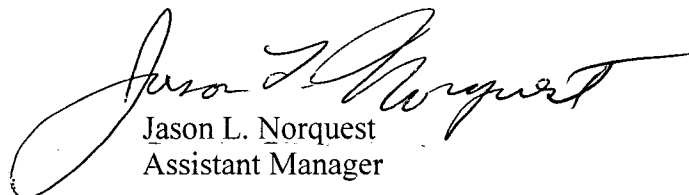
RE: Application, Additional Well  
Vested Right, File No. ST 9  
Water Right, File No. 26,825

Dear Brent:

We have completed a review for the above referenced applications. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposal seeks to authorize an additional well, so instead of on well site, these water rights will authorize two for irrigation. The applications seem to meet the rules for the area, more specifically K.A.R. 5-5-16 and K.A.R. 5-23-3. It is therefore recommended that the applications be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest  
Assistant Manager

.....

QUANTITIES:

>AUTHORIZED 300.000 AF ADDITIONAL 300.000 AF

.....

RATES:

>AUTHORIZED 1000.000 gpm ADDITIONAL 1000.000 gpm

.....

LIMITATIONS: None

.....

STORAGE QUANTITIES: No active storage quantities associated with IRR use under this water right

STORAGE RATES: No active storage rates associated with IRR use under this water right

.....

AUTHORIZED POINTS(S) OF DIVERSION

Section 2, T 29, R 39W, ID 5 (Internal PDIV\_ID = 82396)

QUALIFIERS: SW SE SE

DIST. FROM SE CORNER: 230 ft North 1171 ft West

NUMBER OF WELLS: 1

COMMENT: 395' S & 1454' W OF PREVIOUS PT OF DIVERSION

OLD LONGITUDE: OLD LATITUDE:

NEW LONGITUDE: 101.548061 NEW LATITUDE: 37.548361

GPS LONGITUDE: GPS LATITUDE:

GPS FEET NORTH: GPS FEET WEST:

COUNTY: STANTON

FIELD OFFICE: GARDEN CITY FIELD OFFICE

GMD : 3

BASIN: N F CIMARRON RIVER

STREAM:

SPECIAL\_USE\_AREA(S):

AQUIFER(S):

> OGALLALA FORMATION

> DAKOTA FORMATION

TEST INFORMATION:

METER ACTION TRAIL:

OVERLAPS:

> A 26825 00 IRR

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AUTHORIZED PLACE(S) OF USE

Section 2, T 29, R 39W, ID 1 (Internal PUSE\_ID = 5907)

OWNER: DOUGLAS F & RENELL M BELL

Address:

\*\* 1 FORD DRIVE

\*\* COLBY KS 67701

Total acres authorized = 155.70 Acres

NE				NW				SW				SE				
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	40.00	40.00	35.70	40.00

COMMENT:

OVERLAPS:

> A 5404 00 IRR

> A 26825 00 IRR

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WATER RIGHT INFORMATION REPORT FOR VESTED RIGHT: ST9 00

SOURCE: Groundwater USE: IRR

CURRENT STATUS: Vested Active

ACTIVE DATE: 05-APR-50

.....

APPLICANT(S):

- > ARLENE M BROWN 12804 SADDLE SIDE RD FORD KS 67842
- > PERSON ID (Old Address Code): 2061
- > CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

WATER USE CORRESPONDENT(S):

- > DOUGLAS F & RENELL M BELL 1 FORD DRIVE COLBY KS 67701
- > PERSON ID (Old Address Code): 40622
- > CORRESPONDENT SEQUENCE NUMBER: 1

>-----

.....

ACTION TRAIL:

- 05-APR-50 Vested Active
- 10-MAR-78 Change Application For P/D & P/U
- 05-JUL-78 Recorded Ksa 82a-704 A (E)
- 01-AUG-80 Change Approved
- 01-AUG-80 Land Owner Change
- 27-DEC-88 Land Owner Chg-Edna N Kliewer
- 27-DEC-88 Corres & Wur From A P Kliewer To Edna N Kliewer
- 28-AUG-90 Corres & Wur From Edna Kliewer To David Kliewer
- 25-JUN-92 Land Owner Chg-Harry & Winona Trussell
- 14-JAN-93 Change Application For Place Of Use
- 10-FEB-94 Name Chg-From Edna N Kliewer To Edna N Kliewer Trust
- 01-JUN-94 Change Approved
- 01-JUN-94 Land Owner Chg-Part Of Land-Edna N Kliewer Trust
- 08-APR-99 Landowner Chg-Part Of Land-Marian S Duvall
- 19-JUN-13 C1 Fo Change App Pd Filed
- 15-JUL-13 Landowner Chg-Douglas F & Renell M Bell & Hunter W & Barbara A Duvall
- 15-JUL-13 Wur From David H & Emma Jean Kliewer To Douglas F & Renell M Bell
- 31-OCT-13 C1 Fo Change Pd Approved CHG N+P BY 31-DEC-14
- 31-OCT-13 Landowner Chg-Part Of Land- Douglas F & Renell M Bell
- 02-APR-14 C1 Change Completion Acknowledged
- 09-MAY-14 C2 Change App Pd Filed
- 29-DEC-14 C2 Change Pd Dismissed
- 29-DEC-14 F & O - Dismiss Change P/D
- 29-JAN-15 C3 Change App Pd Filed
- 03-JUN-15 Landowner Chg - Part Of Land - David & Emma Jean Kliewer
- 22-JUL-15 C3 Change Pd Dismissed
- 22-JUL-15 F & O - Dismiss Change P/D
- 22-FEB-16 C4 Change App Pd Filed

.....

CONSERVATION CONTRACT ACTION TRAIL:

.....

CONSERVATION PLAN ACTION TRAIL:

.....

SPECIAL CONDITIONS:

2009	625N	2625W	2	1	22-FEB-10	53.0	A	246		N/A	N/A	60	2693		
2008	625N	2625W	2	1	13-FEB-09	42.0	A	246		N/A	N/A	54	1453		
2007	625N	2625W	2	1	27-FEB-08	E	N/A		N/A	N/A	49	732			
2007	625N	2625W	2	1	27-FEB-08	Comment: ADEQUAT MOISTURE									
2006	625N	2625W	2	1	22-FEB-07	.0	H			N/A	N/A	42	1878		
2006	625N	2625W	2	1	22-FEB-07	Comment: WHEAT									
2005	625N	2625W	2	1	01-MAR-06	.0	3	N/A		N/A	N/A	38	22		
2004	625N	2625W	2	1	24-FEB-05	35.2	M	246		N/A	N/A	31	431		
2003	625N	2625W	2	1	23-FEB-04	81.9	M	246		N/A	N/A	24	2450		
2002	625N	2625W	2	1	13-FEB-03	211.0	M	266		N/A	N/A	18	1112		
2001	625N	2625W	2	1	25-FEB-02	4.4	M	230		N/A	N/A	13	1010		
2000	625N	2625W	2	1	21-FEB-01	125.4	M	231		N/A	N/A	6	2053		
1999	625N	2625W	2	1	09-FEB-00	3	N/A		N/A	N/A	1.2	682			
1998	625N	2625W	2	1	14-JAN-99	109.0	M	369		N/A	N/A	92	1117		
1997	625N	2625W	2	1	02-MAR-98	127.5	M	315		N/A	N/A	89	647		
1996	625N	2625W	2	1	10-FEB-97	134.9	M	342		N/A	N/A	81	1034		
1995	625N	2625W	2	1	04-MAR-96	0	0	161.4	8	240		N/A	N/A	77	1259
1994	625N	2625W	2	1	06-FEB-95	0	0	108.2	8	240		N/A	N/A	70	778
1993	625N	2625W	2	1	20-JAN-94	0	0	111.7	8	400		N/A	N/A	62	2034
1992	625N	2625W	2	1	16-FEB-93	4320	850	676.1	G	400		N/A	N/A	58	2215
1991	625N	2625W	2	1	27-FEB-92	5112	850	800.1	G	400		N/A	N/A	53	1379
1990	625N	2625W	2	1	04-MAR-91	4008	850	627.3	G	400		N/A	N/A	47	3078
1989	625N	2625W	2	1	22-FEB-90	5040	983	912.3	G	464		196	390	43	1296
1988	625N	2625W	2	1		7848	960	1387.3	G	310		194	390	35	2930
1987	625N	2625W	2	1		4056	960	717.0	G	420		N/A	N/A	34	227
1986	625N	2625W	2	1		3624	0	.0	G			N/A	N/A	26	2926
1985	625N	2625W	2	1		0	0	.0	0			N/A	N/A	0	0
1984	625N	2625W	2	1		6120	1000	1126.9	G	620		N/A	N/A	19	1372
1983	625N	2625W	2	1		0	0	.0	0			N/A	N/A	0	0
1982	625N	2625W	2	1		4820	1200	1065.0	G	320	01-JAN-83	175	395	6	748
1981	625N	2625W	2	1		5760	1500	1590.9	G	600	31-JAN-82	175	N/A	1	2378

Section 11, T 29, R 39W, ID 1 (Internal PUSE\_ID = 17280)

OWNER: DOUGLAS F & RENELL M BELL

Address:

\*\* 1 FORD DRIVE  
 \*\* COLBY KS 67701

Total acres authorized = 160.00 Acres

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
40.00	40.00	40.00	40.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00

COMMENT:

OVERLAPS:

> A 5404 00 IRR  
 > A 26825 00 IRR

Section 2, T 29, R 39W, ID 2 (Internal PUSE\_ID = 19255)

OWNER: DOUGLAS F & RENELL M BELL

Address:

\*\* 1 FORD DRIVE  
 \*\* COLBY KS 67701

Total acres authorized = 311.81 Acres

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
.00	.00	.00	.00	40.01	31.80	40.00	40.00	40.00	40.00	40.00	40.00	.00	.00	.00	.00

COMMENT: L-3 (NENW), L-4 (NWNW)

OVERLAPS:

> A 5404 00 IRR  
 > A 26825 00 IRR

Section 2, T 29, R 39W, ID 5 (Internal PUSE\_ID = 66970)

OWNER: DAVID H & EMMA JEAN KLIEWER

Address:

\*\* BOX 968  
 \*\* ULYSSES KS 67880

Total acres authorized = 4.30 Acres

NE				NW				SW				SE			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	4.30	.00

COMMENT:

OVERLAPS:

> A 5404 00 IRR  
 > A 26825 00 IRR

WATER USE INFORMATION:

Year	Qualifiers	SC	ID	Date Rcvd.	Hours	GPM	Acre-feet	Code	Ac_Irr	Date Msrd	Wtr_Dp	Well_Dp	Reel	Blip		
2015	230N	1171W	2	5 22-FEB-16		554.0	A	244		N/A	N/A	92	5207			
2014	230N	1171W	2	5 09-FEB-15		285.0	A	244		N/A	N/A	88	3106			
2013	230N	1171W	2	5 28-FEB-14		150.0	A	240		N/A	N/A	84	609			
2012	625N	2625W	2	1 09-JAN-13		127.0	A	246		N/A	N/A	77	572			
2011	625N	2625W	2	1 27-FEB-12		3	N/A		N/A	N/A	73	1150				
2010	625N	2625W	2	1 22-FEB-11		H	N/A		N/A	N/A	66	2391				
2010	625N	2625W	2	1 22-FEB-11		Comment: WHEAT										

**QUITCLAIM DEED**

NOW, on this 31 day of February, 2016, David H. Kliewer and Emma Jean Kliewer, husband and wife, ("Grantors"), hereby QUIT CLAIM to Douglas F. Bell and Renell M. Bell, husband and wife, ("Grantees"), all of Grantors' right, title and interest in the following described water rights authorizing the irrigation of the following described real estate located in Stanton County, Kansas, to-wit:

**Vested Water Right File No. ST-009**

Authorizes the use of water for irrigation purposes from groundwater diverted by means of (1) well located in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 2, Township 29 South, Range 39 West in Stanton County, Kansas. This right further authorizes the irrigation of the following lands;

160 acres in the Southeast Quarter;

160 acres in the Southwest Quarter;

40.01 acres in the Northeast Quarter of the Northwest Quarter;

31.80 acres in the Northwest Quarter of the Northwest Quarter;

80 acres in the South One-Half of the Northwest Quarter;

In Section 2;

160 acres in the Northeast Quarter;

In Section 11;

All in Township 29 South, Range 39 West in Stanton County, Kansas.



Further this right authorizes the diversion of 300 acre-foot of water per calendar year at a rate not to exceed 1000 gallons per minute.

**Water Right File No. 5404**

Authorizes the use of water for irrigation purposes from groundwater diverted by means of (1) well located in the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 11, Township 29 South, Range 39 West in Stanton County, Kansas. This right further authorizes the irrigation of the following lands:

160 acres in the Southeast Quarter;

160 acres in the Southwest Quarter;

40.01 acres in the Northeast Quarter of the Northwest Quarter;

31.80 acres in the Northwest Quarter of the Northwest Quarter;

80 acres in the South One-Half of the Northwest Quarter;

In Section 2;

160 acres in the Northeast Quarter;

In Section 11;

All in Township 29 South, Range 39 West in Stanton County, Kansas.

Further this right authorizes the diversion of 320 acre-foot of water per calendar year at a rate not to exceed 425 gallons per minute.

**Water Right File No. 26,825**

Authorizes the use of water for irrigation purposes from groundwater diverted by means of (1) well located in

Pursuant to K.S.A. 79-1437e(a), a real estate validation questionnaire is not required due to Exception No. 12.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

David H. Kliever  
Grantor, David H. Kliever

Emma Jean Kliever  
Grantor, Emma Jean Kliever

STATE OF KANSAS )  
 )  
COUNTY OF GRANT ) SS:

BE IT REMEMBERED, that on this 1<sup>st</sup> day of Feb., 2016, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **David H. Kliever and Emma Jean Kliever, Grantors**, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.

Yamara J. Olweir  
Notary Public

MY APPOINTMENT EXPIRES:  
12-18-18



STATE OF KANSAS }  
STANTON COUNTY } SS.

This instrument was filed for record on the  
25 day of February 2016  
at 11:50 o'clock A M and duly recorded  
in Book 61 Page 138 Fee \$ 49.00  
Susan S. Lucas  
Register of Deeds



Entered in Transfer Record  
In My Office This 25 Day of  
February A.D. 2016  
Yamara J. Olweir  
County Clerk

the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of Section 2, Township 29 South, Range 39 West in Stanton County, Kansas. This right further authorizes the irrigation of the following lands;

160 acres in the Southeast Quarter;

160 acres in the Southwest Quarter;

40.01 acres in the Northeast Quarter of the Northwest Quarter;

31.80 acres in the Northwest Quarter of the Northwest Quarter;

80 acres in the South One-Half of the Northwest Quarter;

In Section 2;

160 acres in the Northeast Quarter;

In Section 11;

All in Township 29 South, Range 39 West in Stanton County, Kansas.

Further this right authorizes the diversion of 498 acre-feet of water per calendar year at a rate not to exceed 915 gallons per minute. This right is further limited to 1000 gallons per minute when combined with Vested Right File No. ST-009

**(A total of 631.81 acres.)**

TOGETHER WITH all rights, privileges, tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining; TO HAVE AND TO HOLD the same unto the said **Grantees** and the **Grantees'** heirs and assigns forever.

That said conveyance being dated, duly signed, and acknowledged by **Grantors**, shall be deemed to be good and sufficient conveyance in quitclaim to **Grantees**, their heirs and assigns.

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 22, 2016

**FILE COPY**

GROUNDWATER MANAGEMENT DISTRICT #3  
2009 E SPRUCE ST  
GARDEN CITY KANSAS 67846

Re: Change Application,  
File No. ST-009 & 26,825

Dear Sir or Madam:

We are enclosing a copy of the referenced applications, which were submitted by Douglas Bell and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications. Please submit your recommendations within the allotted time, or any authorized extension of time thereof.

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 to that I may help you more efficiently.

Sincerely,

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

Enclosure  
pc: Garden City Field Office

SCANNED



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

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

DOUGLAS F AND RENELL M BELL  
1 FORD DRIVE  
COLBY KS 67730

February 25, 2016

RE: File No. ST 009

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

BAT: DLW  
pc: GARDEN CITY Field Office GMD 3

SCANNED