

CHECK SHEET Short Change

(To be completed and attached to each application)

File No. 14905

Field Office No. 4

GMD No. 3

1. **Plugging agreement obtained for GMD?** Yes No Non Applicable
2. **Is Landowner correct as currently shown in WRIS?** Yes No **Address Change?** NO
If applicable, list Place of Use Overlap File Nos. _____
3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes No **Address Change?** NO
Name of Former WUC _____ Name of New WUC _____
4. a. **Point of diversion computer ID No(s).** 4 **for point(s) being changed.**

b. **Show feet distances from the** SE **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
ENT			18	32	31	134	1324	Seward	SESWSE
DEL	66001								

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
_____	_____ gpm	_____ gpm	_____ af	_____ af
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy

d. **Name of Drainage Basin** cimarron **Is this correctly shown in WRIS?** Yes No

e. **Formation Name & No.** 211/331 oglala dakota **Special Use Area** na

5. **Distances from the original p/d:** _____ 2382 ' N _____ 514 ' W

6. WATER RIGHT ACTION TRAIL COMMENTS

12/4/17 Change Application Received (date accepted for priority)
12 / 12 / 17 Change Approved
 Notice and Proof by 12/31/18
 _____ / _____ / _____ Completion Requirement Removed (Change No. C _____)

7. METER ACTION TRAIL COMMENTS

12 / 12 / 17 DWR Meter Required by 12/31/18

8. Base Acres _____ Year _____ Minimum Reasonable Quantity _____

Date Created 12/8/17 by tpm

Date Entered _____ by _____

CHECK SHEET ATTACHMENT

File Number 14905

9. Changes to the place of use will be:

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL ACRES	
						NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
NO CHG	40396	30186	7	32	31w	Acres Authorized New Acres													
NO CHG	40396	33099	18	32	31w	Acres Authorized New Acres													
NO CHG	40396	7741	13	32	32w	Acres Authorized New Acres													
NO CHG	40396	11852	13	32	32w	Acres Authorized New Acres													

Names and Address:

1. Person ID # 40396	2. Person ID #	3. Person ID #
DAN & JAMIE EAKES		
PO BOX 615		
PLAINS KS 67869		

GENERAL INSTRUCTIONS

- Give to Applicant:
 - Original application/approval
 - Original receipt (one for each application)
 - Information packet containing:
 - Notice and Proof form
 - Water Meter Specifications
 - Acceptable Meter list
 - Water level measurement tube specifications
 - Check Valve specifications
 - Pink Sheet - K.S.A. 82a-728 letter
 - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
 - Send to headquarters:
 - Good, **microfilmable** copy of application and/or approval and this check sheet
 - Original check and copy of receipt
 - Test hole log
 - GMD recommendation, if any
 - Map or aerial photograph, if any
 - Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well.

CONDITIONS

 - Insert notice and proof date.
 - Type or print applicant's/owner's name on line.
 - Complete notary statement.
 - Date stamp received and approved.
 - Complete ownership and WUC change information.
- ADDITIONAL PHOTOCOPIES
- _____
- _____
- _____
- _____
- _____
- _____


Kansas
Department of Agriculture
Division of Water Resources

Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

December 12, 2017

DAN & JAMIE EAKES
PO BOX 615
PLAINS KS 67869

RE: Change in Point of Diversion Water Right, File No 39942

Dear Mr. & Mrs Eakes:

Enclosed you will find a *Summary Order Approving Application for Change in Points of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources **by December 31, 2018**. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,



Thomas P. Makens
Assistant Water Commissioner

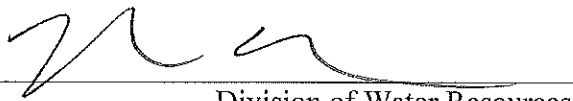
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 13th day of December 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 14905 dated December 12, 2017 was mailed postage prepaid, first class, US mail to the following:

DAN & JAMIE EAKES
PO BOX 615
PLAINS KS 67869

Copy provided to GMD#3



Division of Water Resources

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.

RECEIVED
 3:10pm
 DEC 04 2017

File No. 14905

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):
 Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: DAN & JAMIE EAKES
PO BOX 615 PLAINS KS 67869
 Phone Number: (620)655-4195 Email address: _____
 Name and address of Water Use Correspondent: DAN & JAMIE EAKES
PO BOX 615 PLAINS KS 67869
 Phone Number: () Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: DAN & JAMIE EAKES
 ADDRESS: PO BOX 615 PLAINS KS 67869
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:
 Owner of Land ---- NAME: no change to acres
 ADDRESS: _____
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

For Office Use Only: Code _____ Fee \$ 200 TR # _____ Receipt Date 12/4/17 Check # 1173

5. **Presently authorized point of diversion:**
 One in the nw Quarter of the ne Quarter of the se Quarter
 of Section 18 , Township 32 South, Range 31 W,
 in Seward County, Kansas, 2516 feet North 810 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 4 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 se Quarter of the sw Quarter of the se Quarter
 of Section 18 , Township 32 South, Range 31 W,
 in Seward County, Kansas, 134 feet North 1324 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ Quarter of the _____ Quarter
 of Section _____, Township _____ South, Range _____ (E/W),
 in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows:
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 _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

7. Why do you need a new point of diversion? _____
old well needs to be replaced
may add old back on as add well

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

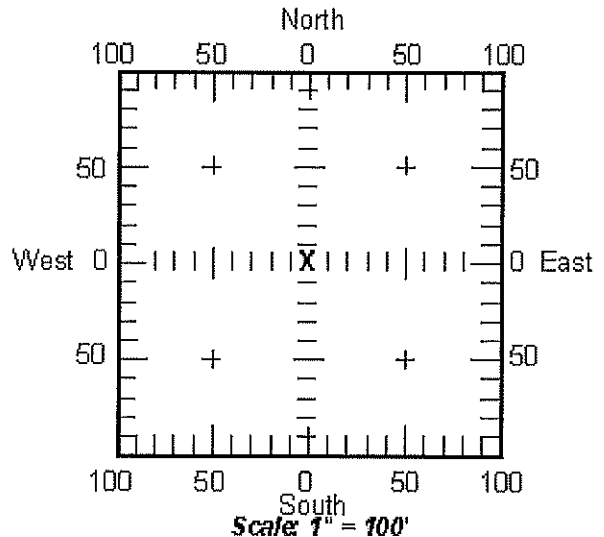
9. When do you propose to complete the new point of diversion?
December 31, 2017

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
cap
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by tpm

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 *et. seq.* With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 14905.


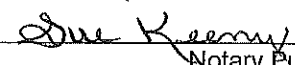
1. A change application was received on December 4, 2017 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion authorized herein shall not actually be located more than 2640 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
5. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
6. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before **December 31, 2018**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
7. Installation of the works for diversion of water shall be completed on or before **December 31, 2018**, or within any authorized extension of time. By March 1, 2019 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
10. Additional Conditions are attached. Yes No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

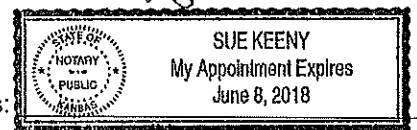
Administrative Appeal and Effective Date of Order

You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown on the Certificate of Service.

For Use by Register of Deeds

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

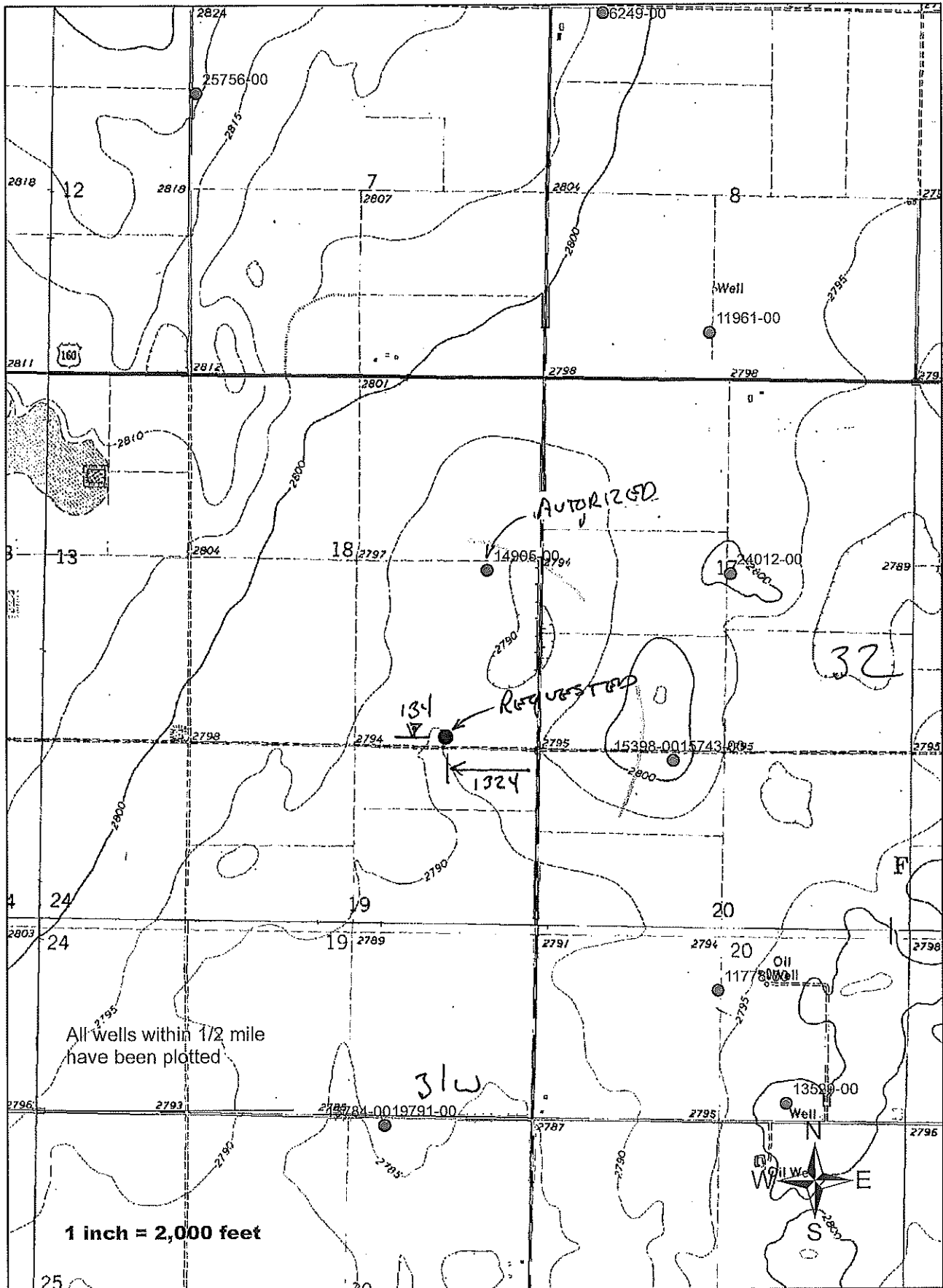
By: 
Duly Authorized Designee of the Chief Engineer
(Print Name): THOMAS P. MAKENS
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: DECEMBER 12, 2017
State of Kansas)
County of Finnery) SS
Acknowledged before me on December 12, 2017
by Thomas P. Makens
Signature: 
Notary Public



My commission expires:

(Notary Seal)

14905





Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

December 4, 2017

Southwest Kansas Groundwater
Management District No 3
409 Campus Drive, Suite 106
Garden City KS 67846

Re: Water Right file number 14905

Dear Mr. Norquest;

Dan and Jamie Eakes has applied to relocate the wells authorized by the above water right number. There are no neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

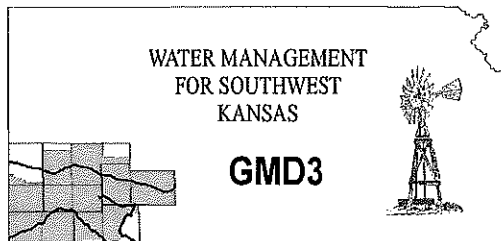
Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "Thomas P Makens".

Thomas P Makens

TPM:tpm
enc



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

December 5, 2017

Thomas P. Makens
Division of Water Resources
2508 N Johns Street
Garden City, Kansas 67846

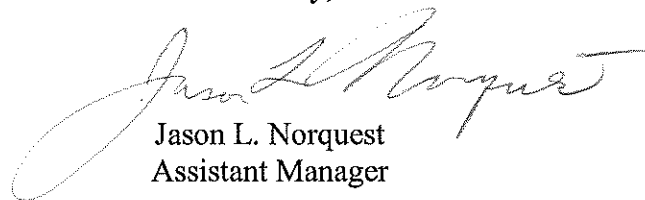
RE: Application for Change in Point of Diversion
Water Right, File No. 14905

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and spacing to neighboring wells is met in accordance with K.A.R. 5-23-3. It is therefore recommended that the application 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,

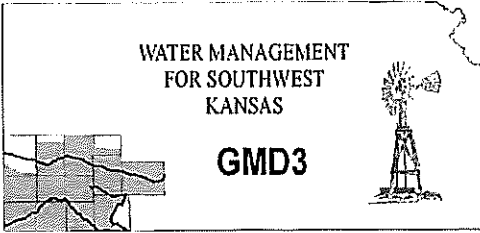


Jason L. Norquest
Assistant Manager

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DEC 05 2017

Garden City Field Office
DIVISION OF WATER RESOURCES



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

December 5, 2017

Thomas P. Makens
Division of Water Resources
2508 N Johns Street
Garden City, Kansas 67846

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DEC 05 2017

Garden City Field Office
Division of Water Resources

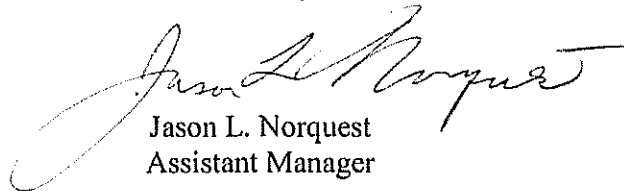
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Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,



Jason L. Norquest
Assistant Manager

GMD3 Change Review

File No(s): 14905.

DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Appears to be.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? Same as applicant.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-23-3 (Distance moved and spacing)

Point of diversion ID No(s) 4 being changed.

RECEIVED

DEC 05 2017

Garden City Field Office
Division of Water Resources

	ft. North	ft. West	
Authorized PD	2516	810	Sect. 18-32-31
Proposed PD	134	1324	
Difference	2382 S	-514 W	
$a^2 + b^2 = c^2$	5673924	264196	2436.826 foot move SW

GPS for proposed PD: Lat: 37.2573 Long: -100.7306.

Is proposed PD stacking on existing WRs? NO.

Is Proposed PU overlapping existing WRs? ___.

Land Owner(s) notified: No wells within half mile and no waiver needed.

Name ___.

Name ___.

Address ___.

Address ___.

Zip ___.

Zip ___.

Neighboring certified well(s) notified: ___.

Name ___.

Name ___.

Address ___.

Address ___.

Zip ___.

Zip ___.

Domestic well(s) notified: None found in area of concern.

Name ___.

Name ___.

Address ___.

Address ___.

Zip ___.

Zip ___.

Base Acres: ___.

Perfected Acres: ___.

Irr. Return-Flow ___%

Is a waiver needed: NO.

Final Recommendation: After review of all available information, it appears the area rules are met. Staff recommends approval of the application.



Water Rights and Points of Diversion Within 1.00 miles of point defined as:

134 ft N and 1324 ft W of the SE Corner of Section 18, T 32S, R 31W

Located at: 100.730165 West Longitude and 37.257280 North Latitude

GROUNDWATER ONLY

2300' Spacing on all

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 14905	00	IRR	NK	G* <i>↔</i> 2437	--	NW	NE	SE	2516	810	18	32	31W	4		732.00	732.00	AF
A__ 15398	00	IRR	NK	G		NW	NE	NW	5200	3345	20	32	31W	3		320.00	320.00	AF
A__ 15743	00	IRR	NK	G		NW	NE	NW	5200	3345	20	32	31W	3		220.00	220.00	AF
A__ 24012	00	IRR	NK	G		NW	NW	SE	2500	2600	17	32	31W	1		900.00	900.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2172.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2172.00	.00

Spacing MET!
JA

An * after the source of supply indicates a pending application for change for the file number.

An * after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.

The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

100.730165 West Longitude and 37.257280 North Latitude

GROUNDWATER ONLY

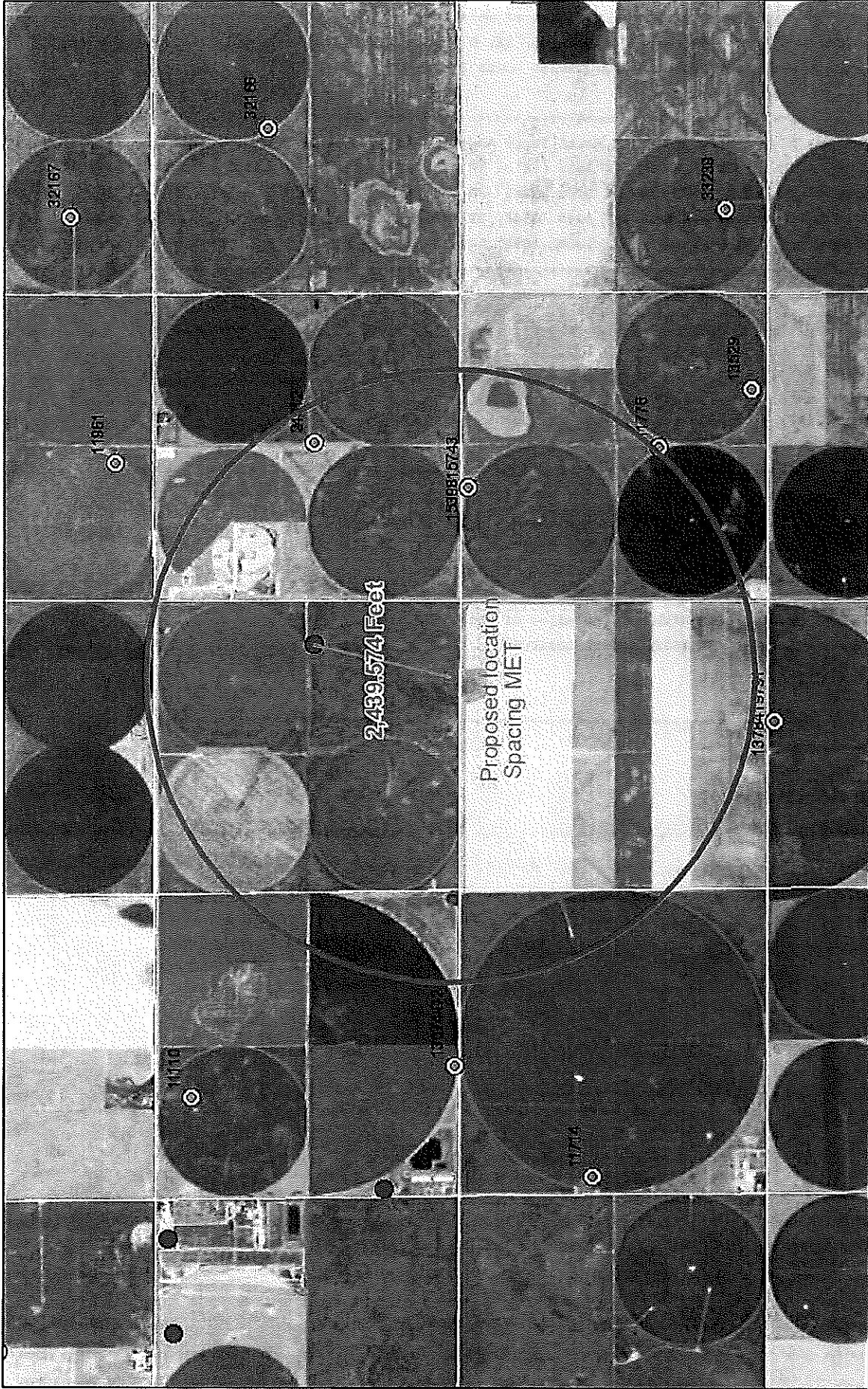
WATER USE CORRESPONDENTS:

- File Number Use ST SR
- A__ 14905 00 IRR NK G
 - > DAN & JAMIE EAKES
 - >
 - > PO BOX 615
 - > PLAINS KS 67869
-
- A__ 15398 00 IRR NK G
 - > SOUTHWEST FAMILY FARMS LLC
 - >
 - > 20494 HIGHWAY 160
 - > PLAINS KS 67869
-
- A__ 15743 00 IRR NK G
 - > SOUTHWEST FAMILY FARMS LLC
 - >
 - > 20494 HIGHWAY 160
 - > PLAINS KS 67869
-
- A__ 24012 00 IRR NK G
 - > SOUTHWEST FAMILY FARMS LLC
 - >
 - > 20494 HIGHWAY 160

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DEC 05 2017

Garden City Field Office
Division of Water Resources



December 5, 2017 09:54 AM
 DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.



- Meters
- Wells
- WIMAS WELLS GMD3

RECEIVED
 DEC 05 2017
 Garden City Field Office
 Division of Water Resources