



Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804

Jackie McCluskey, Secretary  
David W. Barfield, Chief Engineer  
Michael A. Meyer, Water Commissioner

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

June 21, 2017

LOVE AG COMPANY  
24506 13 RD  
MONTEZUMA KS 67867-9073

RE: Change in Point of Diversion Water Right, File No 16716

Dear Mr. Love

Enclosed you will find a *Summary Order Approving Application for Change in Point 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, 2017**. 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,

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

Thomas P. Makens  
Assistant Water Commissioner

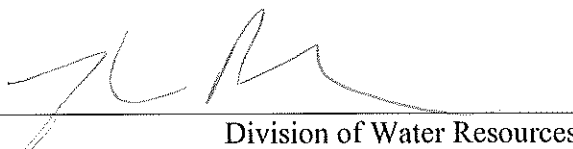
TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 22<sup>nd</sup> day of June 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 16716 D2 dated June 21, 2017 was mailed postage prepaid, first class, US mail to the following:

LOVE AG COMPANY  
24506 13 RD  
MONTEZUMA KS 67867-9073

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.

File No. 16716 D2

RECEIVED  
 9:00 AM  
 MAY 23 2017  
 Garden City Field Office  
 Division of Water Resources

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

Place of Use                       Point of Diversion

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: LOVE AG COMPANY

24506 13 RD MONTEZUMA KS 67867-9073

Phone Number: (620)846-0222                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: LOVE AG COMPANY

24506 13 RD MONTEZUMA KS 67867-9073

Phone Number: (     ) \_\_\_\_\_                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: LOVE AG COMPANY

ADDRESS: 24506 13 RD MONTEZUMA KS 67867-9073

(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 irrigated 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			

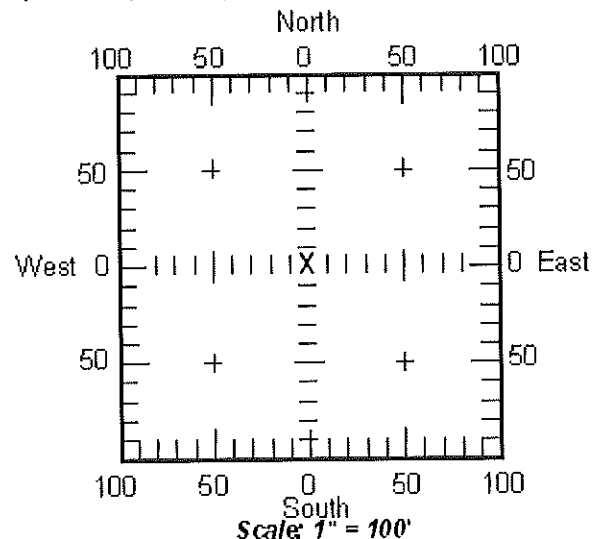
For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 5-23-17 Check # 5336

5. **Presently authorized point of diversion:**  
 One in the lot3 Quarter of the ne Quarter of the nw Quarter  
 of Section 2, Township 26 South, Range 29 W,  
 in Gray County, Kansas, 4056 feet North 3871 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 7 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 lot4 Quarter of the nw Quarter of the nw Quarter  
 of Section 2, Township 26 South, Range 29 W,  
 in Gray County, Kansas, 4682 feet North 5194 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 sw Quarter of the nw Quarter of the se Quarter  
 of Section 2, Township 26 South, Range 29 W,  
 in Gray County, Kansas, 1725 feet North 1985 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 6 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 \_\_\_\_\_  
 \_\_\_\_\_

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.)



8. If a well, is the test hole log attached?  Yes  No
9. When do you propose to complete the new point of diversion?  
June 15, 2017
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
plug  
 (b) When will this be done? 2017
11. Groundwater Management District recommendation attached?  Yes  No
12. Assisted by tpm

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.

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 16716 D2

**Presently authorized point of diversion:**

One in the \_\_\_\_\_ nw \_\_\_\_\_ Quarter of the \_\_\_\_\_ se \_\_\_\_\_ Quarter of the \_\_\_\_\_ se \_\_\_\_\_ Quarter  
of Section \_\_\_\_\_ 34 \_\_\_\_\_, Township \_\_\_\_\_ 25 \_\_\_\_\_ South, Range \_\_\_\_\_ 29 \_\_\_\_\_ W,  
in Gray \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1107 \_\_\_\_\_ feet North \_\_\_\_\_ 907 \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_

**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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. 3 \_\_\_\_\_ 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 \_\_\_\_\_

**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 \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)

(DWR use only: Computer ID No. 7 \_\_\_\_\_ 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 \_\_\_\_\_

**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 \_\_\_\_\_

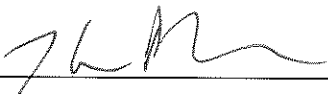


**SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS**

12. That the applicant shall cause the new well under this water right to be constructed so that the source of supply will be restricted to withdrawal of water from the Ogallala Formation, thereby precluding withdrawal of water from any overlying water-bearing strata and insure that an adequate seal is placed between the Ogallala Formation and all overlying water-bearing strata so as to prevent any movement of water between formations.

Above are additional conditions to those shown on the attached FIELD OFFICE PROCESSED APPLICATION FOR APPROVAL TO CHANGE THE POINT OF DIVERSION.

Dated at Garden City, Kansas, this <sup>21</sup> day of June, 2017 by



---

(Print Name): Thomas P Makens  
Division of Water Resources  
Kansas Department of Agriculture

State of Kansas            )  
                                          ) SS  
County of Finney         )

The foregoing instrument was acknowledged before me on the <sup>21</sup> day of June 2017 by, Division of Water Resources, Kansas Department of Agriculture.



  
Notary Public

My Commission expires: \_\_\_\_\_  
(Notary Seal)





14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at GARDEN CITY, Kansas, this 22<sup>ND</sup> day of MAY, 2017.

[Signature]  
\_\_\_\_\_  
(Owner)  
Greg Love  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

State of Kansas }  
County of KANSAS } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22<sup>ND</sup> day of MAY, 2017



[Signature]  
Notary Public

My Commission Expires 9/14/18

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (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

**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. 16716 D2.

1. A change application was received on MAY 23, 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 \_\_\_\_\_ 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, 2017**, 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, 2017**, or within any authorized extension of time. By March 1, 2018 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.

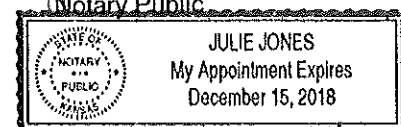
**Administrative Appeal and Effective Date of Order**

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 15<sup>th</sup> 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**

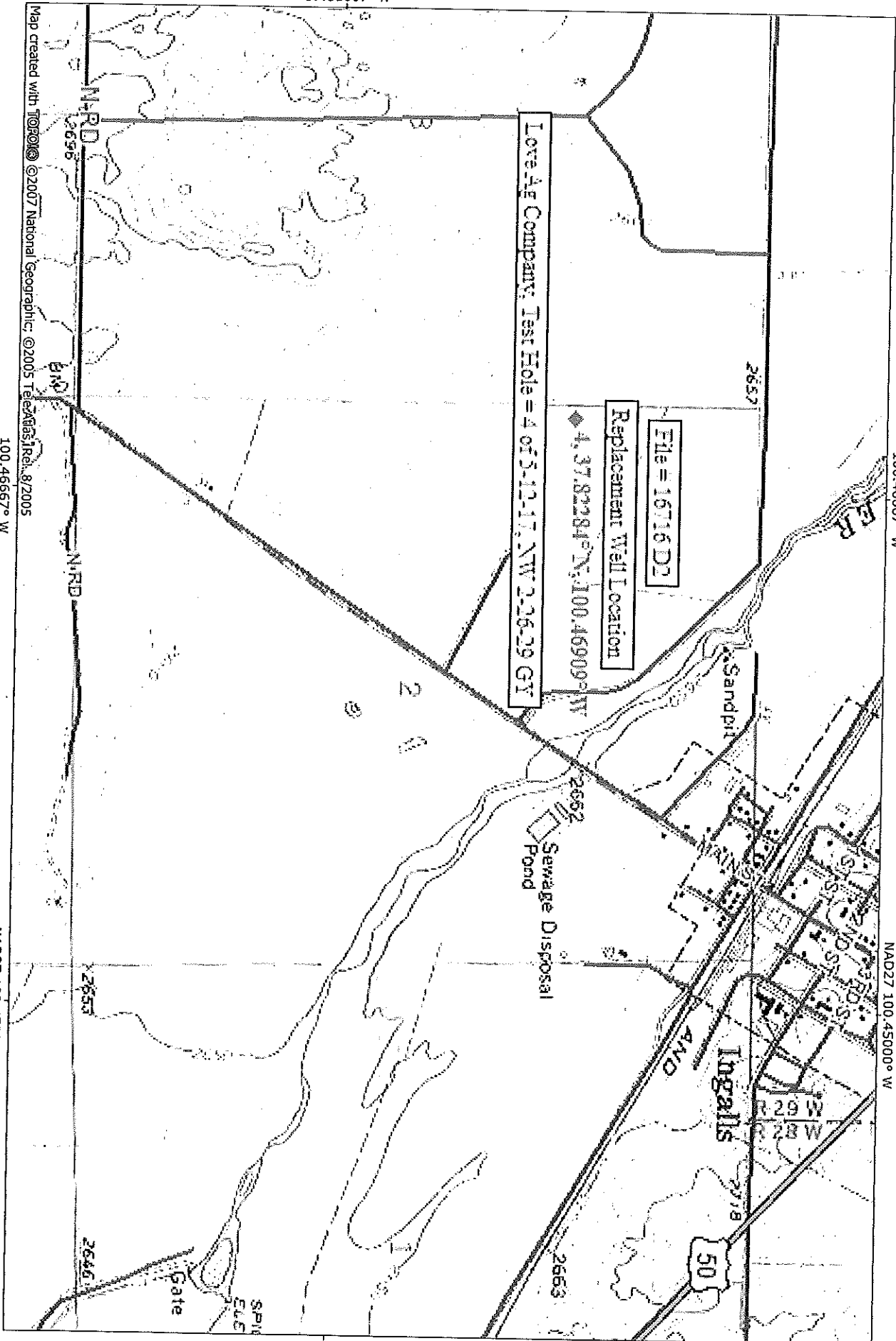
By: [Signature]  
Duly Authorized Designee of the Chief Engineer  
(Print Name): THOMAS P. MAKENS  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: JUNE 21, 2017  
State of Kansas )  
County of Finney ) SS  
Acknowledged before me on June 21, 2017  
by Thomas P. Makens  
Signature: [Signature]  
Notary Public



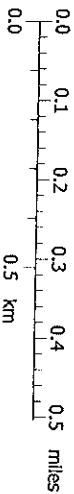
My commission expires: \_\_\_\_\_ (Notary Seal)







NATIONAL  
GEOGRAPHIC



TN MN  
5/8"  
05/13/17

37.81667° N

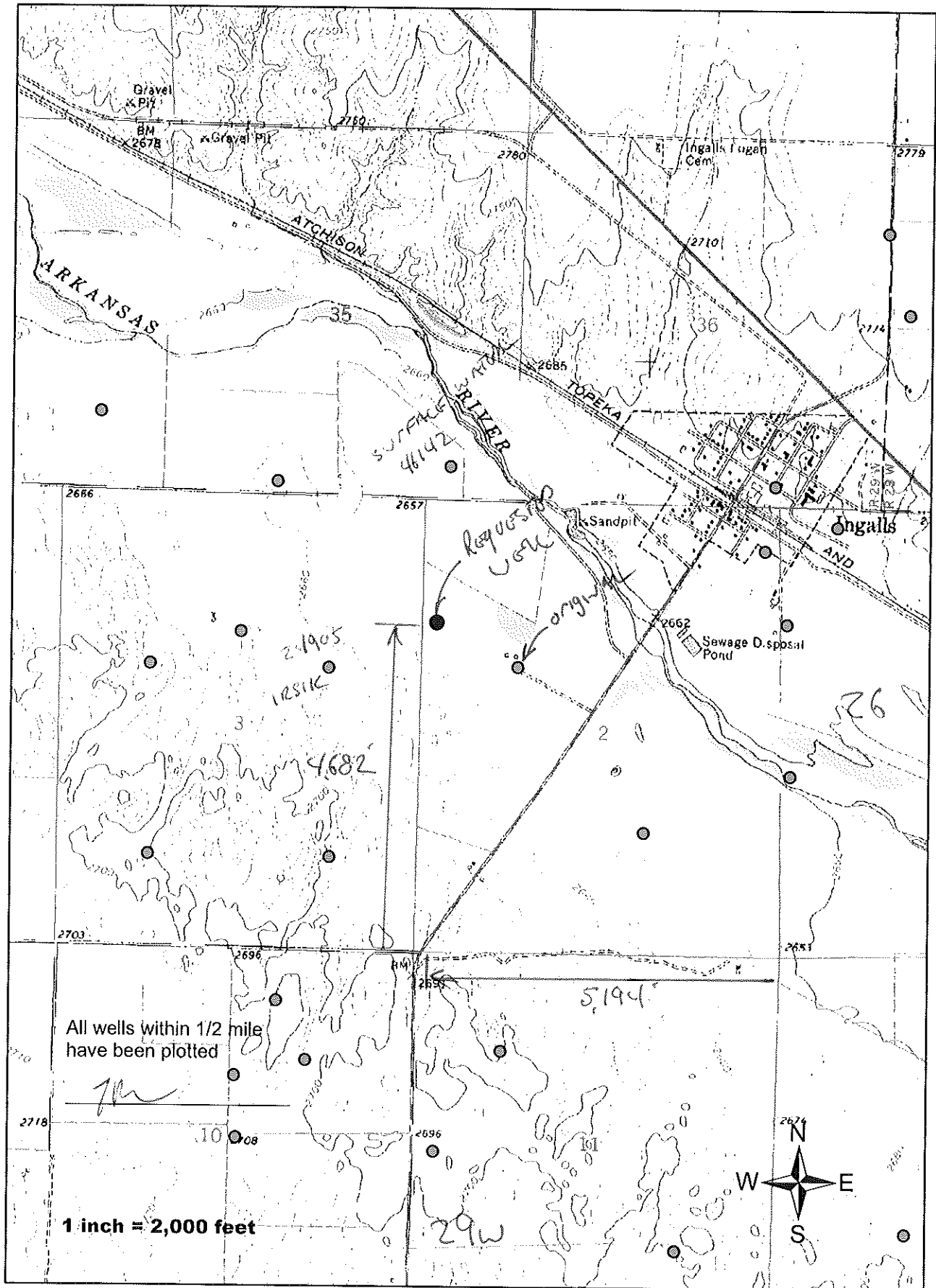
100.46667° W

NAD27 100.45000° W

NAD27 100.45000° W

37.81667° N









The logo for the Kansas Department of Agriculture, Division of Water Resources. It features the word "Kansas" in a large, serif font, with a decorative arch above it. Below "Kansas" are the words "Department of Agriculture" and "Division of Water Resources" in a smaller, sans-serif font.

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

May 26, 2017

IRSIK G & B FARMS INC  
9605 12 RD  
INGALLS KS 67853

RE: Water Right 16716 D2

Dear Mr. Irsik;

This is to advise you that the Greg Love has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at [www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices](http://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices)

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

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

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3





Garden City Field Office  
2508 Johns Street  
Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary  
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Phone: (620) 276-2901  
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[www.agriculture.ks.gov](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

June 12, 2017

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

Re: Water Right file number 16716D2

Dear Mr. Norquest;

Greg Love has applied to relocate the well authorized by the above water right number. There is one other well within ½ mile.

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.

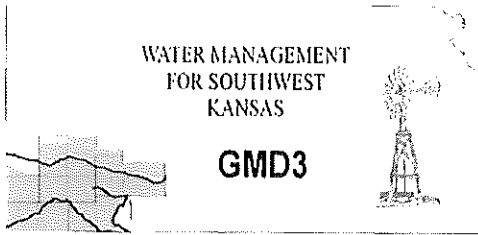
Sincerely;

A handwritten signature in black ink, appearing to read "T. P. Makens". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

June 13, 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. 16716 D2

RECEIVED

JUN 14 2017

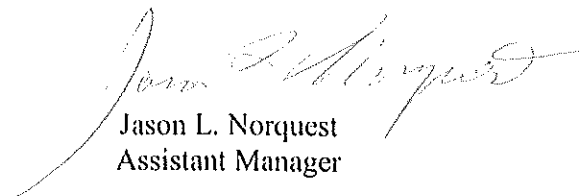
Garden City Field Office  
Division of Water Resources

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

## GMD3 Change Review

---

Change Application(s); PD  
File No(s). 16716D2; Greg Love  
SEE ATTACHED MAP

	ft. North	ft. West	
Authorized PD	4056	3871	Sect. 2-26-29
Proposed PD	4682	5194	
Difference	-626 N	-1323 W	
$a^2 + b^2 = c^2$	391876	1750329	1463.627 foot move NW

Neighboring wells: Spacing appears to be met according to WRIS and available GPS

Domestic wells: None active located within the area of concern

Regulation(s) Reviewed: KAR 5-23-3

Board Review Date: NA

Board Recommendation: NA

Waiver Reason: NA

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



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Division of Water Resources

INPUTS	
Target Section Definition	
Section	2
Township	26
Range	29
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.469090
Target Latitude	37.822840

Load Data and Compute

**Instructions**

1. Enter values for section, township, range and range direction.
2. Enter NAD27 or NAD83 longitude and latitude of target point.
3. Click "Load Data and Compute" button.
4. Use feet distances corresponding to datum of target point.

*Location is missing to  
Change to NAD83 on  
7/11/07 by [Signature]*

Loaded Section Data		
From LEOBASE using NAD83		
Corner	Corner Latitudes	Corner Longitudes
SW	37.80985193	-100.46992483
NW	37.82773488	-100.46986347
NE	37.82773472	-100.45207087
SE	37.81000397	-100.45153711
Degrees Longitude per Foot	3.46165857E-06	
Degrees Latitude per Foot	2.74618144E-06	
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4730	-241
NW	-1782	-223
NE	-1782	4916
SE	4674	5071

Target point is in Section

Loaded Section Data		
From LEOBASE using NAD27		
Corner	Corner Latitudes	Corner Longitudes
SW	37.80983000	-100.46949800
NW	37.82771300	-100.46943700
NE	37.82771300	-100.45164500
SE	37.80998200	-100.45111100
Degrees Longitude per Foot	3.46165755E-06	
Degrees Latitude per Foot	2.74598553E-06	
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	4738	-118
NW	-1775	-100
NE	-1775	5039
SE	4682	5194

Target point is in Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	Corner Longitudes
SW	0.00002193	-0.00042683
NW	0.00002188	-0.00042647
NE	0.00002172	-0.00042587
SE	0.00002197	-0.00042611
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.32363703	-123.30213141
NW	-7.84082520	-123.19814022

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Division of Vector Resources

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

4682 ft N and 5194 ft W of the SE Corner of Section 2, T 26S, R 29W

Located at: 100.469091 West Longitude and 37.822840 North Latitude

GROUNDWATER ONLY

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 10466 00	IRR	NK	G	5212	--	--	--	--	4500	5205	1	26	29W	9	730	502.00	502.00	AF
A__ 16716 D1	IRR	NK	G	2974	--	SW	SE	SW	196	3438	35	25	29W	2	160	235.00	235.00	AF
A__ 16716 D2	IRR	NK	G*	4364	--	SW	NW	SE	1725	1985	2	26	29W	6	1000	365.00	365.00	AF
Same				1464	--	--	--	--	4056	3871	2	26	29W	7		285.00	285.00	AF
A__ 24905 00	IRR	NK	G	4174	--	--	NC	NW	3940	3975	3	26	29W	2	110	272.00	272.00	AF
Same				3728	--	--	NC	SE	1310	1350	3	26	29W	4	110	272.00	272.00	AF
Same				2766	--	NC	N2	N2	4680	2640	3	26	29W	5	110	192.00	192.00	AF
Same				1638	--	--	NC	NE	4010	1350	3	26	29W	6	110	272.00	272.00	AF
A__ 40347 00	IRR	NK	G	5000	--	--	--	--	5825	325	2	26	29W	4		22.00	22.00	AF
A__ 46142 00	IND	KE	G	2250	--	SW	SE	SE	470	930	35	25	29W	3*		14.98	14.98	AF
T__ 20179036 00	IND	AY	G	2974	--	SW	SE	SW	196	3438	35	25	29W	2		23.02	23.02	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	23.02	.00
Total Permitted Amount (AF) =	14.98	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2417.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2454.99	.00

*Special M 57!*

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:

100.469091 West Longitude and 37.822840 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 10466 00	IRR	NK	G
> ARCH B & MICHELLE FRINK			
>			
> PO BOX 1088			
> CIMARRON KS 67835			
-----			
A__ 16716 D1	IRR	NK	G
> GRAY COUNTY			
> BOARD OF CO COMMISSIONERS			
> PO BOX 487			
> CIMARRON KS 67935			
-----			
A__ 16716 D2	IRR	NK	G
> LOVE AG COMPANY			
> GREG LOVE			

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Garden City Field Office  
 Division of Water Resources



> 24506 13 RD  
> MONTEZUMA KS 67867

-----  
A\_ 24905 00 IRR NK G  
> IRSIK G & B FARMS INC  
>  
> 9605 12 RD  
> INGALLS KS 67853

-----  
A\_ 40347 00 IRR NK G  
> JOSEPH D & MARSHA J DOWNEY  
>  
> PO BOX 261  
> INGALLS KS 67853

-----  
A\_ 46142 00 IND KE G  
> GRAY COUNTY  
> BOARD OF CO COMMISSIONERS  
> PO BOX 487  
> CIMARRON KS 67835

-----  
T\_ 20179036 00 IND AY G  
> GRAY COUNTY  
> BOARD OF CO COMMISSIONERS  
> PO BOX 487  
> CIMARRON KS 67835

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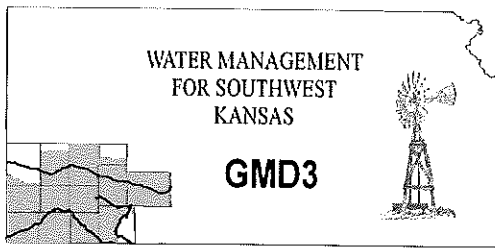
JUN 14 2017

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

June 13, 2017

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

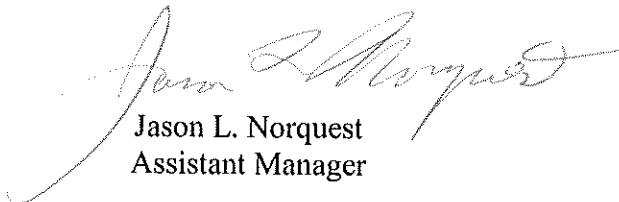
RE: Application for Change in Point of Diversion  
Water Right, File No. 16716 D2

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.

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Sincerely,



Jason L. Norquest  
Assistant Manager

