## Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: <b>20890</b>	2. Status Change Date: 12/17/2018	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved Den	ied by DWR/GMD ☐	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 31-AUG-2018
8a. Applicant(s)  New to system □	Person ID 61989 Add Seq# 1	8c. Landown New to sy	18	Person ID 62080 Add Seq# 1
JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851		РО ВО	NP & MARGARE X 1098 ETTE KS 67877	T LOEWEN
8b. Landowner(s) New to system   SANDYHILL ENTERPRIS JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851	Person ID 64846 Add Seq# 1	8d. WUC New to sy	O CHANGE	Person IDAdd Seq#
9. Documents and Enclosure(s): D				
☐ Anti-Reverse Meter ☐ <u>Meter</u> ☐ Conservation Plan Date Requir				Oriller Copy
10. Use Made of Water From:		To:		
			Date Prepared: 12/03 Date Entered: 12/17	Manager and a second Se

File No	o. <b>208</b>	90		11.	. County	:FI	Bas	sin: AF	RKANS	SAS R	IVER			Stre	am:							Fo	rmati	on Co	de: 21		Special Us	se:
12. P CHK MOD DEL ENT	oints of D		n ualifie		S	т	R	ID	,	N	'W		Comm	nent (A	KA Li	ne)	F	Auth Rate m/cfs	horized Qu			Ad Rate gpm/d		nal Quar af/m		Overlap	PD Files	
MOD	64847	NN	11/4SE	1/4SE1	<u>/4</u> 25	26 3	4W	5	12	80	10	<u>)46</u>					94	5 g.p.	.m. 2	272 AI	F	945 g	.p.m.	. 2	272 AF		NO	
						7				la l																J. Fr.		
	124		1												y i				- X					) a				
																		13							3/19		1954	
13. St	orage: R	ate				NF	Quai	ntity _					ac/ft	Add	itiona	Rate					_ NF	Addi	tional	Quan	tity			ac/ft
14. Lir	mitation: _			418. T. V.	af/yr	at				gpm (_			cf	s) whe	n com	bined	with fil	e numi	ber(s)									
Lir	mitation:				af/yr	at				gpm (_			cf	s) whe	n com	bined	with fil	e num	ber(s)									1500000
15. 5Y	'R Allocat	tion:	Alloca	ation Typ	e	_ Sta	rt Year	_		5 YR	Amoui	nt		Amour	nt Unit		. Ba	ase Ac	res _		Con	nment _			45.			
16. P CHK	lace of Us	se			4		NE	E1/4			NV	V1/4			sv	V1/4			SE	=1/4		Total	Own	er	Chg?	Over	lap Files	
MOD DEL ENT	PUSE	s	т	R	ID	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4		2257	76-D. 78-D.	A; 225	76-DI	3; 22577	576-D3; 7-D1; 855-D1;
ENT	29974	1 13	26	34W	1	15							4	32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00	8B	5	NO	see	above	
ENT	17483	3 2	2 26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00									272.00	8B	7	NO	see	above	
ENT	30897	2	3 26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00	8B	3	YES	see	above	
ENT	24287	2	4 26	34W	1 1	34.00	34.00	34.00	34.00					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00	8B	3	YES	see	above	
ENT	518	25	26	34W	4					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00	8B	3	YES	see	above	
ENT	33001	26	26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00	8B	3	YES	see	above	4
DEL	5131	25	26	34W	2									34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	272.00		**		-	- 114	
Base	Acres:		Ye	ar:	ı	Minimum	Reas	onable	e Quar	itity:												A P Con						

## KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources M E M O R A N D U M

TO: Files

FROM: Richelle A. Krueger

DATE: December 6, 2018

RE: Water Right

File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813;

28,620; 29,855-D1 and 30,157

Jacob and Aganetha Neufeld, on behalf of Sandyhill Enterprises, L.L.C., and Johan and Margaritha (Margaret) Loewen, water right owners, filed applications to change the place of use for the referenced file numbers along with a division request for File No. 22,577 and reductions in place of use for File Nos. 24,050 and 28,620. The ultimate goal of the submitted package is to remove the overlap in place of use which exists between Sandyhill Enterprises L.L.C.(Neufeld) and Loewen water rights; to create exact overlaps in place of use among water rights owned solely by Loewens (File Nos. 22,233; 22,577-D2; and 24,813); and to create exact overlaps in place of use among water rights owned solely by Sandyhill Enterprises L.L.C.(File Nos. 16,157; 20,890;22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-D1; 22,578-D2; 24,050; 28,620; 29,855-D1 and 30,157).

The referenced files do not appear abandoned as per K.S.A. 82a-718.

The referenced files are all authorized groundwater for irrigation use in Finney County, Kansas. None of the referenced file numbers have overlaps in their authorized points of diversion and the following files have no overlaps in their authorized places of use: File Nos. 16,157(256 acres); 22,576 DA(136 acres); File No. 22,577-D2(136 acres); 29,855-D1 (272 acres) and 30,157 (136 acres). File Nos. 20,890 and 22,578-D2 overlap in their 272-acre place of use; File Nos. 22,576-DB; 22,576-D2 and 22,576-D3 overlap in their 408-acre place of use; File Nos. 22,577-D1; 24,050 and 28,620 overlap in their 952-acre place of use; and File Nos. 22,233 and 24,813 overlap in their 272-acre place of use.

The water right owners propose exact overlaps among rights owned solely by Sandyhill Enterprises and exact overlaps among water rights owned solely by the Loewens, pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. The 4,611 acre-feet authorized by Sandyhill Enterprises water rights will irrigate their proposed 2,432-acre place of use with 1.89 acre-feet per acre and the 802 acre-feet authorized by Loewen water rights will irrigate their proposed 408-acre place of use with 1.96 acre-feet per acre. Both proposals appear reasonable since the 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Finney County is 1.42 acre-feet per acre. Feet distances for wells with be updated with g.p.s. feet distances per WRIS as appropriate.

No nearby well owners were notified of the proposed changes since the proposals are for exact overlaps in the authorized places of use.

The same local source of supply will not change.

Southwest Kansas Groundwater Management District No. 3 recommended approval of the referenced applications in a letter dated November 27, 2018 from Jason Norquest, Assistant Manager.

In an e-mail dated November 29, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office, recommended approval of the applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, and if the reduction requests and division agreement are approved, it is recommended the applications be approved.

Richelle A. Krueger Environmental Scientist DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777

### STATE OF KANSAS



900 SW Jackson, Room 456 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

SANDYHILL ENTERPRISES LLC JACOB AND AGANETHA NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

January 2, 2019

FUE COPY

RE: Water Right, File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813; 28,620; 29,855-D1 and 30,157

Dear Sir or Madam:

Enclosed are 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 approvals for change. A condition of these approvals is that acceptable water flow meters 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/or installation of the required meters as soon as these actions are completed.

Since these orders modify the original document 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:rak

pc: Garden City Field Office

Groundwater Management District No. 3 Johan P. and Margaritha(Margaret) Loewen



#### KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE AND
ORDER BETTER DESCRIBING
THE LOCATION OF THE
AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 20,890

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jacob and Aganetha Neufeld, on behalf of Sandyhill Enterprises, L.L.C., 10165 West River Road, Holcomb, Kansas 67851, and Johan and Margaritha Loewen, P.O. Box 1098, Sublette, Kansas 67877, received in this office on August 31, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated May 17, 2000, approving the application to change the point of diversion, and by the Order of the Chief Engineer dated December 14, 2017, approving the application to change the place of use, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

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 place of use shall be:

				N	E1/4			NV	N1/4			SV	V1/4			SI	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
13	268	34W			2				Hay I		32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00
22	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00									272.00
23	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00
24	26S	34W	34.00	34.00	34.00	34.00				1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00
25	268	34W					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00
26	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00

a total of 2,432.00 acres in Township 26 South, Range 34 West, Finney County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion is more accurately described as:

one(1) well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW½ SE½ SE½) of Section 25, more particularly described as being near a point 1,280 feet North and 1,046 feet West of the Southeast corner of said section, in Township 26 South, Range 34 West, Finney County, Kansas.

RE: File No. 20,890

All 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.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 20,890, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated August 17, 1983, as modified and amended by the aforementioned orders.

#### RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

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.

Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this Tay of County (785) 564 - 6777.

Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this Tay of County (785) 564 - 6777.

Division of Manhattan, Riley County, Kansas.

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 Tay day of County of Water (785) 404 of County (78

DANIELLE WILSON
My Appointment Expires
August 23, 2020

Notary Public

#### CERTIFICATE OF SERVICE

On this day of December , 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 20,890, dated December 17, 2018 was mailed postage prepaid, first class, US mail to the following:

SANDYHILL ENTERPRISES LLC JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

With photocopies sent to:

JOHAN P & MARGARET LOEWEN PO BOX 1098 SUBLETTE KS 67877

Garden City Field Office Groundwater Management District No. 3

Division of Water Resources

## Krueger, Richelle [KDA]

From: Meyer, Mike [KDA]

Sent: Thursday, November 29, 2018 3:50 PM

To: Krueger, Richelle [KDA]

Subject: RE: Request for Recommendation Change in PU File No. 16157 et al Sandyhill Enterprises

LLC (Jacob Neufeld ); Loewens

Approve thanks

## Mike

From: Krueger, Richelle [KDA]

**Sent:** Thursday, November 29, 2018 12:22 PM **To:** Meyer, Mike [KDA] < Mike.Meyer@ks.gov>

Subject: Request for Recommendation Change in PU File No. 16157 et al Sandyhill Enterprises LLC (Jacob Neufeld );

Loewens

Hi Mike,

Attached is a draft memo for the referenced changes in pu, division and reductions in pu for the Sandyhill Enterprises and Loewen package. Do you recommend approval?

Thanks, Richelle



## 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

November 27, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502 Water Resources Received

NOV 30 2018

KS Dept Of Agriculture

RE: Change Application

Water Right, File Nos. 16157, 20890, 22233, 22576 D2, 22576 D3, 22576 DA, 22576 DB, 22577 (D1), 22577 (D2), 22578 D2, 24050, 24813, 28620, 29855 D1 & 30157

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The Division of 22577 and reduction requests for 24050 & 28260 is being applied for to separate out the land for the two owners. Then the proposals for change in place of use, will create a complete overlap in current place of use for the individual land owners. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b)(1). There is no new acres being proposed. It is therefore recommended that 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

SCANNED

#### Krueger, Richelle [KDA]

From:

Jason Norquest <norquest@gmd3.org>

Sent:

Tuesday, November 27, 2018 11:00 AM

To:

Krueger, Richelle [KDA]

Subject:

Neufeld apps

Attachments:

16157 ReviewMat\_PU\_112718.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Richelle, hope you are all thawed out up there. We really didn't get much snow, but a lot of wind. Seems we were right on the edge.

Attached is my review for all these applications. I will put the signed cover in the mail to you. Let me know if I missed something.

Have a good day.

## Jason Norquest

Assistant Manager, GMD3

Cell: 620-271-1289 Office: 620-275-7147

www.gmd3.org

WATER RESOURCES
RECEIVED VOINT 27 2018
KS DEPT OF AGRICULTURE



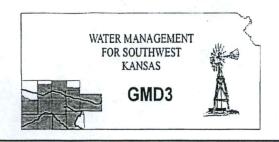
DOM

## PU changes



WATER RESOURCES RECEIVED 1,000 2,000 m 500 Other ş HYD THX 11 / 27 2018 IRR **Empty** IND CON MUN Sections KS DEPT OF AGRICULTURE GMD FSA 2016 SCANNED DEW REC

> jason GIS Workshop, LLC.



## 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

November 27, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502

RE: Change Application

Water Right, File Nos. 16157, 20890, 22233, 22576 D2, 22576 D3, 22576 DA, 22576 DB, 22577 (D1), 22577 (D2), 22578 D2, 24050, 24813, 28620, 29855 D1 & 30157

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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

WATER RESOURCES

NOV 27 2018

KS DEPT OF AGRICULTURE

## GMD3 Change Review

File No(s).: 16157, 20890,	22233, 22576D2, 22576D3, 22576DA,	, 22576DB, 22577D1,
		DWR office: HQ/GC.
App filed to change: PU, D		
Is Landowner(s) correct in W	VRIS: Yes.	
If NO, is documentat	ion included?	
Is Water Use Correspondent	correct in WRIS?	
If NO, is documentat	ion included?	
Regulation(s) Reviewed: KA	R 5-5-11 & KSA 82a-742	
Is Proposed PU overlapping	existing WRs? Yes, after division an	nd reductions, the
applications will create comp		
Land Owner(s) notified:		
Name	Name	
Address	Address	
Zip	Zip	
Neighboring certified well(s)	notified:	
Name	Name	
Address	Address	
Zip	Zip	
Domestic well(s) notified: _		
Name	Name	
Address	Address	
Zip	Zip	
Base Acres:		
Perfected Acres:		
Irr. Return-Flow%		
The reductions will reduce	acres only on28620.	
Division only on 22577.		
	te ground to then be completely over	rlapped in place of
used between the two owne	2000에 100 Head and 100 Head Head Total Control of the Control of	
	se overlap on WRs: 22233, 22577D2,	
	feld) will have place of use overlap o	
	22576DA, 22576DB, 22577D1, 22578	D2, 24050, 29855D1
& 30157.		
Is a waiver needed: No.		
	ter review of all available information.	
THE PARTY OF THE P	a rules. Staff therefore recommends a	pproval of the
applications, division and rec	ductions.	

WATER RESOURCES
RECEIVED

NOV 2 7 2018

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

## STATE OF KANSAS

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

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

SOUTHWEST KANSAS GROUNDWATER November 8, 2018
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Water Right, File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813; 28,620; 29,855-D1 and 30,157

#### Dear Jason:

We are enclosing copies of the applications to change the place of use for the referenced file numbers along with a division request for File No. 22,577 and reductions in place of use for File Nos. 24,050 and 28,620. The ultimate goal of the applications is to remove the overlap in place of use which exists between Sandyhill Enterprises L.L.C.(Neufeld) and Loewens water rights; to create exact overlaps in place of use among water rights owned solely by Loewens (File Nos. 22,577-(D2); 22,233 and 28,620); and to create exact overlaps in place of use owned solely by Sandyhill Enterprises L.L.C.(Neufeld-remaining file numbers).

We are delaying 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 allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger Environmental Scientist

Water Appropriation Program

**Enclosures** 

pc: Garden City Field Office

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.

than 1	00 feet	os. 1, 2 , or if pla nd/or pl	ace of	use wi	st be c	omple	eted. d, inclu	Compl ide a to	ete al pogra	l other	r appli	icable detaile	portion d plat	ons. If showir	f changing the	author	oint of	Pep	ion is greater esed point(s)
								_				-						2018	3
						F	ile No	. 2089	0				17×4	-					
1. A	pplicati	on is he	reby n	nade f	or appi				nginee	_				ne or b	oth):vi	arden sion o	City of Wat	Field C er Res	Office ources
							lace o					of Dive							
u	nder the	e water	right w	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the cor	ndition	s desc	ribed b	pelow.		
Т	he sour	ce of su	apply is	3:		⊠ G	round	water			Surfac	ce wat	er						
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DWR 1	1-121 (R	evised 0	4/5/201	18)						Page 1	1/	30	18 RL	MARLE.					
													10	16		10/	1/20	186	IN

5.	Presently authorized po				
		Quarter of the			
	of Section	, Township		South, Range	(E/W),
		County, Kansas,			
	Authorized Rate	Authorized Quantity _	L. C.	Depth of well	(feet)
	(DWR use only: Compu	ter ID No GPS	3	feet North	feet West)
	☐This point will not be char	nged This point will be change	d as follows:	No change, point better de	scribed with GPS as follows:
	Proposed point of divers	sion: (Complete only if chang	e is requested	or if existing point is b	etter described by GPS)
		Quarter of the			
	of Section	, Township		South, Range	(E/W),
		County, Kansas,			
	Proposed Rate	Proposed Quantity		Proposed well depth (f	eet)
	This point is:  Additiona	I Well ☐ Geo Center List of	her water right	s that will use this point _	
	91411001				
6.	Presently authorized poi	nt of diversion:			
	One in the	Quarter of the		Quarter of the	Quarter Quarter
	of Section	, Township		South, Range	(E/W),
	in accounces Resources ni	County, Kansas,	feet North	feet West of So	outheast corner of section.
	Authorized Rate	Authorized Quantity _		Depth of well	(feet)
	(DWR use only: Comput	ter ID No GPS	3	feet North	feet West)
		ged This point will be change			
	Proposed point of divers	sion: (Complete only if change	e is requested	or if existing point is b	etter described by GPS)
	One in the	Quarter of the		Quarter of the	Quarter
		, Township			
		County, Kansas,			
		Proposed Quantity			
		I Well ☐ Geo Center List ot			
7.	(please be specific)	esired for the following reasons  No change to water wells.	300	200 100 North	100 200 300
3.	If a well, is the test hole log	attached? Yes No	200	<del>-</del> - <del>-</del> <del>-</del> - <del>-</del> - <del>-</del> <del>-</del> - <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del>	+   +   = 200
9.	The change(s) (was)(will be	) completed by?	E		=
	At approval of application		100 =	1+1+1=	+ 1 + 1 = 100
	The depot of the production		E		
10.	If the point of diversion is a	well:	E		
	(a) What are you going to	do with the old well?	West 0	վուս[սովում[սոկու <b>ձ</b> ուլ	1111   1111   1111   1111   0 East
			E	=	=
	na		100	<del>-</del> - <del>-</del> <del>-</del> - <del>-</del> <del>-</del> - <del>-</del> <del>-</del> <del>-</del> - <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del> <del>-</del>	+   +   = 100
	(b) When will this be done'	?	100	, T , T , E	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
			F		
11.	Groundwater Management	District recommendation attached No	? 200	-   -   <del>-</del>	+   +   = 200
			E.,	dandantanlantan <del>.</del>	
12.	Assisted by tpm	A CONTRACTOR OF THE PROPERTY O	300	200 100 0	100 200 300
13a	feet but within 2,640 feet of ta topographic map or ael sources, show all wells (incl of the proposed point of diaddresses of the owners. Finames and addresses of	rsion will be relocated more than 3 the existing point of diversion, attained photograph. For groundwarding domestic) within one-half not surface water sources, show the landowner(s) one-half not mile upstream from your property.	ter of the position of the diagram diversion diversional diversion	existing point of diversion shown above in relation. (PLEASE NOTE: Tepresents the pres	Scale: 1 hashmark=10 ft will be relocated within 300 fee n, indicate its location on the ion to the existing point o ne "X" in center of diagran ently authorized point o

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

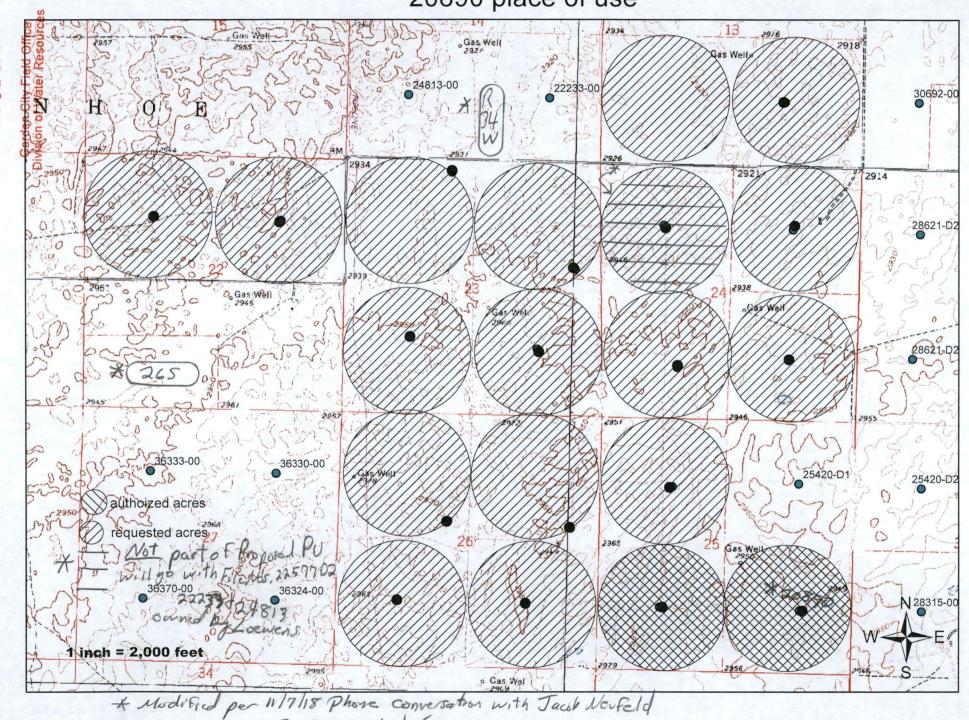
FILE NO. 20890 MAKE ADDITIONAL COPIES AS NECESSARY

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0	wner o	f Land -	ADDRI	AME: ESS:	SAND 10165	YHILL WRI	ENTE /ER R	RPRIS D HO	SES LI DLCOI	_C JA	6785	NEUFI 1 SV	ELD V¼			SI	Ε1/4 Τ		
Or Sec.	wner o	f Land -	ADDRI	NW1/4	SAND 10165 E¼ SW¼	YHILL W RIV	ENTE VER R	RPRIS D HO	SES LI OLCOI	C JAMB KS	COB	NEUFI 1 SV	ELD		use be	SI	Ε1/4 Τ		TOTA ACRE
Or Sec.	Twp.	Range 34w	NE1/4	NW1/4	SAND 10165 =½ SW½ 34	YHILL W RIV	ENTE VER R NE1/4 34	RPRIS D HO NV NW1/4 34	SES LI DLCOI V¼ SW¼ 34	SE1/4	NE1/4	NEUFI i1 sv NW1/4	V1/4 SW1/4	SE1/4	NE1/4	SI NW1/4	E1/4 SW1/4	SE1/4	ACRE 272
Or sec. 22	Twp. 26 26	Range 34w 34w	NE1/4 34 34	NE: ESS: NE NW1/4 34 34	SAND 10165 E¼ SW¼ 34 34	SE¼ 34 34	ENTE VER R	RPRIS D HO	SES LI OLCOI	C JAMB KS	NE1/4	NEUFI 11 SV NW1/4	V1/4 SW1/4	SE1/4	NE1/4 34	SI NW1/4	E1/4 SW1/4	SE1/4 34	272 544
Or sec. 22	Twp.	Range 34w	NE1/4	NW1/4	SAND 10165 =½ SW½ 34	YHILL W RIV	ENTE VER R NE1/4 34	RPRIS D HO NV NW1/4 34	SES LI DLCOI V¼ SW¼ 34	SE1/4	NE1/4	NEUFI i1 sv NW1/4	V1/4 SW1/4	SE1/4	NE1/4	SI NW1/4	E1/4 SW1/4	SE1/4	ACRE 272
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20890 place of use



\* RANGOWA 11/7/18

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14. If the proposed groundwater point of diversion is 300 or few	ver feet from the existing point of diversion, complete the following:  Garden City Field Office
(a) Does the undersigned represent all owners of the curre  ☐ Yes ☐ No (If no, all owners must sign to the current of the cur	ently authorized place(s) of use identified in this application? of Water Resource
(b) Will the ownership interest of any owner of the curren affected if this application is approved as requested?  ☐ Yes ☐ No (If yes, all owners must sign	tly authorized place(s) of use identified in this application be adversely this application.)
(c) If this application is not approved expeditiously, will the ☐ Yes ☐ No (If no, all owners must sign	re be substantial damage to property, public health or safety? this application.)
If the application proposes a surface water change in point of divor a change in place of use, the application must be signed by a agent (attach notarized statement authorizing representation).	version, a groundwater change in point of diversion greater than 300 feet, all owners of the currently authorized place of use, or their duly authorized
age and the owner, the spouse of the owner, or a duly	or affirmation and under penalty of perjury, that I am of lawful authorized agent of the owner(s) to make this application on this application pertains. I further verify that the statements applete.
Dated at Sub lette, Kan	sas, this 30th day of August , 20/8.
Dated at, Kall	sas, this 30 day of 74 ft 31 , 20 18 .
V	Margaritha Rollin
(Owner)	(Spouse)
The land of the	Marine sitha Laguer
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	
County of Haskell	. Ma
I hereby certify that the foregoing application was sign of hugust, 20_10	ned in my presence and sworn to before me thisday
SAY DEBBIE RINEHART	Oobb: 0: 11 1
My Compiled State My Appt. Exp. 10-12-20	Notary Public
My Commission Expires Appl. Exp. 10 120.	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be con	mplete, all of the applicable portions of the application form must be completed with
	of all the appropriate owners' must be affixed to the application and notarized; and
trie appropriate lee must be paid.	
FEE.	SCHEDULE
forth in the schedule below: Make checks payable to: Kansas I  (1) Application to change a point of diversion 300 feet o  (2) Application to change a point of diversion more than	sion under this section shall be accompanied by the application fee set  Department of Agriculture or less

14. If the proposed groundwater point of diversion is 300 or	fewer feet from	the existing point of diver	sion, complete the following:
(a) Does the undersigned represent all owners of the c ☐ Yes ☐ No (If no, all owners must s			ed in this application?  AUG 3 1 2018
(b) Will the ownership interest of any owner of the cu affected if this application is approved as requested ☐ Yes ☐ No (If yes, all owners must	d?	G	
(c) If this application is not approved expeditiously, will  ☐ Yes ☐ No (If no, all owners must s		ntial damage to property,	
If the application proposes a surface water change in point or a change in place of use, the application must be signed agent (attach notarized statement authorizing representation	by all owners of	oundwater change in poir the currently authorized p	nt of diversion greater than 300 feet, place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oa age and the owner, the spouse of the owner, or a c their behalf, in regards to the water right(s) to wh contained in this application are true, correct and	duly authorize ich this applic complete.	d agent of the owner ation pertains. I furt	s) to make this application on
Dated at,	Kansas, this	day of	, 20
(Owner)		garethi	Spouse)
(Please Print)		(PI	ease Print)
(Owner)			Spouse)
(Please Print)		(PI	ease Print)
(Owner)			Spouse)
(Please Print)		(PI	ease Print)
State of Kansas  County of Finney  SS			
I hereby certify that the foregoing application was of, 20_1 8	signed in my	presence and sworn	to before me this 31 day
SUE KEENY		An X	
My Commission Express June 8, 2022		Note	ary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be accurate information; maps, if necessary, must be included; signatu the appropriate fee must be paid.	e complete, all of the complete of all the appro	e applicable portions of the priate owners' must be affixed	application form must be completed with ed to the application and notarized; and
Each application to change the place of use or the point of d forth in the schedule below: Make checks payable to: Kans  (1) Application to change a point of diversion 300 fe  (2) Application to change a point of diversion more  (3) Application to change the place of use	sas Department eet or less than 300 feet	of Agriculture	\$100 \$200
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#### 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. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 20890 A change application was received on 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. 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. 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 \_\_\_ radius of the authorized point(s) of diversion. 

Applicable 

Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. 

Applicable 
Not Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. 

Applicable 
Not Applicable feet from the previously 6. 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 7. 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 8. Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_ 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 9. The completed well log shall be submitted with the required notice. Applicable ☐ Not Applicable 10. 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 11. Additional Conditions are attached. ☐ Yes 12. 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of SUMMARY ORDER ISSUED Agriculture. A request for hearing by the Chief Engineer must be filed within 15 days of service of this Order and a request for administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Duly Authorized Designee of the Chief Engineer (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS Date of Issuance: 66502. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act. State of Kansas SS For Use by Register of Deeds County of \_\_\_ Acknowledged before me on by Signature: **Notary Public** My commission expires: \_ (Notary Seal)

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