

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

1. File Number: 22576 D3	2. Status Change Date: <i>10/29/18</i>	3. Change Num: C4	4. Field Office: 04	5. GMD: 03
6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return				7. Filing Date of Change: 10/26/18
8a. Applicant(s) New to system <input type="checkbox"/> JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851		Person ID 61989 Add Seq# 1	8c. Landowner(s) New to system <input type="checkbox"/> JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____	8d. WUC New to system <input type="checkbox"/>	
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/19 <input checked="" type="checkbox"/> N & P Date to Comply: 12/31/20 <input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input checked="" type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____				
10. Use Made of Water From: _____ To: _____				
Date Prepared: 10/29/18 By: MAM Date Entered: _____ By: _____				

File No. **22576 D3** 11. County: FI Basin: ARK RIVER Stream: Formation Code: 211/331 Special Use:

12. Points of Diversion											Rate and Quantity					
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
ENT				SENWSE	26	26	34 W		1488'	1432'		885	272	885	272	NONE
DEL	17893			NC SE	26	26	34W		1340'	1320'		885	272	885	272	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
NC																															

Base Acres: Year: Minimum Reasonable Quantity: Comments:

STATE OF KANSAS

DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES
GARDEN CITY FIELD OFFICE
2508 JOHNS STREET
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901
FAX: (620) 276-9315
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

October 29, 2018

JACOB NEUFELD
10165 W RIVER RD
HOLCOMB KS 67851

RE: Approval of Application to Change the Point of Diversion
Water Right, File Nos. 22,576 D3 and 28620

Dear Sir and Madam:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

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

Since this order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate. Please also submit a copy of the current ownership deed to have our records changed.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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,

Michael A. Meyer
Water Commissioner

MAM:
enclosures

pc:
Groundwater Management District No. 3

CERTIFICATE OF SERVICE

On this 29th day of October, 2018, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,576 D3, dated 29th day of October, 2018 was mailed postage prepaid, first class, US mail to the following:

JACOB NEUFELD
10165 W RIVER RD
HOLCOMB KS 67851
With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

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

File No. 22576 D3

OCT 26 2018
 3:06 PM
 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: JACOB NEUFELD

10165 W RIVER RD, HOLCOMB, KS 67851

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: SAME AS OWNER

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: _____

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	

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: _____

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 \$ 100.00 TR # _____ Receipt Date 10-26-18 Check # 3763

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ SE Quarter
 of Section _____ 26 _____, Township _____ 26 _____ South, Range _____ 34 _____ W,
 in FINNEY County, Kansas, _____ 1340 _____ feet North _____ 1320 _____ feet West of Southeast corner of section.
 Authorized Rate _____ 885 _____ Authorized Quantity _____ 272 _____ Depth of well _____ ~400 _____ (feet)
(DWR use only: Computer ID No. 4 _____ GPS _____ 37.75507 _____ feet North _____ -101.00289 _____ 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 _____ JE _____ Quarter of the _____ ~~NC~~ NW _____ Quarter of the _____ SE _____ Quarter
 of Section _____ 26 _____, Township _____ 26 _____ South, Range _____ 34 _____ W,
 in FINNEY County, Kansas, _____ 1488 _____ feet North _____ 1432 _____ feet West of Southeast corner of section.
 Proposed Rate _____ 885 _____ Proposed Quantity _____ 272 _____ Proposed well depth (feet) _____ ~680 _____
 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? _____
REPLACE OLD WELL

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

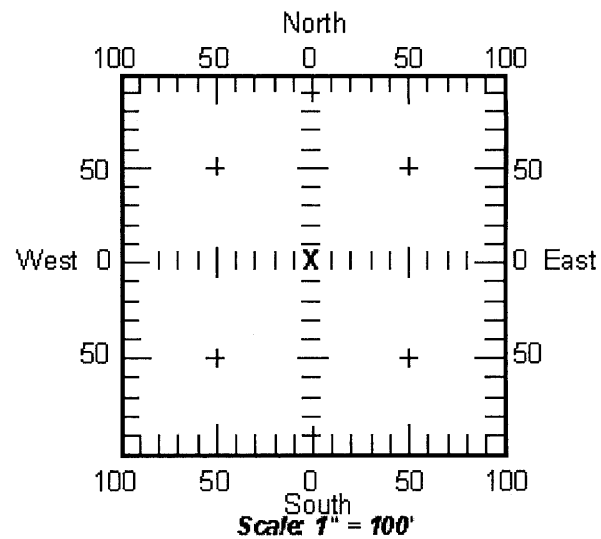
9. When do you propose to complete the new point of diversion?
UPON COMPLETION

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

11. Groundwater Management District recommendation attached? Yes No

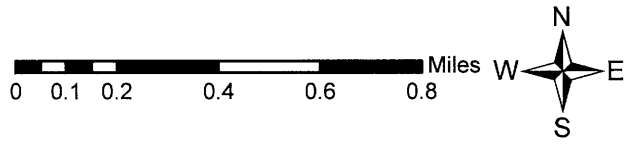
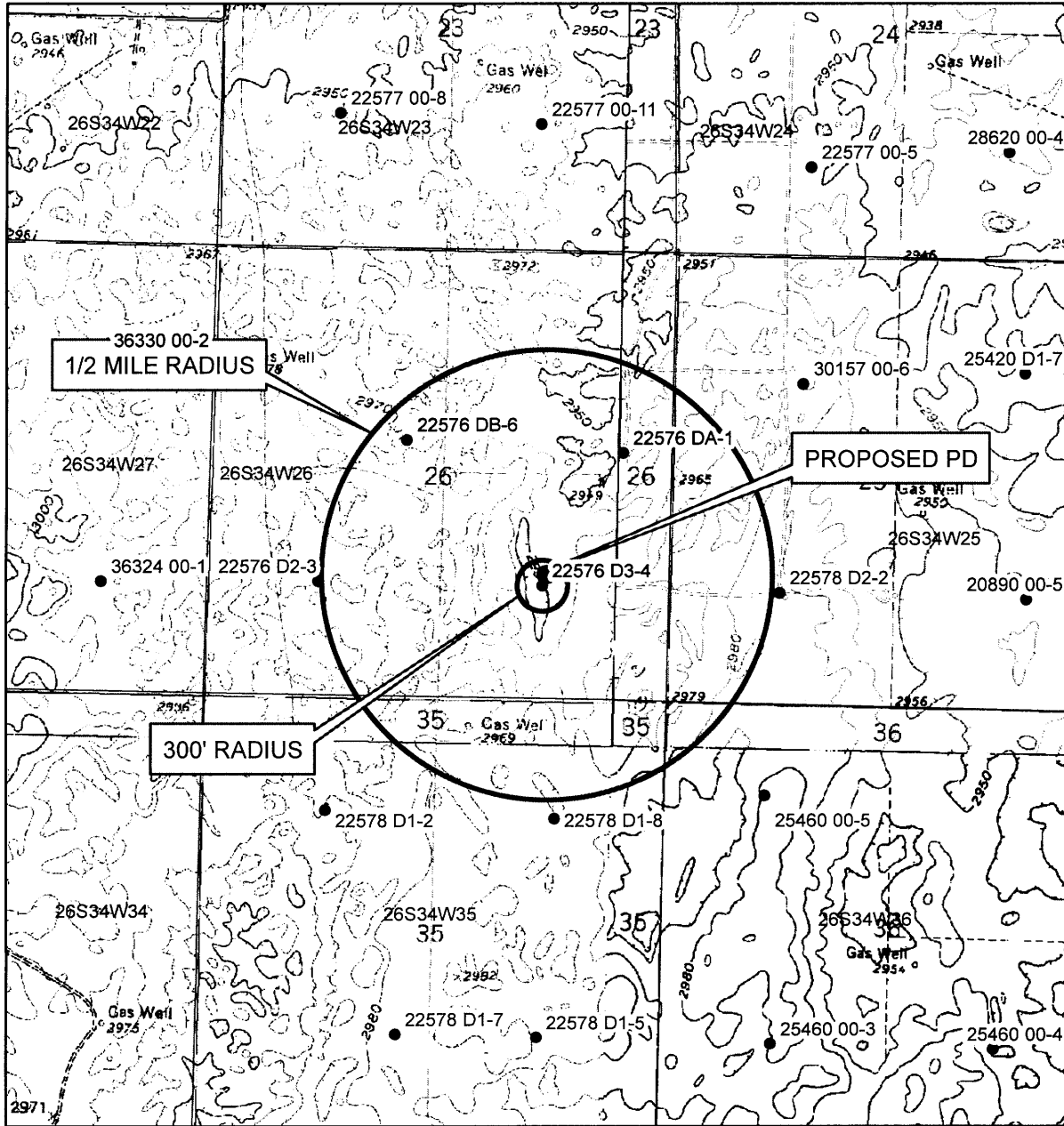
12. Assisted by BSC

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.

Change in Point of Diversion for Water Right 22576 D3 Section 26, Township 26 South, Range 34 West, Finney County



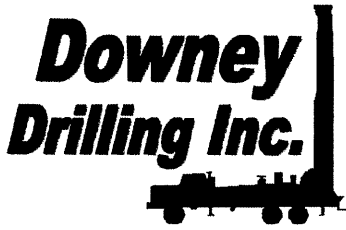
All wells within 1/2 miles are on this map.

X _____

WELL LOG

WR 22576-3-4

DATE: 4/19/2018



CUSTOMER NAME: JACOB NEUFELD

LEGAL: SE 26-26S-34W

COUNTY: FINNEY

GPS: 37 45' 20" N 37.75555

-101 0' 10" W -101.00277

TEST HOLE #2 - SOUTH

DRILLER: CHRIS P 1488' N 1432' W WO: 18-184

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	1	SANDY TOP SOIL	SOFT	DARK	FAST		SMOOTH
	1	16	SILTY CLAY	SOFT	DARK	FAST		SMOOTH
	16	36	SILTY CLAY AND TRACES OF FINE SAND	SOFT	TAN	FAST		SMOOTH
	36	40	COARSE SAND, FINE GRAVEL, AND TRACES OF FINE SAND OF FINE SAND	SOFT	TAN	FAST		CHOPPY
X	40	80	MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	FAST		SLIGHT CHATTER
	80	108	FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	FAST		SLIGHT CHATTER
	108	115	SANDY CLAY	SOFT	TAN	FAST		SMOOTH
X	115	148	FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	FAST		CHATTER
	148	186	SANDY CLAY	SOFT	WHITE	FAST		SMOOTH
X	186	198	SANDY CLAY AND FINE-MEDIUM SAND	SOFT	TAN	FAST		CHOPPY
	198	225	FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	FAST		CHOPPY
	225	237	CLAY	SOFT	RED	FAST		SMOOTH
X	237	260	FINE-MEDIUM-COARSE SAND, FINE-MEDIUM GRAVEL, AND TRACES OF THIN CLAY LAYERS	SOFT	RED	FAST		CHATTER
	260	280	FINE-MEDIUM-COARSE SAND AND FINE-MEDIUM GRAVEL	SOFT	RED	FAST	2	CHATTER
X	280	305	COARSE SAND AND FINE-MEDIUM-COARSE GRAVEL	SOFT	RED	FAST	25	CHATTER
	305	318	SAND, SANDY CLAY	SOFT	TAN	FAST	8	SMOOTHER
X	318	345	COARSE SAND, FINE-MEDIUM GRAVEL	SOFT	RED	FAST	27	CHOPPY
	345	370	SILTY CLAY	SOFT	TAN	FAST	28	SMOOTH
	370	398	FINE-MEDIUM SAND W/SILTY SANDY CLAY	SOFT	TAN	FAST	28	CHOPPY
	398	400	SILTY CLAY	SOFT	TAN	FAST		SMOOTH
	400	420	SILTY CLAY AND FINE-MEDIUM-COARSE SAND	SOFT	RED	FAST	15	CHOPPY
	420	435	FINE-MEDIUM SAND W/ TR. SILTY, SANDY CLAY	SOFT	RED	FAST	15	CHOPPY
	435	466	FINE-MEDIUM-COARSE SAND AND SOME BROKEN SAND	SOFT	RED	FAST	31	CHATTER
	466	475	SILTY SANDY CLAY	SOFT	TAN	FAST		SMOOTH
	475	489	BROWN ROCK, TR. F. GRAVEL	SOFT	BROWN	FAST	14	CHOPPY
	489	504	BROWN ROCK, TR. FINE GRAVEL, TR. SHALE	SOFT	BROWN	FAST	15	CHOPPY
	504	540	SHALE	SOFT	GRAY	SLOW		SMOOTH
	540	548	SHALE W/ TR. SAND	SOFT	GRAY	SLOW	4	SMOOTH
	548	580	F. SAND W/SHALE LENSES	SOFT	GRAY	FASTER	32	NOT AS SMOOTH
	580	680	SHALE	DENSE	GRAY	SLOWER		SMOOTH
			DID NOT E-LOG					

actual move 175' N 34' E (from GPS by LWR 8/6/14)

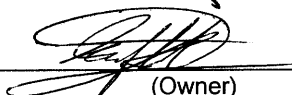
14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

- (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).

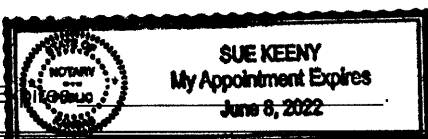
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regard to the water right(s) to which this application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

Dated at Harden City, Kansas, this 26th day of October, 2018.

 _____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)

State of Kansas }
County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 26th day of October, 2018.



Sue Keeny
Notary Public

My Commission Expires _____

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. 22576-03

1. A change application was received on OCTOBER 26, 2018 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 50 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, 2019, 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, 2019, or within any authorized extension of time. By March 1, 2020 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.

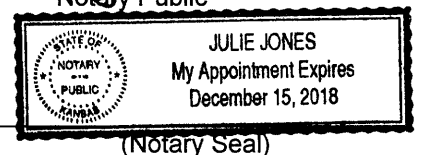
Administrative Appeal and Effective Date of Order

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: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: October 29, 2018
State of Kansas)
) SS
County of Finney)
Acknowledged before me on October 29, 2018
by Michael A. Meyer
Signature: Julie Jones
Notary Public



My commission expires: _____
(Notary Seal)