

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

March 30, 2018

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

Re: Water Right file number 27702

Dear Mr. Norquest;

Greg Love has applied to relocate the well authorized by the above water right number. There are two neighboring wells within ½ mile of the requested.

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

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

Sincerely;

Thomas P Makens

TPM:tpm

Submit completed application to:  
 Kansas Department of Agriculture  
 Division of Water Resources  
 Field Office for your area.

Call for address:

Topeka -- (785) 862-6300  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
[www.ksda.gov/dwr](http://www.ksda.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. 27702

RECEIVED  
 8:55am  
 MAR 15 2018

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

Place of Use                       Point of Diversion

Garden City Field Office  
 Division of Water Resources

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

The source of supply is:                       Groundwater                       Surface water

2. Name and address of Applicant: LOVE AG COMPANY GREG LOVE  
24506 13 RD MONTEZUMA KS 67867-9073

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

Name and address of Water Use Correspondent: LOVE AG COMPANY GREG LOVE  
24506 13 RD MONTEZUMA KS 67867-9073

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

3. The presently authorized place of use is:

Owner of Land ---- NAME: EDWARD LEROY ZIMMERMAN JR                      Love Ag. Co.  
 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: no change to acres irrigated  
 ADDRESS: \_\_\_\_\_

(If there is more than one landowner, attach supplemental sheets as necessary.)

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

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 3/15/10 Check # 5641

5. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ nc \_\_\_\_\_ Quarter of the \_\_\_\_\_ se \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_ 29 \_\_\_\_\_, Township \_\_\_\_\_ 27 \_\_\_\_\_ South, Range \_\_\_\_\_ 28 \_\_\_\_\_ W,  
 in Gray \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 1320 \_\_\_\_\_ feet North \_\_\_\_\_ 1340 \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 1 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  
**Proposed point of diversion: (Complete only if change is requested)**  
 One in the \_\_\_\_\_ SE \_\_\_\_\_ Quarter of the \_\_\_\_\_ SE \_\_\_\_\_ Quarter of the \_\_\_\_\_ SE \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_ 29 \_\_\_\_\_, Township \_\_\_\_\_ 27 \_\_\_\_\_ South, Range \_\_\_\_\_ 28 \_\_\_\_\_ W,  
 in Gray \_\_\_\_\_ County, Kansas, \_\_\_\_\_ 338 \_\_\_\_\_ feet North \_\_\_\_\_ 415 \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_.

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

7. Why do you need a new point of diversion? \_\_\_\_\_  
 old well needs fo be replaced \_\_\_\_\_  
 \_\_\_\_\_

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

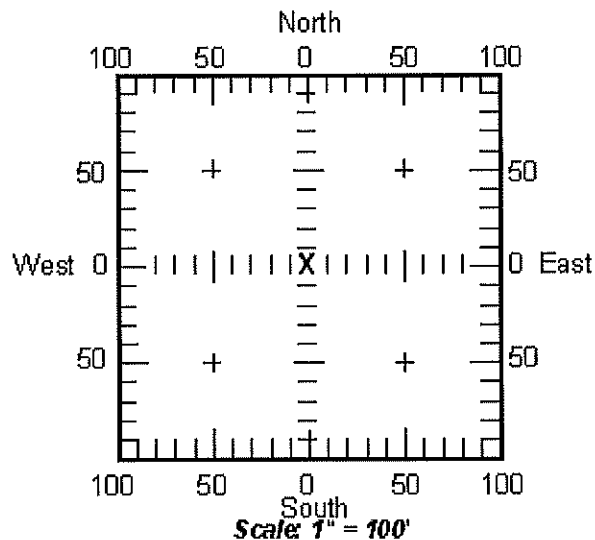
9. When do you propose to complete the new point of diversion?  
April 1, 2018

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? 2018

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by tpm

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



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.









Entered on Record in this office this 3<sup>th</sup> day of Nov, 2017  
Gray Co. Clk Megan Billinger  
Deputy Clerk

State of Kansas, Gray County SS.  
This instrument was filed for Record on 11/13/2017 at 10:54 AM and Recorded in Book 135  
Page 120-121 Fee: \$32.00



PHOTO-COPIED  
INDEXED

M. Fairbanks Deputy  
Renee L Shriner, Register of Deeds

**TRUSTEE'S DEED**

SE29-27-28  
Love Ag Co

THIS INDENTURE, made on 11/11, 2017 by and between **EDWARD L. ZIMMERMAN** as Trustee of <sup>Trust</sup> **THE TRUST OF EDWARD L. ZIMMERMAN AND DOROTHY J. ZIMMERMAN**, under agreement dated February 22, 1992 as GRANTOR, and

**LOVE AG CO.,**, as GRANTEE:

GRANTOR, by virtue of the terms and provisions of said trust agreement, in consideration of the sum of \$10 and other valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee all of the following described property in GRAY County, Kansas:

The Southeast Quarter (SE/4) of Section Twenty-nine (29), Township Twenty-seven (27) South, Range Twenty-eight (28) West of the 6<sup>th</sup> P.M., Gray County, Kansas.

GRANTOR covenants that the trust remains in full force and effect at this time, and the Trustee has authorization without limitation to sell and convey all of the above described real estate.

DATED: 11-11-17

By Edward Zimmerman  
**EDWARD L. ZIMMERMAN, Trustee**

RECEIVED

MAR 14 2018

Garden City Field Office  
Division of Water Resources

STATE OF Calif  
COUNTY OF Sacramento

BE IT REMEMBERED, That on \_\_\_\_\_, 2017, the foregoing instrument was acknowledged by

**EDWARD L. ZIMMERMAN** as Trustee of **THE TRUST OF Edward L. ZIMMERMAN AND DOROTHY J. ZIMMERMAN**, under agreement dated February 22, 1992

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

\* See attached California for Acknowledgement

Notary Public

My Term Expires: \_\_\_\_\_



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

RECEIVED

State of California

County of Sacramento

MAR 14 2018

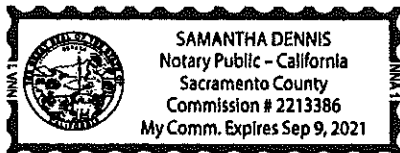
On 4/11/17 before me, Samantha Dennis Garden City Field Office  
Date Here Insert Name and Title of the Officer of Water Resources

personally appeared Edward Zimmerman  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

2EJd-51-58  
Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Trustee's Deed

Document Date: 4/11/17 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

DONALD KOEHN II  
18502 X RD  
CIMARRON KS 67835

RE: Water Right 27702

Dear Mr. Koehn;

This is to advise you that 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 "Thomas P. Makens".

Thomas P. Makens  
Environmental Scientist III

pc: GMD#3

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JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

March 15, 2018

VICTOR V & LOUISE M THOMAS TR ET AL  
PO BOX 381  
MONTEZUMA KS 67867-0381

RE: Water Right 27702

Dear Mr. & Mrs. Thomas;

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Sincerely,

Thomas P. Makens  
Environmental Scientist III

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