

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

1. File Number: <b>30585</b>	2. Status Change Date: <b>5/16/18</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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: <b>4/9/18</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>BROOKOVER LAND ENTERPRISES E C BROOKOVER PO BOX 917 GARDEN CITY KS 67846-0917</b>		Person ID <b>2001</b> Add Seq# <b>1</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>NC</b>		Person ID _____ Add Seq# _____		
8c. Landowner(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		
8d. WUC New to system <input type="checkbox"/>  <b>NC</b>		Person ID _____ Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/18</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>12/31/18</b>				
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input 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: <b>5/4/18</b> By: <b>TPM</b> Date Entered: _____    By: _____				

File No. **30585** 11. County: FI Basin: arkansas Stream: Formation Code: 211 Special Use:

12. Points of Diversion

CHK MOD DEL ENT	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
									Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	
ent	sw sw se	32	23	33w	621	2633			1264	392	1264	320	
del	41298												

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

CHK MOD DEL ENT	PUSE	S	T	R	ID	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total	Owner	Chg?	Overlap Files
						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				
ent	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

May 16, 2018

BROOKOVER LAND ENTERPRISES  
E C BROOKOVER  
PO BOX 917  
GARDEN CITY KS 67846-0917

RE: Change in Point of Diversion Water Right, File No 30585

Dear Mr. Price:

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

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

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

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

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

Sincerely,

Thomas P. Makens  
Assistant Water Commissioner

TPM:tpm  
Enclosures

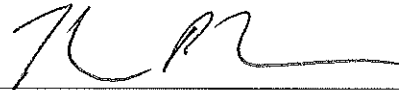
GMD#3

**CERTIFICATE OF SERVICE**

On this 17<sup>th</sup> day of May 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 30585 dated May 16, 2018 was mailed postage prepaid, first class, US mail to the following:

BROOKOVER LAND ENTERPRISES  
E C BROOKOVER  
PO BOX 917  
GARDEN CITY KS 67846-0917

Copy provided to GMD#3

A handwritten signature in black ink, appearing to be 'J. R. P.', written over a horizontal line.

Division of Water Resources

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

Topeka -- (785) 296-5733  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
<http://agriculture.ks.gov/dwr>

## DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.  
 Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

RECEIVED  
 9:27 AM  
 APR 09 2018

File No. 30585

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):
- Garden City Field Office  
 Division of Water Resources
- 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: BROOKOVER LAND ENTERPRISES  
PO BOX 917 GARDEN CITY KS 67846-0917  
 Phone Number: ( )      Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: BROOKOVER LAND ENTERPRISES  
PO BOX 917 GARDEN CITY KS 67846-0917  
 Phone Number: ( )      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: BROOKOVER LAND ENTERPRISES  
ADDRESS: PO BOX 917 GARDEN CITY KS 67846-0917  
 (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 irr or to feedlot  
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		

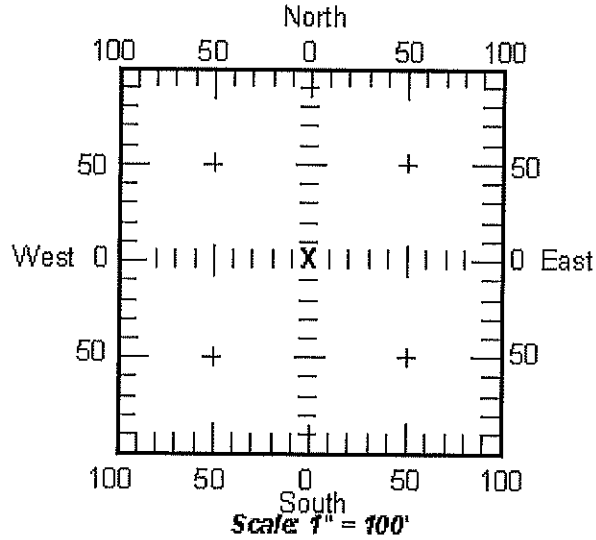
For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 4/9/10 Check # 132402

5. **Presently authorized point of diversion:**  
 One in the ncw2 Quarter of the w2 Quarter of the se Quarter  
 of Section 32, Township 23 South, Range 33 W,  
 in Finney County, Kansas, 1350 feet North 2240 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 5 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the sw Quarter of the sw Quarter of the se Quarter  
 of Section 32, Township 23 South, Range 33 W,  
 in Finney County, Kansas, 621 feet North 2633 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. \_\_\_\_\_ GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 \_\_\_\_\_  
 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. The change(s) (was)(will be) completed by?  
April 30 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

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. 30585

**Presently authorized point of diversion:**  
One in the \_\_\_\_\_ Quarter of the cn Quarter of the se Quarter  
of Section 32, Township 23 South, Range 33 W,  
in Finney County, Kansas, 2600 feet North 1330 feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
(DWR use only: Computer ID No. 9 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
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 nw Quarter of the ne Quarter of the se Quarter  
of Section 32, Township 23 South, Range 33 W,  
in Finney County, Kansas, 2585 feet North 596 feet West of Southeast corner of section.  
Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
(DWR use only: Computer ID No. 11 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
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 \_\_\_\_\_





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 regards 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 9TH day of APRIL, 2018.

[Signature]  
(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 9TH day of APRIL, 2018.



[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. 5-5-1, *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. 30585

1. A change application was received on April 9, 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 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, 2018, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.  Applicable  Not Applicable
7. Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. By March 1, 2019 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.  Applicable  Not Applicable
8. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
9. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.  Applicable  Not Applicable
10. Additional Conditions are attached.  Yes  No
11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

**Administrative Appeal and Effective Date of Order**

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 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 review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*For Use by Register of Deeds*

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

By: Thomas P. Makens  
Duly Authorized Designee of the Chief Engineer  
(Print Name): THOMAS P. MAKENS  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: MAY 16, 2018  
State of Kansas )  
County of Stinson ) SS  
Acknowledged before me on May 16, 2018  
by Thomas P. Makens  
Signature: Julie Jones

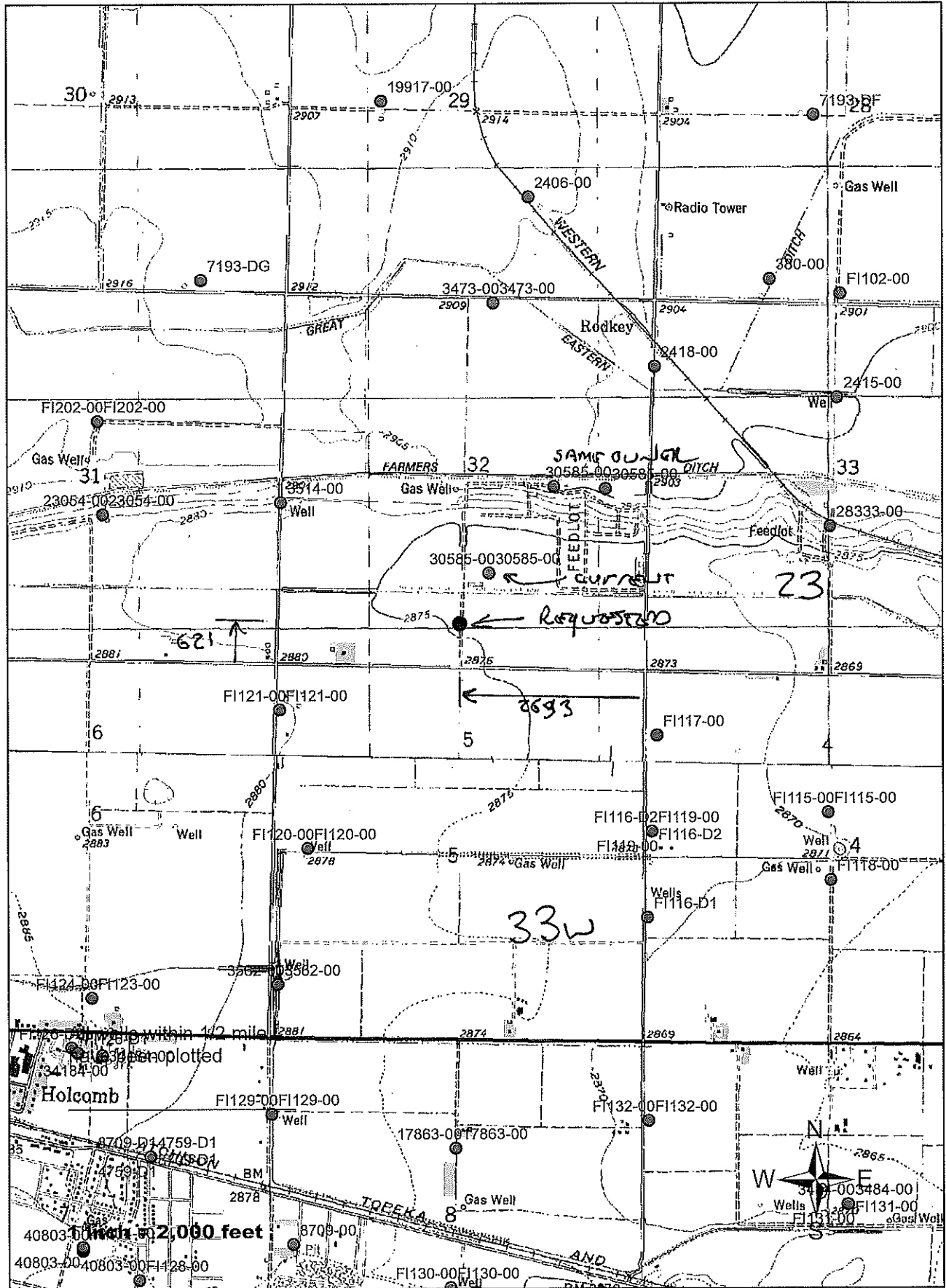


My commission expires: \_\_\_\_\_

(Notary Seal)

File No. \_\_\_\_\_

30585





TOPO! map printed on 03/29/18 from "Untitled.tpo"

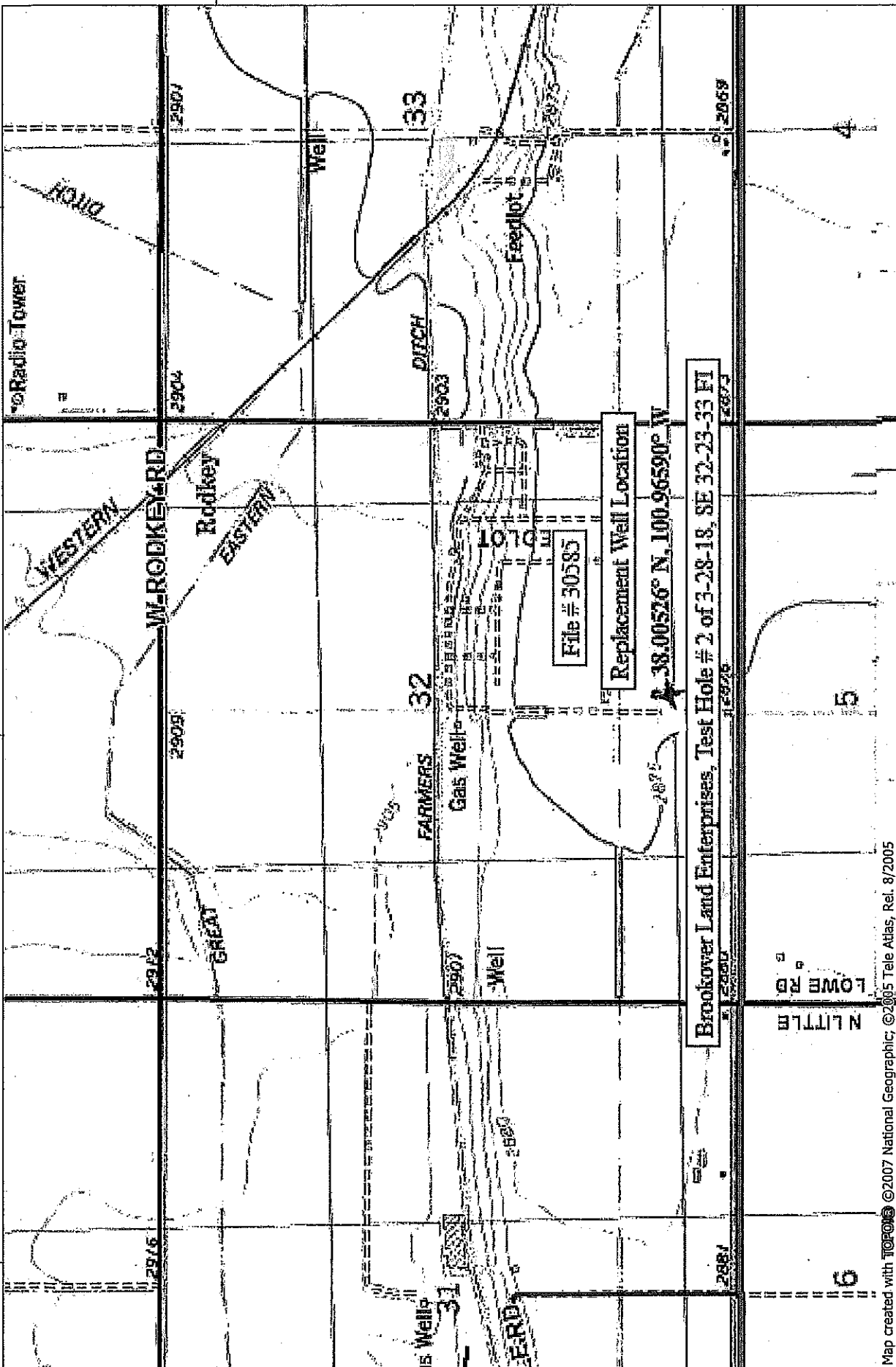
100.96667° W

100.98333° W

NAD27 100.95000° W

38.01667° N

38.01667° N

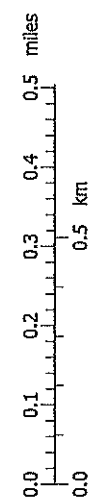


Map created with TOPO! ©2007 National Geographic, ©2005 Tele Atlas, Rel. 8/2005

100.98333° W

NAD27 100.95000° W

NATIONAL GEOGRAPHIC



TN MN

5 1/2°

03/29/18



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

April 9, 2018

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

Re: Water Right file number 30585

Dear Mr. Norquest;

Brookover Land 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.

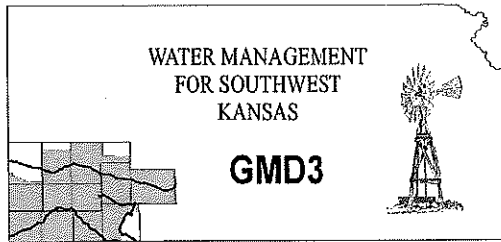
Sincerely;

Thomas P Makens

TPM:tpm







**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

April 13, 2018

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

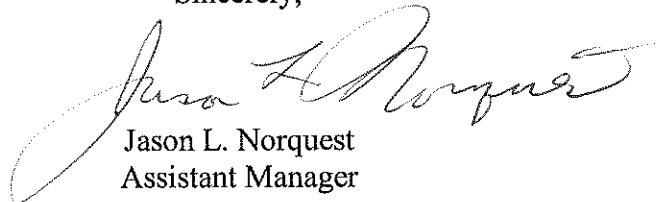
RE: Application for Change in Point of Diversion  
Water Right, File No. 30585

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 well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

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

Sincerely,



Jason L. Norquest  
Assistant Manager

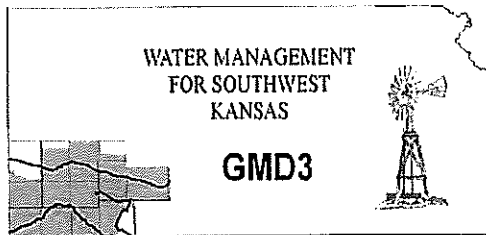
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MAY 09 2018

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**Southwest Kansas**  
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April 13, 2018

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

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RE: Application for Change in Point of Diversion  
Water Right, File No. 30585

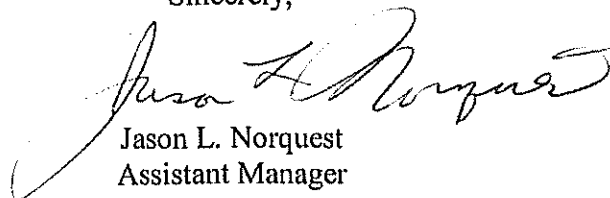
Garden City Field Office  
Division of Water Resources

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

Sincerely,



Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

---

File No(s): 30585. DWR office: GC.

App filed to change: PD.

Is Landowner(s) correct in WRIS: Yes.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?   .

If NO, is documentation included?

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

Point of diversion ID No(s) 05 being changed.

	ft. North	ft. West	
Authorized PD	1350	2240	Sect. 32-23-33
Proposed PD	621	2633	
Difference	729 S	-393 W	
a2 + b2 = c2	531441	154449	828.1848 foot move SW

GPS for proposed PD: Lat: 38.00526 Long: -100.96590.

Is proposed PD stacking on existing WRs? No.

Is Proposed PU overlapping existing WRs?   .

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   %

**Moving the IRR well. Spacing to neighbors and domestics appears met.**

Is a waiver needed: No.

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

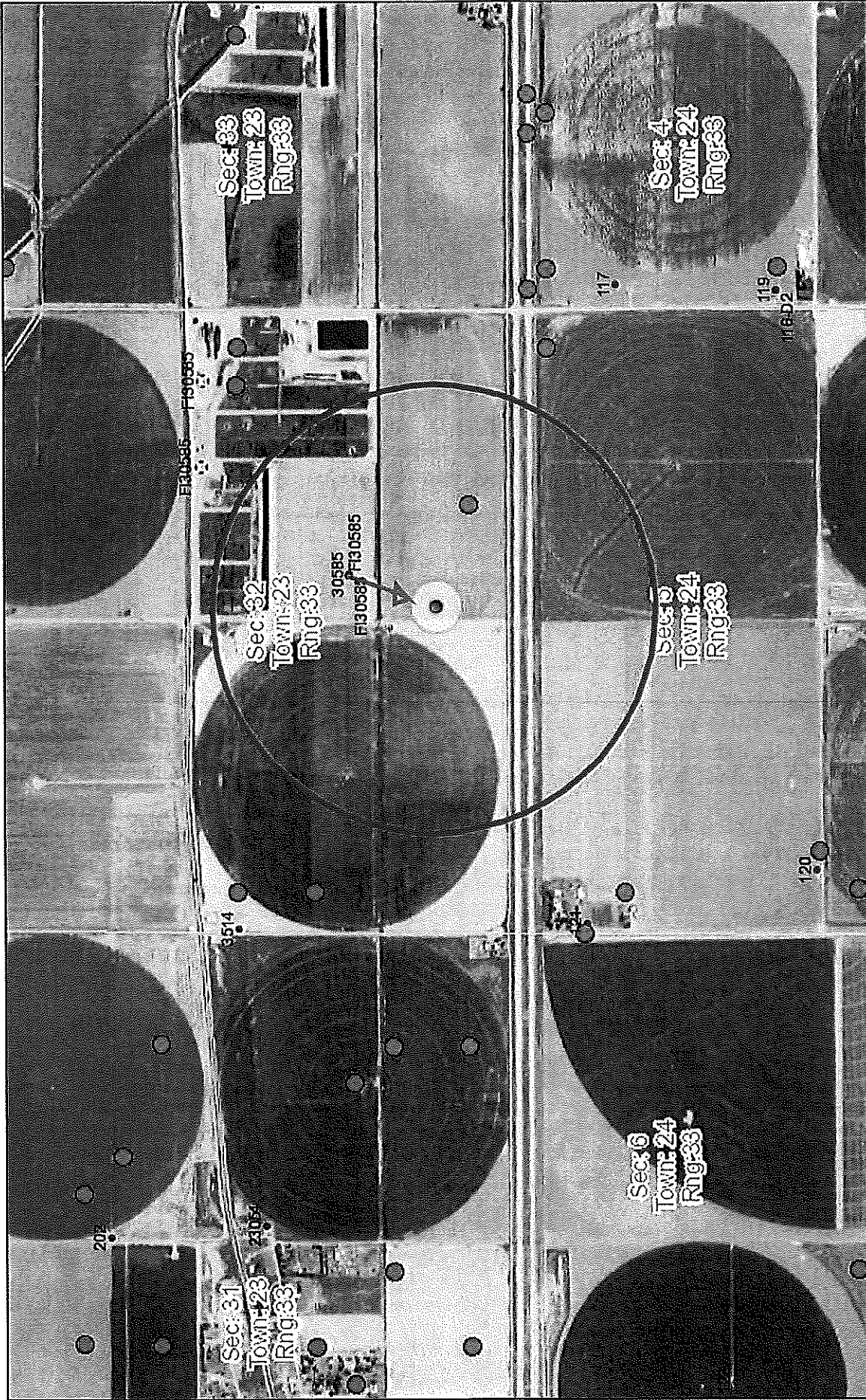
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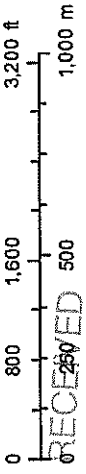
# 30585 Review; PD



April 13, 2018  
16:04 PM

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

1:18,056



- GPS Position
- IRR
  - Other
  - CON
  - DEW
  - DOM
  - FPR
  - HYD
  - IND
  - MUN
  - REC
  - STK
  - THX
  - ?
  - Empty

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Division of Water Resources

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

621 ft N and 2633 ft W of the SE Corner of Section 32, T 23S, R 33W

Located at: 100.965864 West Longitude and 38.005260 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__ 2418 00	IRR	NK	G	4596	--	SW	NW	NW	4352	5227	33	23	33W	7	770	520.00	520.00	AF
A__ 3473 00	IRR	NK	G	4595	--	NW	NW	NE	5200	2257	32	23	33W	4	140	72.00	72.00	AF
A__ 3514 00	IRR	NK	G	3101	--	NW	NW	SW	2300	5240	32	23	33W	10	14	240.00	240.00	AF
A__ 30585 00	IRR	NK	G*	828	NC	W2	W2	SE	1350	2240	32	23	33W	5	1400	392.00	320.00	AF
A__ 30585 00	STK	NK	G*	2370	--	--	CN	SE	2600	1330	32	23	33W	9	100	50.00	50.00	AF
Same				2830	--	NW	NE	SE	2585	596	32	23	33W	11	1	50.00	50.00	AF
VFI 116 D1	IRR	AA	G	4965	--	SW	NW	SW	1696	5235	4	24	33W	7		317.98	317.98	AF
VFI 116 D2	IRR	AA	G	4026	--	SW	SW	NW	2933	5200	4	24	33W	8	140	2.02	2.02	AF
VFI 117 00	IRR	AA	G	3224	--	--	--	--	4300	5150	4	24	33W	10		240.00	199.34	AF
VFI 119 00	IRR	AA	G	4026	--	SW	SW	NW	2933	5200	4	24	33W	8		80.00	79.00	AF
VFI 120 00	IRR	AA	G	3879	--	NC	W2	W2	2642	4800	5	24	33W	2	210	500.00	500.00	AF
VFI 121 00	IRR	AA	G	2760	--	--	--	--	4677	5150	5	24	33W	30	210	500.00	500.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	1252.00	.00
Total Vested Amount (AF) =	1598.34	.00
TOTAL AMOUNT (AF) =	2850.34	.00

*Supply MET!!*

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.

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

100.965864 West Longitude and 38.005260 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number	Use	ST	SR
A__ 2418 00	IRR	NK	G
>	BROOKOVER LAND ENTERPRISES		
>	E C BROOKOVER		
>	PO BOX 917		
>	GARDEN CITY KS 67846		
-----			
A__ 3473 00	IRR	NK	G
>	BROOKOVER LAND ENTERPRISES		
>	E C BROOKOVER		
>	PO BOX 917		
>	GARDEN CITY KS 67846		
-----			
A__ 3514 00	IRR	NK	G
>	SIX M FARMS INC		

APR 18 2018

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Division of Water Resources

INPUTS	
Target Section Definition	
Section	32
Township	23
Range	33
Range Direction	W
Target Point Coordinates (NAD27 or NAD83)	
Target Longitude	-100.966900
Target Latitude	38.005260

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.

Loaded Section Data		
From LEOBASE using NAD83		
Corner	Corner Latitudes	
SW	38.00361018	
NW	38.01809008	
NE	38.01807483	
SE	38.00357883	
Degrees Longitude per Foot	3.47066771E-06	
Degrees Latitude per Foot	2.74608735E-06	
Target Point Distances from Corners using NAD83		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	601	-2760
NW	-4672	-2712
NE	-4667	2555
SE	612	2516

Target point is in Section

Loaded Section Data		
From LEOBASE using NAD27		
Corner	Corner Latitudes	
SW	38.00358600	
NW	38.01806600	
NE	38.01805100	
SE	38.00355500	
Degrees Longitude per Foot	3.47066668E-06	
Degrees Latitude per Foot	2.74598853E-06	
Target Point Distances from Corners using NAD27		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	610	-2633
NW	-4664	-2584
NE	-4658	2683
SE	621	2643

Target point is in Section

Difference (NAD83 Minus NAD27)		
Corner	Corner Latitudes	
SW	0.00002418	
NW	0.00002408	
NE	0.00002383	
SE	0.00002383	
Difference (NAD83 Minus NAD27)		
Corner	Feet North(+)/South(-)	Feet East(-)/West(+)
SW	-8.82785926	-127.73248874
NW	-8.59592030	-127.64606581

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Division of Water Resources





>  
> 9715 W MILLER RD  
> HOLCOMB KS 67851  
-----  
A\_\_ 30585 00 IRR NK G  
> BROOKOVER LAND ENTERPRISES  
> E C BROOKOVER  
> PO BOX 917  
> GARDEN CITY KS 67846  
-----  
A\_\_ 30585 00 STK NK G  
> BROOKOVER LAND ENTERPRISES  
> E C BROOKOVER  
> PO BOX 917  
> GARDEN CITY KS 67846  
-----  
VFI 116 D1 IRR AA G  
> MIKE BRAUN  
>  
> 1412 MELS DR  
> GARDEN CITY KS 67846  
-----  
VFI 116 D2 IRR AA G  
> SIX M FARMS INC  
>  
> 9715 W MILLER RD  
> HOLCOMB KS 67851  
-----  
VFI 117 00 IRR AA G  
> SIX M FARMS INC  
>  
> 9715 W MILLER RD  
> HOLCOMB KS 67851  
-----  
VFI 119 00 IRR AA G  
> SIX M FARMS INC  
>  
> 9715 W MILLER RD  
> HOLCOMB KS 67851  
-----  
VFI 120 00 IRR AA G  
> ANDREW E LARSON TRUST  
> JEAN LARSON TRUSTEE  
> 3510 N LITTLE LOWE RD  
> GARDEN CITY KS 67846  
-----  
VFI 121 00 IRR AA G  
> ANDREW E LARSON TRUST  
> JEAN LARSON TRUSTEE  
> 3510 N LITTLE LOWE RD  
> GARDEN CITY KS 67846  
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