

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

1. File Number: <b>42210</b>	2. Status Change Date: <b>10/23/2018</b>	3. Change Num: <b>C1 &amp; C2</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
---------------------------------	---	--------------------------------------	-------------------------------	----------------------

6. Status: <input 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>10-MAY-2018 PU</b> <b>16-JUL-2018 PU PD</b>
---	--

8a. Applicant(s) New to system <input type="checkbox"/>	Person ID <u>62698</u> Add Seq# _____
<b>GREWELL LAND LLC</b> <b>193 ROAD 12</b> <b>HUGOTON KS 67951</b>	

8c. Landowner(s) New to system <input checked="" type="checkbox"/>	Person ID <u>160392</u> Add Seq# <u>1</u>
<b>GPG LLC</b> <b>1114 ROAD A</b> <b>HUGOTON KS 67951</b>	

8d. Landowner(s) New to system <input checked="" type="checkbox"/>	Person ID <u>160393</u> Add Seq# <u>1</u>
<b>DKGG LLC</b> <b>1114 ROAD A</b> <b>HUGOTON KS 67951</b>	

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID <u>62698</u> Add Seq# _____
<b>GREWELL LAND LLC</b> <b>193 ROAD 12</b> <b>HUGOTON KS 67951</b>	

8e. WUC New to system <input type="checkbox"/>	Person ID <u>38625</u> Add Seq# <u>1</u>
<b>DONALD PAUL GREWELL</b> <b>1114 ROAD A</b> <b>HUGOTON KS 67951-5125</b>	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/18</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>12/31/18</u>	
<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: <b>10/01/18</b>	By: <b>RAK</b>
Date Entered: <b>10/25/2018</b>	By: <b>LLM</b>

File No. <b>42210</b>	11. County: <b>SV</b>	Basin: <b>CIMARRON RIVER</b>	Stream:	Formation Code: <b>211</b>	Special Use:																																																												
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;">12. Points of Diversion</td> <td colspan="4"></td> <td colspan="5">Rate and Quantity</td> </tr> <tr> <td>CHK</td> <td colspan="4"></td> <td colspan="2">Authorized</td> <td colspan="3">Additional</td> </tr> <tr> <td>MOD</td> <td colspan="4"></td> <td>Rate</td> <td>Quantity</td> <td>Rate</td> <td>Quantity</td> <td>Overlap PD Files</td> </tr> <tr> <td>DEL</td> <td>PDIV</td> <td>Qualifier</td> <td>S</td> <td>T</td> <td>R</td> <td>ID</td> <td>'N</td> <td>'W</td> <td>Comment (AKA Line)</td> <td>gpm/cfs</td> <td>af/mgy</td> <td>gpm/cfs</td> <td>af/mgy</td> <td></td> </tr> <tr> <td>ENT</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						12. Points of Diversion					Rate and Quantity					CHK					Authorized		Additional			MOD					Rate	Quantity	Rate	Quantity	Overlap PD Files	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	gpm/cfs	af/mgy	gpm/cfs	af/mgy		ENT														
12. Points of Diversion					Rate and Quantity																																																												
CHK					Authorized		Additional																																																										
MOD					Rate	Quantity	Rate	Quantity	Overlap PD Files																																																								
DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	gpm/cfs	af/mgy	gpm/cfs	af/mgy																																																				
ENT																																																																	
DEL	46334	NE¼ SE¼ NE¼	16	34	38W	1	3380	270																																																									
ENT	87112	NW¼ SE¼ SE¼	16	34	38W		1074	808		620 g.p.m.	61 AF	620 g.p.m.	61 AF	44186																																																			
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																																																
ENT	53314	14	34	38W	3					40	40			40	40				160	8c	YES	see above																																											
ENT	18623	15	34	38W	1	13	36	40	36	36	13	36	40	40	36	13	36	40	36	500	8d	YES	see above																																										
MOD	38480	16	34	38W	1	32.50	32.50	32.50	32.50											130	8b	NO	see above																																										
ENT	33138	16	34	38W	2					32	32	32	32	36	13	36	40	40	40	413	8c	YES	see above																																										
Base Acres:		Year:		Minimum Reasonable Quantity:																																																													
Comments:																																																																	

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

**TO:** Files

**DATE:** October 9, 2018

**FROM:** Richelle A. Krueger

**RE:** Water Right  
File Nos. 41,463; 42,210;  
42,336 and 44,186

Greg Grewell and Donald P. Grewell, on behalf of Grewell Land, L.L.C., GPG L.L.C. and DKGG L.L.C., water right owners, filed applications for approval to change the authorized point of diversion for Water Right, File Nos. 42,210 and 44,186, and the authorized place of use for File Nos. 41,463; 42,210; 42,336 and 44,186, all files authorized groundwater for irrigation use in the Cimarron River Basin.

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

File No. 42,210 has no overlaps in the point of diversion and place of use and is authorized 61 acre-feet and 620 gallons per minute from one well for irrigation of 130 acres all located in Section 16, Township 34 South, Range 38 West, Stevens County, Kansas. File No. 41,463 has two wells with no overlaps while File Nos. 42,336 and 44,186 are authorized the same well. File Nos. 41,463, 42,336 and 44,186 are authorized a limited total of 1,960 acre-feet for irrigation of the same 1,073 acres in Sections 14,15 and 16 of the aforementioned township and range. The water right owners of File No. 44,186 propose to unstack the authorized quantity and diversion rate from the well it shares with File No. 42,336 and move it a distance of 2,280 feet to a well to be drilled 1,074 feet North and 808 feet West of the Southeast corner of Section 16 pursuant to K.A.R. 5-5-16 *Additional wells*. The currently authorized well for File No. 44,186 will remain authorized under File No. 42,336.

File No. 44,186 is limited to 1,960 acre-feet of water per calendar year when combined with File Nos. 41,463 and 42,336; and further limited to 2,400 g.p.m. when combined with File No. 42,336 for irrigation use from the diversion point. Since the additional well regulation requires that each point of diversion authorized by an approval of an application for change for an additional well shall have a specific assignment of a maximum instantaneous rate of diversion and a maximum annual quantity of water, it was determined that rates and quantities should be divided among File Nos. 41,463; 42,336 and 44,186 in order to eliminate the additional rate and quantity limitations on File No. 44,186. In a phone conversation on August 8, 2018 between Mike Meyer, Water Commissioner of the Garden City Field Office and Brent Turney, Change Application Unit Supervisor, Mike indicated the 1,960 acre-feet limitation was a place of use limitation only, that File Nos. 42,336 and 44,186 perfected 1,172 acre-feet of water (all additional) and would be able to pump the full amount if File No. 41,463 does not pump, therefore the consumptive use reduction must be to the 1,172 acre-feet currently authorized by File Nos. 42,336 and 44,186. Pursuant to the K.A.R. 5-5-16 (a)(2)(C)(i) calculation:

$586 \text{ max acres (File Nos. 42336/44186)} \times 1.40' (80\% \text{ Stevens}) = 965 \text{ AF to be authorized between File Nos. 42,336 and 44,186.}$

However, 1960 acre-feet is all that is authorized amongst File Nos. 41,463; 42,336 and 44,186 combined so:

$1960 \text{ AF} - 965 \text{ AF (File Nos. 42,336 and 44,186)} = 995 \text{ acre-feet to remain authorized for File No. 41,463.}$

A rate test conducted on the presently authorized well by Southwest Groundwater Management District No. 3 staff indicates that 1,907 gallons per minute will be split between File Nos. 42,336 and 44,186. The water right owners chose to retain 753 acre-feet and 1,350 g.p.m. on the well to remain authorized by File No. 42,336 and move 212 acre-feet and 557 g.p.m. for File No. 44,186 to the new well.

The water right owners also propose to move the 61 acre-feet and 620 g.p.m. authorized by File No. 42,210 to the new well location to be authorized by File No. 44,186, a distance move of approximately 2,368 feet. The proposed well appears to meet well spacing requirements.

Memorandum

File Nos. 41,463; 42,210; 42,336 and 44,186

October 9, 2018

Page 2

The water right owners also propose to create an exact overlap in the place of use among File Nos. 41,463; 42,210; 42,336 and 44,186 for a total of 1,203 acres to be irrigated in Sections 14,15 and 16. The total quantity to be authorized under the referenced file numbers, 2,021 acre-feet, can irrigate the proposed 1,203 acres with 1.68 acre-feet per acre which appears reasonable and complies with K.A.R. 5-3-19.

Based on WRIS and the application map the only wells within one-half mile of the proposed new well are owned by the water right owners, and the proposed change in place of use creates an exact overlap in place of use among all of the referenced file numbers, so no nearby well owner notification letters sent.

The same local source of supply will not change, previously determined to be Tertiary System (200)/Ogallala Formation (211).

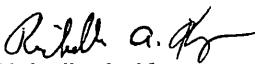
Approval of the application for File No. 44,186 will be subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 16, 2018) to add the additional well.

In a letter dated September 25, 2018, Jason L. Norquest, Assistant Manager of Southwest Groundwater Management District No. 3, indicated that the Board of Directors recommended approval of the referenced applications at this time.

In an e-mail dated September 27, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office recommended approval of the applications.

Water flow meters are required. A water level measurement tube and 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, and that no change in the local source of supply will occur, it has been recommended that the referenced applications be approved.

  
Richelle A. Krueger  
Environmental Scientist

STATE OF KANSAS

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



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

GREWELL LAND LLC  
192 ROAD 12  
HUGOTON KS 67951

October 26, 2018

FILE COPY

RE: Water Right, File Nos. 41,463; 42,210; 42,336 and 44,186

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.

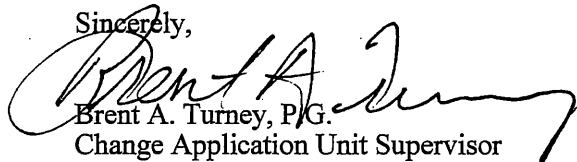
Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Please note that the application to change the point of diversion for File No. 44,186 is approved subject to the condition that for the sole purpose of administering wells concerning direct impairment, the additional well shall be considered to have the priority of the date the application was filed (July 16, 2018) to add the additional well. In addition, the Chief Engineer specifically retains jurisdiction in this matter with authority to review the approval of the additional well at intervals of no fewer than five years, and no more than ten years to determine if the total annual quantity of water actually being withdrawn by all wells authorized by the approval of application for change is exceeding the total annual quantity of water that could have been physically withdrawn if the additional well had not been approved, and based on the review, the Chief Engineer retains authority to make a reasonable reduction in the authorized quantity of water as may be deemed to be in the public interest.

Since these orders modify the original documents 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  
GPG LLC/DKGG LLC

**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  
 POINT OF DIVERSION  
 WATER RIGHT  
 FILE NO. 42,210**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written applications of Greg Grewell and Donald P. Grewell, on behalf of Grewell Land L.L.C., 193 Road 12, Hugoton, Kansas, 67951, and GPG L.L.C. and DKG L.L.C., 1114 Road A, Hugoton, Kansas, 67951, received in this office on May 10, 2018, for approval of a change in the location of the place of use and on July 16, 2018, for approval of a change in the location of the place of use and point of diversion under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, finds that the changes are reasonable and will not impair existing rights, and that the applications should be and are hereby approved.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the authorized location of the irrigation place of use shall be:

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			
14	34S	38W						40.00	40.00				40.00	40.00							160.00
15	34S	38W	13.00	36.00	40.00	36.00	36.00	13.00	36.00	40.00	40.00	36.00	13.00	36.00	36.00	40.00	36.00	13.00			500.00
16	34S	38W	32.50	32.50	32.50	32.50	32.00	32.00	32.00	32.00	36.00	13.00	36.00	40.00	40.00	40.00	40.00	40.00			543.00

a total of 1,203.00 acres in Township 34 South, Range 38 West, Stevens County, Kansas, and the authorized location of the authorized point of diversion shall be:

one(1) well located in the Northwest Quarter of the Southeast Quarter of the Southeast Quarter (NW¼ SE¼ SE¼) of Section 16, more particularly described as being near a point 1,074 feet North and 808 feet West of the Southeast corner of said section, in Township 34 South, Range 38 West, Stevens County, Kansas, at a diversion rate not in excess of 620 gallons per minute (1.38 c.f.s.) and a quantity not to exceed 61 acre-feet of water per calendar year,

located substantially as shown on the maps accompanying the applications to change the place of use and point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2018, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

The water right owner shall submit to the Chief Engineer a copy of the well log required by the Kansas Department of Health and Environment under the authority of K.S.A. 82a-1212, currently form WWC-5, within 30 days following the drilling of the well at the location authorized herein.

All wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this order shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

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. 42,210, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated December 31, 2007.

#### **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.

Ordered this 23<sup>rd</sup> day of October, 2018, in Manhattan, Riley County, Kansas.

*Lane P. Letourneau*

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 23<sup>rd</sup> day of October, 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture.

*Amber L. Herring*

Notary Public



**CERTIFICATE OF SERVICE**

On this 26<sup>th</sup> day of October, 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use and Point of Diversion, File No. 42,210, dated October 23<sup>rd</sup>, 2018 was mailed postage prepaid, first class, US mail to the following:

DKGG LLC/GPG LLC  
1114 ROAD A  
HUGOTON KS 67951

With a true and correct copy sent to:

GREWELL LAND LLC  
193 ROAD 12  
HUGOTON KS 67951

With photocopies sent to:

Garden City Field Office  
Groundwater Management District No. 3

*Darrell Wilson*

Division of Water Resources



Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use  
 Point of Diversion  
 Use Made of Water

(Check one or more)

Water Resources  
Received  
JUL 16 2018  
1:40  
KS Dept Of Agriculture

File No. 42210

2. Name of applicant: Grewell Land LLC %Greg Grewell

Address: 193 Road 12

City, State and Zip: Hugoton, KS 67951

Phone Number: (620)428-5530 E-mail address: grewell.greg@gmail.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: Donald Paul Grewell

Address: 1114 Road A

City, State and Zip: Hugoton, KS 67951

Phone Number: ( ) \_\_\_\_\_ E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): Complete overlap in place of use

The change(s) (was) (will be) completed by as soon as approved (Date)

For Office Use Only:					
F.O. <u>4</u>	GMD <u>3</u>	Meets K.A.R. 5-5-1 <u>(YES)</u> / NO) Use <u>100</u>	Source <u>G</u> / S County <u>SV</u>	By <u>LI</u>	Date <u>7/16/18</u>
Code <u>C-2</u>	Fee \$ <u>400.06</u>	TR # _____	Receipt Date <u>7/16/18</u>	Check # <u>2026</u>	

APPLICATION COMPLETE  
9/25/18  
Reviewer: RAV

RECEIVED

JUL 12 2018

Assisted by: SCANNED

7/17/18 DAW

4. The presently authorized place of use is:

Owner of Land — NAME: Grewell Land LLC

ADDRESS: 193 Road 12, Hugoton, KS 67951

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	
16	34s	38w	32.5	32.5	32.5	32.5													130.0

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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	

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Grewell Land LLC

ADDRESS: 193 Road 12, Hugoton, KS 67951

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	
16	34s	38w	32.5	32.5	32.5	32.5													130.0

List any other water rights that cover this place of use. 41463, 42210, 42336 & 44186

Owner of Land — NAME: DKGG LLC

ADDRESS: 1114 RD A, Hugoton, KS 67951

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	
15	34s	38w	13.0	36.0	40.0	36.0	36.0	13.0	36.0	40.0	36.0	13.0	36.0	36.0	40.0	36.0	13.0	36.0	500.0

Water Resources Received

List any other water rights that cover this place of use. 411463, 42210, 42336 & 44186

JUL 16 2018

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

KS Dept Of Agriculture

SCANNED

6. The presently authorized point(s) of diversion are 1 well and discharge  
(Provide description and number of points)
7. The proposed point(s) of diversion are 1 well and discharge  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
 One in the NE Quarter of the SE Quarter of the NE Quarter of Section 16, Township 34 South, Range 38 W, in STEVENS County, Kansas, 3380 feet North 270 feet West of Southeast corner of section.  
 Authorized Rate 620GPM Authorized Quantity 61AF  
 (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 NW Quarter of the SE Quarter of the SE Quarter of Section 16, Township 34 South, Range 38 W, in STEVENS County, Kansas, 1074 feet North 808 feet West of Southeast corner of section.  
 Proposed Rate 620gpm Proposed Quantity 61AF  
 This point is:  Additional Well  Geo Center List other water rights that will use this point 44186

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_, in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (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 \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

10. **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 \_\_\_\_\_  
 (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 \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 42210**  
MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	
16	34s	38w																	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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. *Continued:* 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: GPG LLC  
ADDRESS: 1114 Road A, Hugoton, KS 67951

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	
14	34s	38w						40.0	40.0			40.0	40.0						160.0
16	34s	38w					32.0	32.0	32.0	32.0	36.0	13.0	36.0	40.0	40.0	40.0	40.0	40.0	413.0

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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	

**Water Resources  
Received  
JUL 16 2018**

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

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

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

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

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

12. The presently authorized use of water is for IRR purposes.  
It is proposed that the use be changed to IRR purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
Change in place of use in for a complete overlap, KAR 5-5-11(b)(1)  
\_\_\_\_\_  
\_\_\_\_\_

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

See attached maps  
\_\_\_\_\_  
\_\_\_\_\_

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Application meets criteria of current area rules Water Resources  
Received

**JUL 16 2018**

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**  
KS Dept Of Agriculture

SCANNED

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

**The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse.** If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

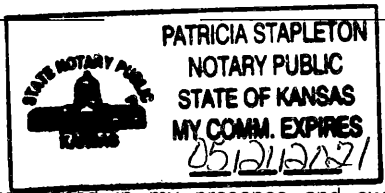
If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.

Dated at GMD3 Office, Kansas, this 12<sup>th</sup> day of July, 2018.

<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>Greenland Land LLC</u> (Please Print)	_____	(Please Print)
<u>[Signature]</u> (Owner)	_____	(Spouse)
<u>DKGG LLC</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(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 12<sup>th</sup> day of July, 2018.

[Signature]  
Notary Public

My Commission Expires 5-21-2021

**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water ..... \$300

Make check payable to **Kansas Department of Agriculture.**

Submit To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
109 SW 9<sup>th</sup> Street, 2nd Floor  
Topeka, KS 66612-1283  
[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

**APPLICATION FOR APPROVAL TO  
CHANGE THE PLACE OF USE, THE  
POINT OF DIVERSION OR THE USE  
MADE OF THE WATER UNDER AN  
EXISTING WATER RIGHT**



State of Kansas

**Filing Fee Must Accompany the Application**  
(Please refer to Fee Schedule on signature page of application form.)

Paragraph Nos. 1, 2, 3, 4 & 8 must be completed. Complete all other applicable portions. A topographic map or detailed plat showing the authorized and proposed points(s) of diversion and /or place of use must accompany this application.

1. Application is hereby made for approval of the Chief Engineer to change the

- Place of Use  
 Point of Diversion  
 Use Made of Water

(Check one or more)

WATER RESOURCES  
RECEIVED

MAY 10 2018  
3:35  
KS DEPT OF AGRICULTURE

File No. 42210

2. Name of applicant: Grewell Land LLC %Greg Grewell

Address: 193 Road 12

City, State and Zip: Hugoton, KS 67951

Phone Number: (620)428-5530

E-mail address: grewell.greg@gmail.com

What is your relationship to the water right;  owner  tenant  agent  other? If other, please explain. \_\_\_\_\_

Name of water use correspondent: Donald Paul Grewell

Address: 1114 Road A

City, State and Zip: Hugoton, KS 67951

Phone Number: ( ) \_\_\_\_\_

E-mail address: \_\_\_\_\_

3. The change(s) proposed herein are desired for the following reasons (please be specific): Complete overlap in place of use

The change(s) (was) (will be) completed by as soon as approved

(Date)

**For Office Use Only:**

Code 4 GMD 3 CPD Meets K.A.R. 5-5-1 (YES / NO) Use ERR Source G/S County SU By AM Date 5-10-18  
Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 5-10-18 Check # 2024

APPLICATION COMPLETE  
9/25/18  
Received PAK



4. The presently authorized place of use is:

Owner of Land — NAME: Grewell Land LLC

ADDRESS: 193 Road 12, Hugoton, KS 67951

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	
16	34s	38w	32.5	32.5	32.5	32.5													130.0

List any other water rights that cover this place of use. \_\_\_\_\_

Owner of Land — NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

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	

List any other water rights that cover this place of use. \_\_\_\_\_

(If there are more than two landowners, attach additional sheets as necessary.)

5. It is proposed that the place of use be changed to:

Owner of Land — NAME: Grewell Land LLC

ADDRESS: 193 Road 12, Hugoton, KS 67951

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	
16	34s	38w	32.5	32.5	32.5	32.5													130.0

List any other water rights that cover this place of use. 41463, 42210, 42336 & 44186

Owner of Land — NAME: DKGG LLC

ADDRESS: 1114 RD A, Hugoton, KS 67951

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	
15	34s	38w	13.0	36.0	40.0	36.0	36.0	13.0	36.0	40.0	40.0	36.0	13.0	36.0	36.0	40.0	36.0	13.0	500.0

List any other water rights that cover this place of use. 411463, 42210, 42336 & 44186

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

6. The presently authorized point(s) of diversion are 1 well and discharge  
(Provide description and number of points)
7. The proposed point(s) of diversion are 1 well and discharge  
(Provide description and number of points)

**List all presently authorized point(s) of diversion:**

8. **Presently authorized point of diversion:**  
 One in the NE Quarter of the SE Quarter of the NE Quarter of Section 16, Township 34 South, Range 38 W, in STEVENS County, Kansas, 3380 feet North 270 feet West of Southeast corner of section. Authorized Rate 620GPM Authorized Quantity 61AF  
 (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 \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

9. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_, in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section. Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_  
 (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 \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

10. **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 \_\_\_\_\_  
 (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 \_\_\_\_\_  
 This point is:  Additional Well     Geo Center    List other water rights that will use this point \_\_\_\_\_

11. Describe the current condition of and future plans for any point(s) of diversion which will no longer be used. \_\_\_\_\_

IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY

MAY 10 2018

12. The presently authorized use of water is for IRR \_\_\_\_\_ purposes.  
It is proposed that the use be changed to IRR \_\_\_\_\_ purposes.

13. If changing the place of use and/or use made of water, describe how the consumptive use will not be increased.  
Change in place of use in for a complete overlap, KAR 5-5-11(b)(1)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Please show any calculations here.)

14. It is requested that the maximum annual quantity of water be reduced to NA \_\_\_\_\_ (acre-feet or million gallons).

15. It is requested that the maximum rate of diversion of water be reduced to NA \_\_\_\_\_ gallons per minute (\_\_\_\_ c.f.s.).

16. The application must include either a topographic map or detailed plat. A U.S. Geological Survey Topographic Map, scale 1:24,000, is available through the Kansas Geological Survey, 1930 Constant Avenue, University of Kansas, Lawrence, Kansas 66047-3726 ([www.usgs.gov](http://www.usgs.gov)). The map should show the location of the presently authorized point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. The presently authorized place of use should also be shown. Identify the center of the section, the section lines and the section corners and show the appropriate section, township, and range numbers on the map. In addition the following information must also be shown on the map.

- a. If a change in the location of the point(s) of diversion is proposed, show:
  - 1) The location of the proposed point(s) of diversion. Distances North and West of the Southeast corner of the section must be shown. Please be certain that the information shown on the map agrees with the information shown in Paragraph Nos. 9, 10 and 11 of the application.
  - 2) If the source of supply is groundwater, please show the location of existing water wells of any kind, including domestic wells, within 1/2 mile of the proposed well or wells. Identify each well as to its use and furnish name and mailing address of the property owner or owners. If there are no wells within 1/2 mile, please indicate so on the map.
  - 3) If the source of supply is surface water, the names and mailing addresses of all landowner(s) 1/2 mile downstream and 1/2 mile upstream from your property lines must be shown.
- b. If a change in the place of use is desired, show the proposed place of use by crosshatching on the map. Please be certain that the information shown on the map agrees with the information shown in Paragraph No. 5 of the application.

17. Attach documentation to show the change(s) proposed herein will not impair existing water rights and relates to the same local source of supply as to which the water right relates. This information may include statements, plats, geology reports, well logs, test hole logs, and other information as necessary information to show the above. Additional comments may be made below.

See attached maps  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18. If the proposed change(s) does not meet all applicable rules and regulations of the Kansas Water Appropriation Act, please identify the rules and regulations for which you request a waiver. State the reason why a waiver is needed and why the request should be granted. Attach documentation showing that granting the request will not impair existing water rights and will not prejudicially and unreasonably affect the public interest.

Application meets criteria of current area rules  
\_\_\_\_\_  
\_\_\_\_\_

**IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS AS NECESSARY**

Any use of water that is not as authorized by the water right or permit to authorize water **before** the chief engineer approves this application is a violation of the Kansas Water Appropriation Act for which criminal or civil penalties may be assessed. Such violation is a class C misdemeanor, punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. K.S.A. 82a-728(b). Civil penalties shall be not less than \$100 nor more than \$1,000 per violation. In the case of a continuing violation, each day such violation continues may be deemed a separate violation. In addition to these penalties the water right may be modified or suspended. K.S.A. 82a-737, as amended.

**The application must be signed by all owners of the place of use authorized under the water right and his or her spouse, if married. Please indicate if there is no spouse.** If land is being purchased under contract, the seller must sign as landowner until such time as the contract is completed.

In the event that all applicants cannot appear before one notary public, they may as necessary sign separate copies of the application before any notary public conveniently available to them. All copies signed in this manner shall be considered to be valid parts of the application.

If the request is signed on behalf of any Owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.

**I declare that I am an owner of the currently authorized place of use as identified herein, or that I represent all such owners and am authorized to make this application on their behalf, and declare further that the statements contained herein are true, correct, and complete. By filing this application I authorize the chief engineer to permanently reduce the quantity of water and/or rate of diversion as specified in sections 14 and 15 of this application.**

Dated at \_\_\_\_\_, Kansas, this 24<sup>th</sup> day of April, 20 18.

[Signature]  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

Greenall Land LLC

(Please Print)

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

[Signature]  
\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

CPG LLC

(Please Print)

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

[Signature]  
\_\_\_\_\_  
(Owner)

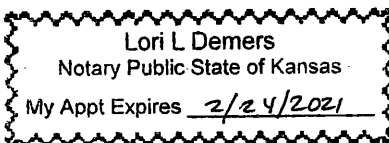
\_\_\_\_\_  
(Spouse)

DKC LLC

(Please Print)

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

State of Kansas )  
County of Stevens ) SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24<sup>th</sup> day of April, 20 18.

[Signature]  
\_\_\_\_\_  
Notary Public

My Commission Expires 2/24/2021

**FEE SCHEDULE**

Each application to change the place of use, the point of diversion or the use made of the water under this section shall be accompanied by the application fee set forth in the schedule below:

- (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
- (4) Application to change the use made of the water . . . . . \$300

WATER RESOURCES RECEIVED

MAY 10 2018

SCANNED

Make check payable to **Kansas Department of Agriculture.**



Book 312 Page 718

Entered in Transfer Record by my office this 23 day of January A.D. 2017  
[Signature]  
County Clerk



STATE OF KANSAS SS  
COUNTY OF STEVENS  
This instrument was filed for record on the 20<sup>th</sup> day of January A.D. 2017 at 2:15 o'clock P.M. and duly recorded in Book 312 on page 718 Fee \$ 18.00  
Whea A. Schmittler, Deputy  
Register of Deeds

**WARRANTY DEED  
(Kansas Statutory Form)**

GREGORY W. MORRIS  
and SHERRYL J. MORRIS a/k/a Sheryl J. Morris, husband & wife

CONVEY AND WARRANT TO

GREWELL LAND, LLC

all of the following REAL ESTATE in the County of Stevens, State of Kansas, to wit:

Surface and water rights only in and to: Northeast Quarter (NE/4) of Section Sixteen (16), Township Thirty-four (34) South, Range thirty-eight (38) West of the 6<sup>th</sup> P.M., Stevens County, Kansas

for the sum of Ten Dollars and No/100 (\$10.00), and other valuable consideration, receipt of which is hereby acknowledged.

EXCEPT and SUBJECT TO: Oil, gas & other minerals, oil & gas leases, easements, rights of way and restrictions of record, if any, insofar as the same are valid.

Dated: January 20<sup>th</sup>, 2017.

[Signature]  
GREGORY W. MORRIS

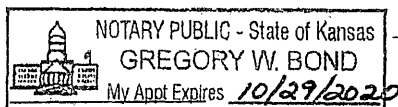
[Signature]  
SHERRYL J. MORRIS

STATE OF KANSAS, COUNTY OF STEVENS, ss:

BE IT REMEMBERED, that on this 20<sup>th</sup> day of January, 2017, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came GREGORY W. MORRIS and SHERRYL J. MORRIS a/k/a Sheryl J. Morris, husband and wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

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

(SEAL)



My commission expires:

[Signature]  
Notary public

Water Resources  
Received

JUL 16 2018

SCANNED  
KANSAS Dept Of Agriculture

**AFFIDAVIT OF AUTHORITY**  
**Re: GPG, L.L.C.**  
**A KANSAS LIMITED LIABILITY COMPANY**

On my oath and under the penalties of perjury, I swear that I am the duly elected and authorized Manager of GPG, L.L.C., a Kansas Limited Liability Company, and hereby certify the following:

- 1) That the following are the members and their percentage shares of GPG, L.L.C.:

**Charles H. Claar, Jr., CPA and Greg P. Grewell,**  
**Trustees of the Donald Paul Grewell Irrevocable Trust**  
**dated July 24, 2008.....49.2043483%**

**Greg P. Grewell and Toni J. Grewell, Trustees**  
**of the Greg P. Grewell Living Trust dated December 14, 2011,**  
**and any amendments thereto.....50.7956517%**

- 2) That the principal office and address of GPG, L.L.C. is as follows:

**Donald Paul Grewell, Manager**  
**GPG, L.L.C**  
1114 Road A  
Hugoton, KS 67951


- 3) That the resident agent and address of GPG, L.L.C. is as follows:

**CHARLES H. CLAAR, JR.**  
405 N. Sixth St.  
PO Box 699  
Garden City, KS 67846

- 4) That pursuant to the operating agreement of GPG, L.L.C., Donald P. Grewell, as Manager, has sole authority to sign and execute any documents relating to GPG, L.L.C.

- 5) The tax identification number of GPG, L.L.C. is 82-0569089.

Dated this 12 day of Sept, 2015.

  
Donald Paul Grewell, Manager  
GPG, L.L.C.

Water Resources  
Received

JUL 16 2018

KS Dept Of Agriculture


SCANNED

PAGE 2 OF 2  
GPG, L.L.C  
AFFIDAVIT OF AUTHORITY \_\_\_\_\_

STATE OF Kansas )  
 )SS.  
COUNTY OF Stevens )

Sworn and subscribed before me the undersigned authority, by DONALD PAUL GRWELL,  
MANAGER of GPG, L.L.C., this 15<sup>th</sup> day of September, 20 15.

Lori L Demers  
Notary Public State of Kansas  
My Appt Expires 2/24/2017

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: Feb. 24, 2017



## Krueger, Richelle [KDA]

---

**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Friday, September 14, 2018 1:25 PM  
**To:** Krueger, Richelle [KDA]  
**Subject:** RE: Grewell Applications, File Nos. 41463;42210;42366; 44186

**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.

Sorry it took a bit to get back to you. I did finally get in touch with Greg and believe we have it figured out. I put the answers below. Hopefully this will take care of the questions. If anything else does come up, just let me know. Appreciate all your help.

Have a good weekend!!!

### *Jason Norquest*

Assistant Manager, GMD3

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

[norquest@gmd3.org](mailto:norquest@gmd3.org)

[www.gmd3.org](http://www.gmd3.org)

---

**From:** Krueger, Richelle [KDA] [<mailto:Richelle.Krueger@ks.gov>]  
**Sent:** Friday, September 07, 2018 8:45 AM  
**To:** Jason Norquest <[norquest@gmd3.org](mailto:norquest@gmd3.org)>  
**Subject:** Grewell Applications, File Nos. 41463;42210;42366; 44186

Hi Jason,

It was good to see you when you were here a week (or two maybe three lol) ago! We had talked a bit about the Grewell applications and I think you wanted me to send you what we need. Unfortunately I am just now getting back to this. I had discussed this with Mike and Brent and here is what we need to get these applications moving:

- They need to determine how they want to split the 1907 g.p.m between the well to remain authorized by File No. 42336 and the proposed additional well to be authorized by File No. 44186 - the 2400 g.p.m. limitation on the rate on File No. 44186 will then be removed We will keep 1350gpm on the current well under 42336 and move 557gpm over with 44186.
- They will have to determine how to split 965 acre-feet between File No. 42336 and 44186 since they perfected their quantity from the same well  
K.A.R. 5-5-16 calculation: 586 max perfected acres (File Nos. 42336/44186) x 1.40'(80% Stevens) = 965 AF Here we will keep 753AF on current well under 42336. Then move the 212AF over with 44186 to stack on the 61AF of 42210.
- Senior File No. 41463 would have to take a reduction to 995 acre-feet to get rid of the quantity limitation on File No 44186(44186 limited to 1960 AF w/c 41463 and 42336). If all File Nos. 42336 and 44186 can pump is 965 AF all 41463 could pump would be 1960 AF – 965 AF(42336/44186) = 995 AF left for File No. 41463 - so I guess they need to decide which well takes the 5 AF reduction. To reduce the 5AF, he wants to take it all off one well. So the well under ID 1 in section 15 will stay at 500AF and the well under ID 3 in section 14 will drop to 495AF.

If you need something else or prefer I write them a letter, just let me know. Thanks, as always, for your help!

Richelle

Richelle Krueger, Environmental Scientist

Kansas Department of Agriculture

Water Appropriation Program

(785) 564-6635

[Richelle.Krueger@ks.gov](mailto:Richelle.Krueger@ks.gov) (please note e-mail address change)

[www.ksda.gov/dwr](http://www.ksda.gov/dwr)

PS you guys getting any of this rain we have been getting?

**Krueger, Richelle [KDA]**

---

**From:** Meyer, Mike [KDA]  
**Sent:** Thursday, September 27, 2018 7:59 AM  
**To:** Krueger, Richelle [KDA]  
**Subject:** RE: Request for Recommendation Change in PD PU File Nos. 42210 and 44186 and PU File Nos. 41463 and 42336 Grewell

Approve  
Thanks!

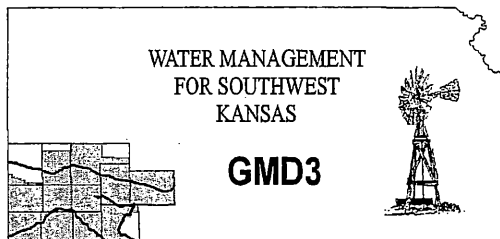
*Mike*

---

**From:** Krueger, Richelle [KDA]  
**Sent:** Wednesday, September 26, 2018 4:56 PM  
**To:** Meyer, Mike [KDA] <Mike.Meyer@ks.gov>  
**Cc:** Makens, Thom [KDA] <Thom.Makens@ks.gov>  
**Subject:** Request for Recommendation Change in PD PU File Nos. 42210 and 44186 and PU File Nos. 41463 and 42336 Grewell

Hi Mike,  
Attached is a draft memo for the referenced change apps for Grewell, 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

September 25, 2018

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

Water Resources  
Received

**SEP 28 2018**

RE: Change Application  
Water Right, File Nos. 41463, 42210, 42336 & 44186

KS Dept Of Agriculture

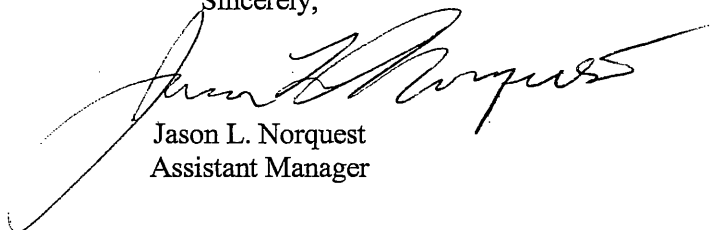
Dear Richelle:

We assisted the applicant for the above referenced water rights. The proposals for change in place of use, in order to make a complete overlap in the place of use for all the water rights, is 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.

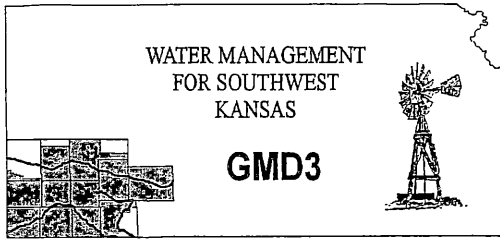
The applicant is also proposing to move the well under Water Right 42210. At the same time, they are wanting to unstack Water Right 44186 from the current point of diversion and then stack it on the new proposed point of diversion for 42210. Spacing for this change meets the criteria of K.A.R. 5-23-3. At the same time, the additional well rule to move 44186 is in accordance with K.A.R. 5-5-16. Considerable time was spent to make sure the new wells location complies with the associated rules. It is therefore recommended that all the applications, place of use and point of diversion, 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,

A handwritten signature in black ink, appearing to read "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager



**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

September 25, 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. 41463, 42210, 42336 & 44186

Dear Richelle:

We assisted the applicant for the above referenced water rights. The proposals for change in place of use, in order to make a complete overlap in the place of use for all the water rights, is 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.

The applicant is also proposing to move the well under Water Right 42210. At the same time, they are wanting to unstack Water Right 44186 from the current point of diversion and then stack it on the new proposed point of diversion for 42210. Spacing for this change meets the criteria of K.A.R. 5-23-3. At the same time, the additional well rule to move 44186 is in accordance with K.A.R. 5-5-16. Considerable time was spent to make sure the new wells location complies with the associated rules. It is therefore recommended that all the applications, place of use and point of diversion, 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

WATER RESOURCES  
RECEIVED  
SEP 25 2018  
KS DEPT OF AGRICULTURE

## Krueger, Richelle [KDA]

---

**From:** Jason Norquest <norquest@gmd3.org>  
**Sent:** Tuesday, September 25, 2018 3:53 PM  
**To:** Krueger, Richelle [KDA]  
**Subject:** Grewell  
**Attachments:** RK\_41463+\_PU\_PD.docx

**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.

Good afternoon Richelle. Hope you had a good weekend. I made it back Garden late yesterday afternoon after taking a road trip up to Duluth with my son. Got him fairly settled in and he started the new job yesterday. I would have to say, just the little bit of time I was there, it is an interesting place and would be worth seeing if you ever felt like it. Quite a bit of stuff for people with all interests to do up there. The weather was damp, but it was cool watching the ships and stuff come in off the lake and all the work going on at the docks.

Anyway, here is my review letter for the Grewell applications. Thought I would get it back to you as soon as I could. Since I helped with the applications, it was simpler. I will send the signed letter in the mail.

Let me know if you need anything else. Thanks for your help on these applications.

*Jason Norquest*

Assistant Manager, GMD3

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

[norquest@gmd3.org](mailto:norquest@gmd3.org)

[www.gmd3.org](http://www.gmd3.org)

WATER RESOURCES  
RECEIVED  
SEP 25 2018  
KS DEPT OF AGRICULTURE

SCANNED

STATE OF KANSAS

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



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    September 19, 2018  
MANAGEMENT DISTRICT NO 3  
ATTN JASON NORQUEST  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

FILE COPY

Re: Water Right, File Nos. 41,463; 42,210; 42,336 and 44,186

Dear Jason:

We are enclosing copies of the applications to change the place of use for File Nos. 41,463; 42,210; 42,336 and 44,186 and applications to change the point of diversion for File Nos. 42,210 and 44,186.

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

SCANNED

STATE OF KANSAS

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

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

GREG GREWELL  
193 ROAD 12  
HUGOTON, KS 67951

July 17, 2018

RE: File No 42210

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU/PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Tourney, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: GARDEN CITY Field Office    GMD3

SCANNED



# STATE OF KANSAS

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



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

GREG CREWELL  
193 ROAD 12  
HUGOTON, KS 67951

May 14, 2018

RE: File No 42210-

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use            PU
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

**Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.**

**(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...**

**A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.**

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

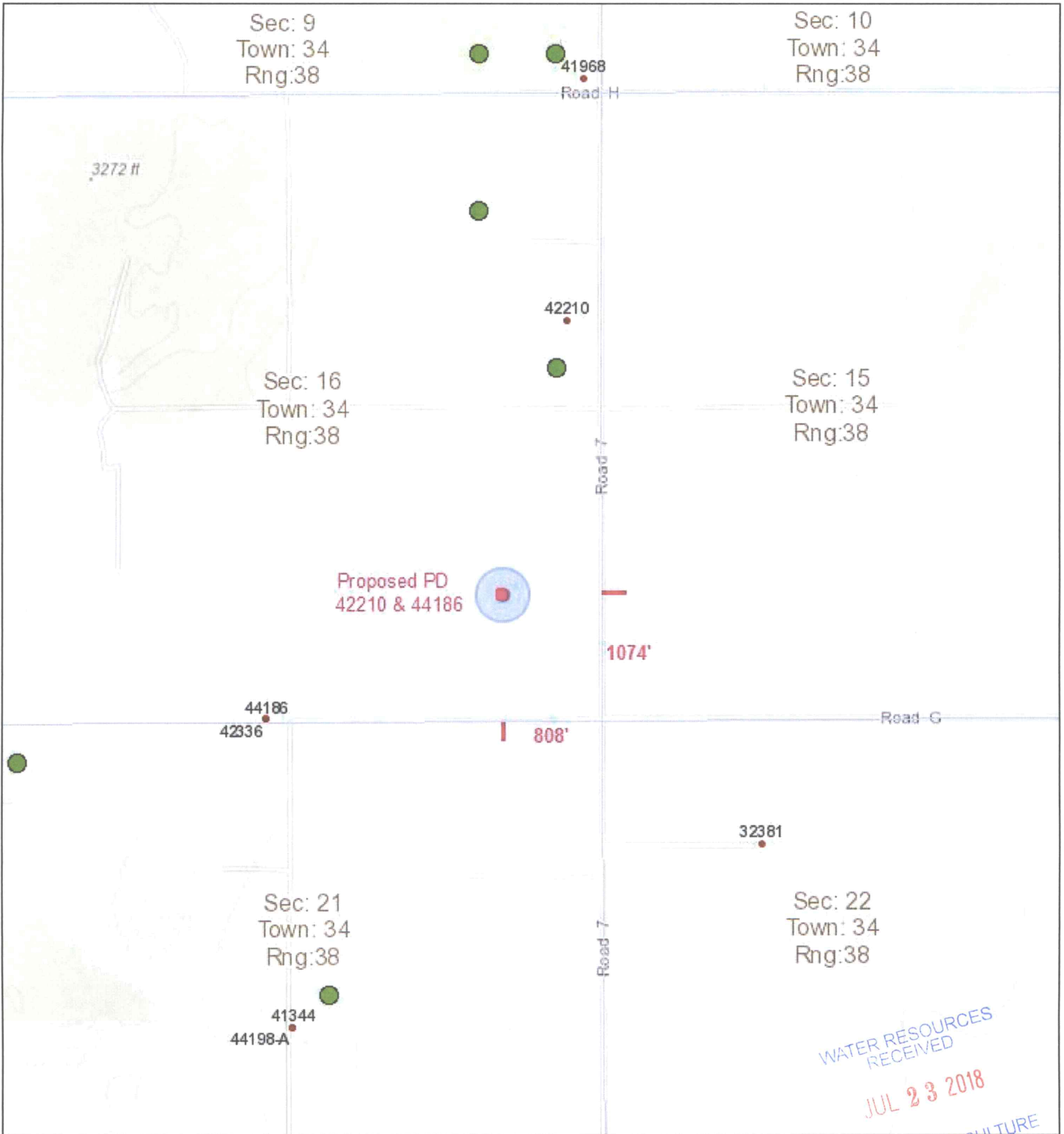
Sincerely,

Brent Tournay, L.G.  
Change Applications Unit Supervisor  
Water Appropriation Program

BAT: DLW  
pc: GARDEN CITY Field Office    GMD3

SCANNED

# 42210 & 44186 PD Change



May 23, 2018

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.

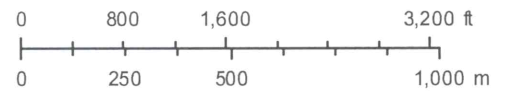
Legend



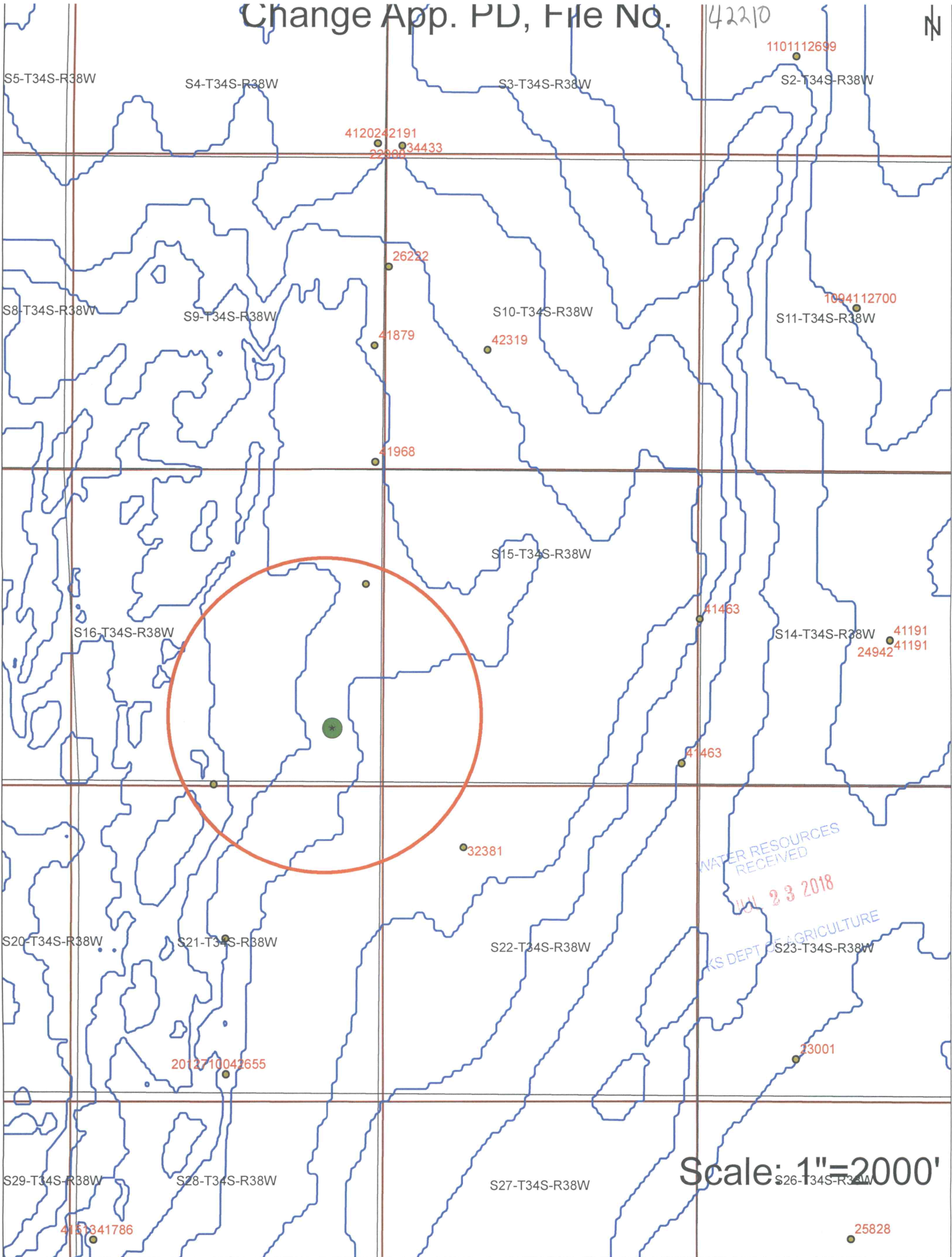
- |   |     |   |     |   |                 |
|---|-----|---|-----|---|-----------------|
| + | CON | ★ | IND | ? | Empty           |
| ⊠ | DEW | ▲ | MUN | ● | WWC5 WELLS GMD3 |
| ⚠ | DOM | ⚡ | REC | □ | Sections        |
| ♁ | FPR | ⊗ | STK |   |                 |
| ⊕ | HYD | ⚡ | THX |   |                 |

Wells

- ? Other
- IRR

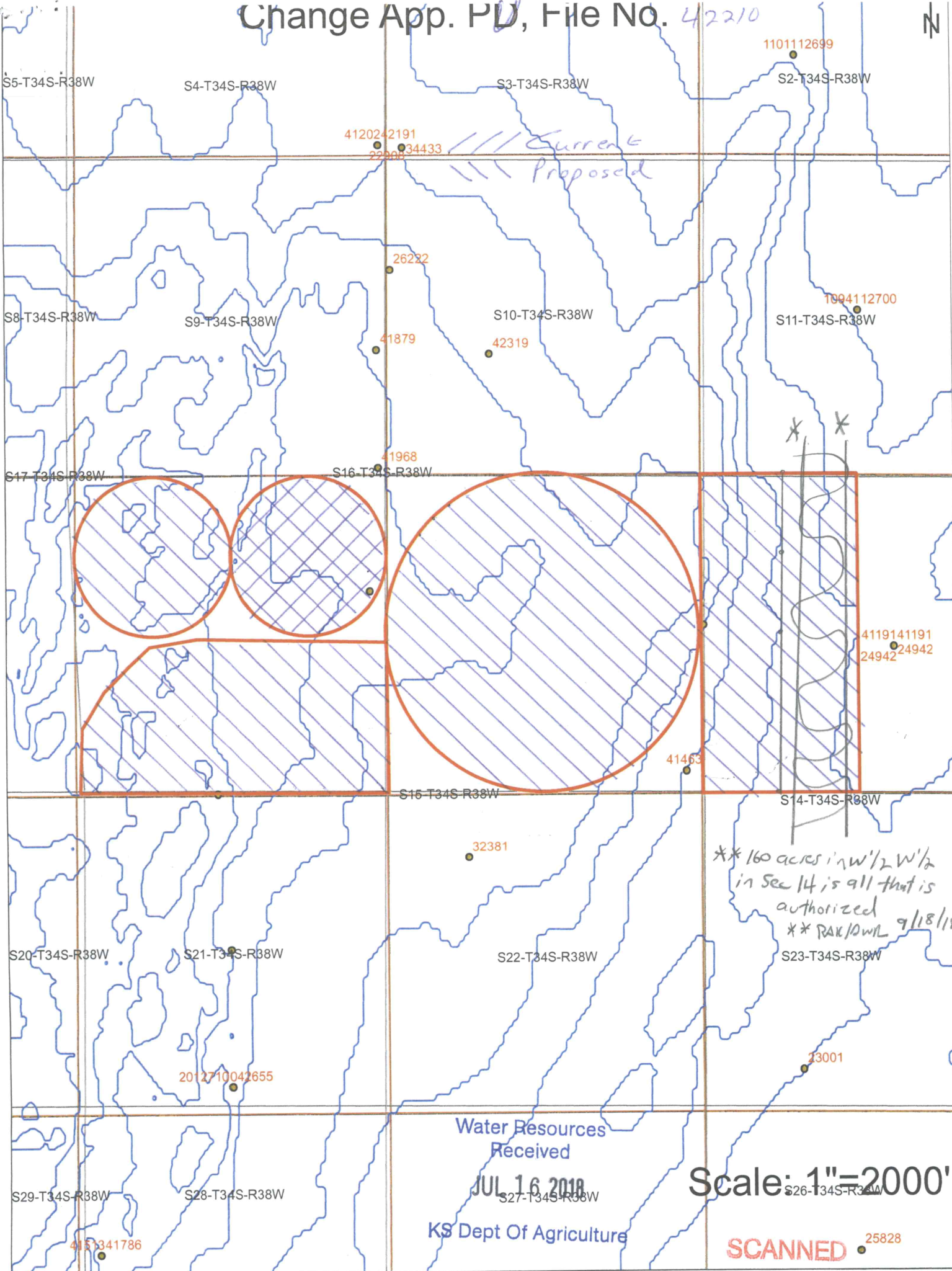


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community



WATER RESOURCES  
RECEIVED  
JUL 23 2018  
KS DEPT OF AGRICULTURE

Scale: 1"=2000'



Water Resources  
Received  
JUL 16 2018  
KS Dept Of Agriculture

Scale: 1"=2000'

SCANNED