



1320 Research Park Drive
Manhattan, Kansas 66502
785-564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
785-296-3556

Secretary Jackie McClaskey

Governor Jeff Colyer, M.D.

February 26, 2018

DOUBLE H & G FARMS LLC
KIM HARPER
107 S WASHINGTON ST
HUGOTON KS 67951

RE: Change in Point of Diversion Water Right, File No 42328

Dear Mr. Harper:

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

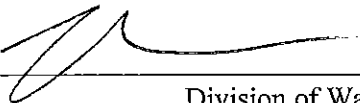
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 27th day of February 2018, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 42328 dated February 26, 2018 was mailed postage prepaid, first class, US mail to the following:

DOUBLE H & G FARMS LLC
KIM HARPER
107 S WASHINGTON ST
HUGOTON KS 67951

Copy provided to GMD#3



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) 862-6300
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
www.ksda.gov/dwr

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



STATE OF KANSAS

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

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

File No. 42328

RECEIVED
 8:49 AM
 FEB 06 2018

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

Place of Use Point of Diversion

Garden City Field Office
 Division of Water Resources

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: DOUBLE H & G FARMS LLC KIM HARPER
107 S WASHINGTON ST HUGOTON KS 67951

Phone Number: (620)544-6850 Email address: _____

Name and address of Water Use Correspondent: DOUBLE H & G FARMS LLC KIM HARPER
107 S WASHINGTON ST HUGOTON KS 67951

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: DOUBLE H & G FARMS LLC KIM HARPER

ADDRESS: 107 S WASHINGTON ST HUGOTON KS 67951

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

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

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: no change to acres irrigated

ADDRESS: _____

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

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

For Office Use Only: Code _____	Fee \$ <u>100</u>	TR # _____	Receipt Date <u>2/6/18</u>	Check # <u>6469</u>
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5. **Presently authorized point of diversion:**
 One in the se Quarter of the sw Quarter of the se Quarter of Section 7, Township 34 South, Range 38 W, in Stevens County, Kansas, 150 feet North 1755 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 2 GPS 178 feet North 1728 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 sw Quarter of the sw Quarter of the se Quarter of Section 7, Township 34 South, Range 38 W, in Stevens County, Kansas, 130 feet North 1989 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____
 This point is: Additional Well Geo Center List other water rights that will use this point _____

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

7. Why do you need a new point of diversion? _____
 old well needs to be replace _____

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

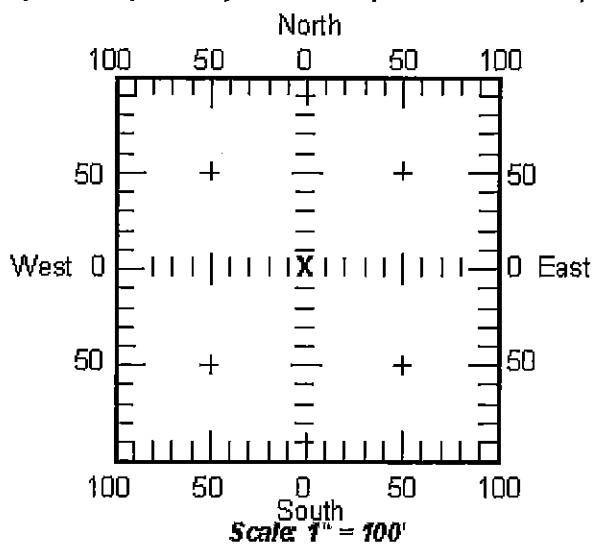
9. When do you propose to complete the new point of diversion?
February 29, 2018

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by tpm

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



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

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

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

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

Dated at Wagon, Kansas, this 5th day of Feb, 20 18.

<p>x <u>Ken Harper</u> _____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
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State of Kansas }
County of Stevenson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5th day of February, 20 18.

My Commission Expires 5-16-19

NOTARY PUBLIC - State of Kansas
JACK ROWDEN
 My Appt Expires 5-16-19

Jack Rowden
Notary Public

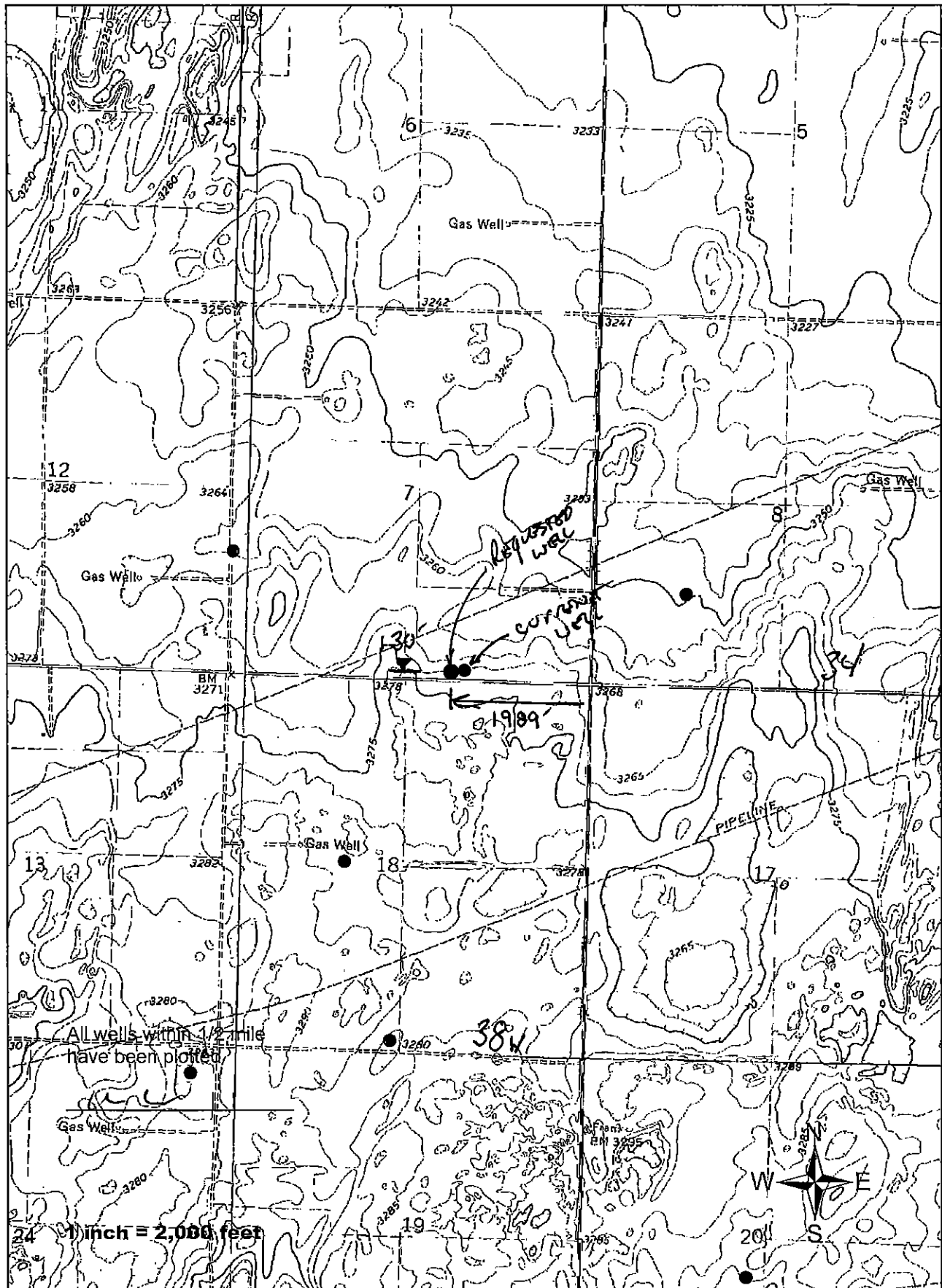
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate 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

42328



3795 W. Jones Ave.
Garden City, KS 67846
PH: 620-277-2389



Hydro
resources

PO Box 639
Garden City, KS 67846
Fax: 620-277-0224

Kim HARPER 620-544-6850

Customer Name: Double H & G Farms WO#: 13025 Date: 1-17-18
Street Address: 107 S. WASHINGTON Test #: 2 E LOG: _____
City, State: HUGOTON, KS. 67951 Driller: Dale Gustin
County: Stevens Quarter: SE Section: 7 Township: 34 Range: 38
Location: 261' West & 48' South of Existing Well GPS: N37.09763 W101.49025
Rig #: 10002 Elevation: 3265' Static WL: Approx. 240' Estimated? _____
Proposed Well Depth: 543'
Minimum 20' SURF

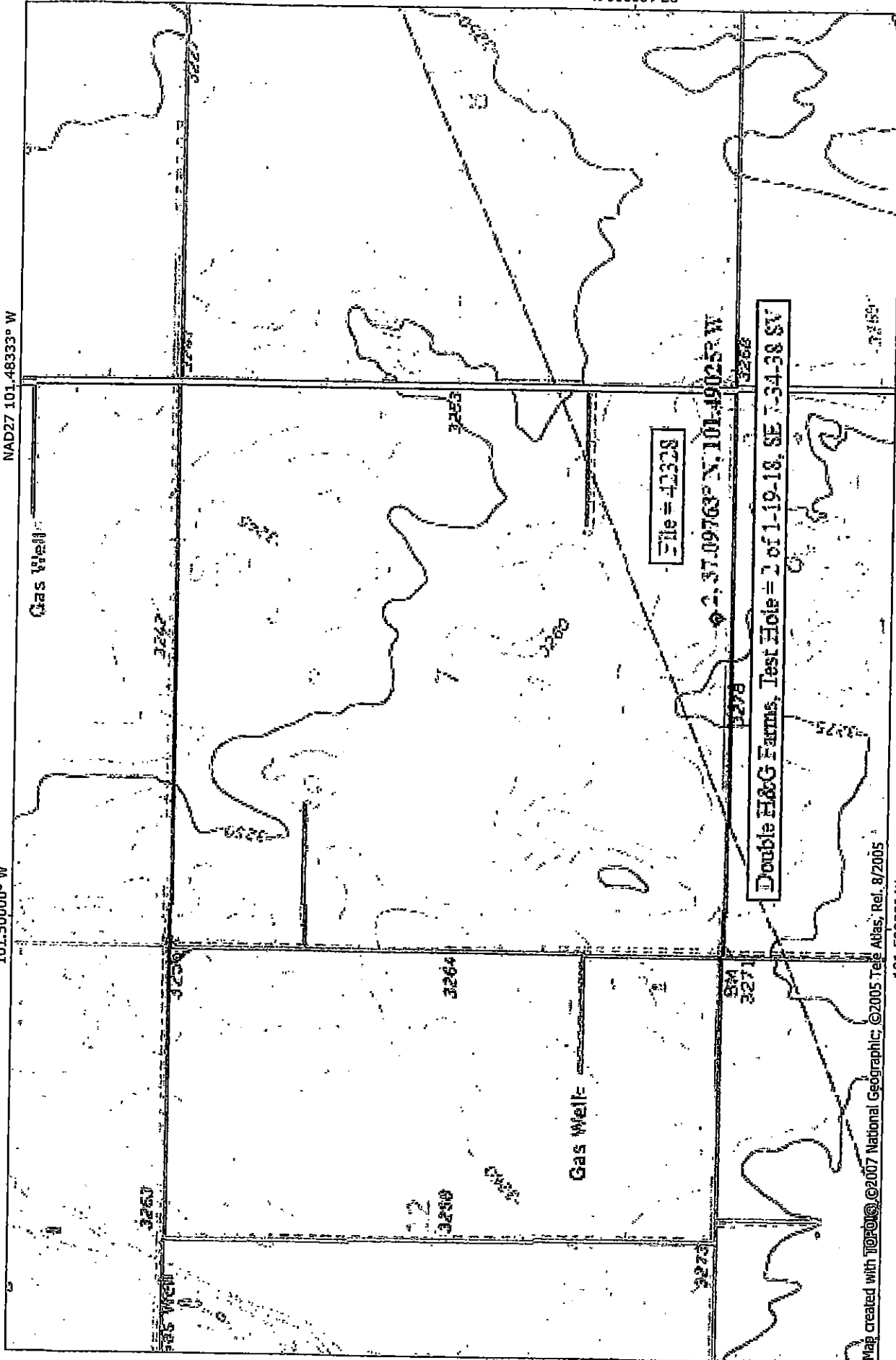
%	Footage		To	Description of Strata
	From	Pay		
	0		2	Top Soil - Sandy -
	2		17	Brown Sandy Clay
	17		37	Fine Sand
	37		49	Brown Sandy Clay
	49		64	Fine Sand
	64		79	Brown Clay w/ some fine sand strips
	79		99	Fine Sand
	99		105	Sand fine to med coarse few small gravel
	105		120	Red & Brown sandy clay
	120		131	Brown sandy clay w/ few lime rock strips
	131		140	Fine Sand few med
	140		157	Brown Sandy Clay
	157		189	Fine Sand w/ many clay stringers
	189		200	Brown Clay
	200		209	Fine Sand
	209		217	Fine Sand & lime Rock
	217		225	Fine sand
	225		240	Fine Sand w/ many clay stringers & few lime rock strips
20	240	9	249	Fine Sand
5	249	19	268	Fine Sand w/ many clay ledges
	268		307	Brown Sandy Clay w/ few small sand strips
10	307	14	321	Fine Sand w/ few clay ledges
	321		336	Brown Clay
20	336	17	353	Fine Sand
	353		401	Brown Clay w/ couple sand strips
15	401	19	420	Fine Sand w/ few clay stringers
20	420	58	478	Fine Sand - Drilled loose in places -
20	478	26	504	Sand fine some med w/ few red clay stringers
25	504	7	511	Sand fine to med w/ some brown rock
5	511	12	523	Brown & Red sandy clay w/ some fine sand strips & few lime rocks
	523		540	Red Bed
				Super Gel X -1
				Grout -5
				Bent. Plug 3/4 -6
				Perma Plug -1

42328

TOPO! map printed on 01/20/18 from "Untitled.tpo"

101.50000° W

NAD27 101.48333° W



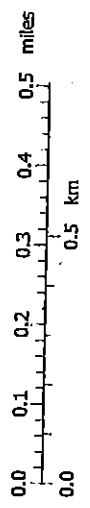
37.10000° N

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

101.50000° W

NAD27 101.48333° W

NATIONAL GEOGRAPHIC



01/20/18

