Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
FI 41	2/6/2018	C2	04	03
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:
	-			12/29/17
8a. Applicant(s) New to system □	Person ID 31686 Add Seq# 1	8c. Landown		Person ID 37164 Add Seq# 1
STEVEN W & MELODIE 2702 N ROWLAND RD GARDEN CITY KS 6784		1804 E	& MARY DOLL WINDYVIEW DR EN CITY KS 678	
8b. Landowner(s) New to system STEVEN W & MELODIE 2702 N ROWLAND RD GARDEN CITY KS 6784		1804 E	vstem □ & MARY DOLL WINDYVIEW DR EN CITY KS 678	
9. Documents and Enclosure(s): 🛛 D\	VR Meter(s) Date to Comp	ly: <u>12/31/18</u>	□ N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter	Seal Check Valve	□ N & P Form	☐ Water Tube ☐ □	Priller Copy
☐ Conservation Plan Date Requir	ed: Da	ite Approved:	Date to	Comply:
10. Use Made of Water From:		To:		_
			Date Prepared: 1/26/ * Date Entered:	18 ву: ТРМ Ву:

File No. fi 41	11. County: FI	_	Ba	Basin: ark	논					St	Stream:							Form	Formation Code:	:: Ge:	Special Use:	
oj													<u> </u>	ate and Autl	Rate and Quantity Authorized	rtify 7		Addii	Additional			
DEL PDIV ENT Qualifier	S	⊢	œ	₽		Ş	W		Com	ment (Comment (AKA Line)	ine)	- - - -	Rate gpm/cfs		Quantity af/mgy	0,	Rate gpm/cfs	Quantity af/mgy		Overlap PD Files	
nc																						
																					Marie Ann Ann Ann Ann	
13. Storage: Rate	₽N	1:	Qua	Quantity_					ac/ft	¥	Additional Rate	Il Rate				The state of the s	N.	Addition	Additional Quantity _	Aji		ac/ft
14. Limitation:	af/yr at) wdb				cfs) wt	nen car	nbinec	cfs) when combined with file number(s)	e num	ber(s)						A THE COLUMN TO	
Limitation:	af/yr at					gpm (cfs) w	Jen coî	nbinec	cfs) when combined with file number(s)	e num	ber(s)							
15. 5YR Allocation: Allocation Type	Type	Stal	Start Year			5 YF	5 YR Amount	 		Amo	Amount Unit		m i	Base Acres	<u>ရ</u>		Comment	nent				
16. Place of Use CHK			Ž	NE1/4			Ź	NW%			SW%	7,4			SE1/4	/4	F	Total	Owner	Chg?	Overlap Files	
MOD DEL ENT PUSE S T R	QI	NE %	WN %	SW %	SE %	N %	NW %	SW %	SE %	B %	WW %	SW %	SE %	NE N	NW S	SW %	SE %					
10 24	32W 1													14 2	22 2	22	14	72 b	2 % C	no	na	
									_													
Base Acres: 62 Year:	Minimum Reasonable Quantity:	ר Rea	sonab	ie Qu	antity:																	
Comments:																						·· .

,

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 6, 2018

STEVEN W STERLING 2702 N ROWLAND RD GARDEN CITY KS 67846-3248

RE: Change the Place of Use, File Nos FI 41

Dear Mr. Sterling;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

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 (including the meter reading at the beginning and end of the report year).

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 or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

CERTIFICATE OF SERVICE

On this 7 day of February 2018, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File FI 41 dated February 6, 2018, was mailed postage prepaid, first class, US mail to the following:

STEVEN W STERLING 2702 N ROWLAND RD GARDEN CITY KS 67846-3248

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:

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

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



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.

Fee Schedule is on the third page of this application form.

				66 00	Houuit	5 13 UH	uic uii	iu pag	j e or un	is app	licatioi	rionni.					-
Paragraph Nos. than 100 feet, o point(s) of divers	r if place	of use	will b	e char											autho F	rized a	
			•	F	ile No	. <u>FI 41</u>											9 2017
1. Application i	s hereby	made f	or appi		f the C		nginee		nange t Point	•		ne or b	oth):	Di	Garde Ivision	en City of Wa	Field Office ter Resources
under the w	-		s the s	-	of this round				rdance Surfac			ndition	s desc	ribed I	oelow.		
2. Name and a 2702 N ROV Phone Num Name and a 2702 N ROV	VLAND F ber: (ddress o	RD GA) f Water	RDEN Use C	CITY orresp	KS 67 onden	<u>'846-3</u> t: <u>STE</u>	248 Email EVEN	addre W & M									,
Phone Num 3. The present Owner of La	per: (y authorind N ADDF) zed pla IAME: RESS:	ce of u STEVE 2702 N	se is: EN W	& MEL /LAND	ODIE	Email F STE & 1804	RLING 4 E WI	3 & JE NDYV	ESSE	& MAF	RY DO	LL			699	
		N	E¼			NV	V1/4			sv	V%			SI	E ¼		TOTAL
	nge NE%	NW1/4	SW1/4	SE¼	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW1/4	SE1/4	NE¼	NW¼ 12	SW1/4 25	SE1/4 25	ACRES 62
If this applic Owner of La (If there is mo	nd N ADDF	IAME: RESS:	STEVE 2702 N	N W	& MEL /LANC	ODIE RD 8	F STE 1804	RLING 4 E WI	8 JE	ESSE	& MAF	Y DO	<u>LL</u>		7846-3	699	
· · · · · ·		N:	E1/4			NV	V¼			sv	V1/4			SI	E1/4		TOTAL
·		NW¼	SW1/4	SE14	NE1/4	NW1/4	SW1/4	SE1/4	NE%	NW¼	SW1/4	SE1/4		1	1		ACRES
10 24 3	2w	 											14	22	22	14	72
For Office I	Jse Only	: Code		Fe	e \$	200	_ TR	#		Re	ceipt	Date _	12/2	9/17	Chec	k#_/	<u> PY50</u>

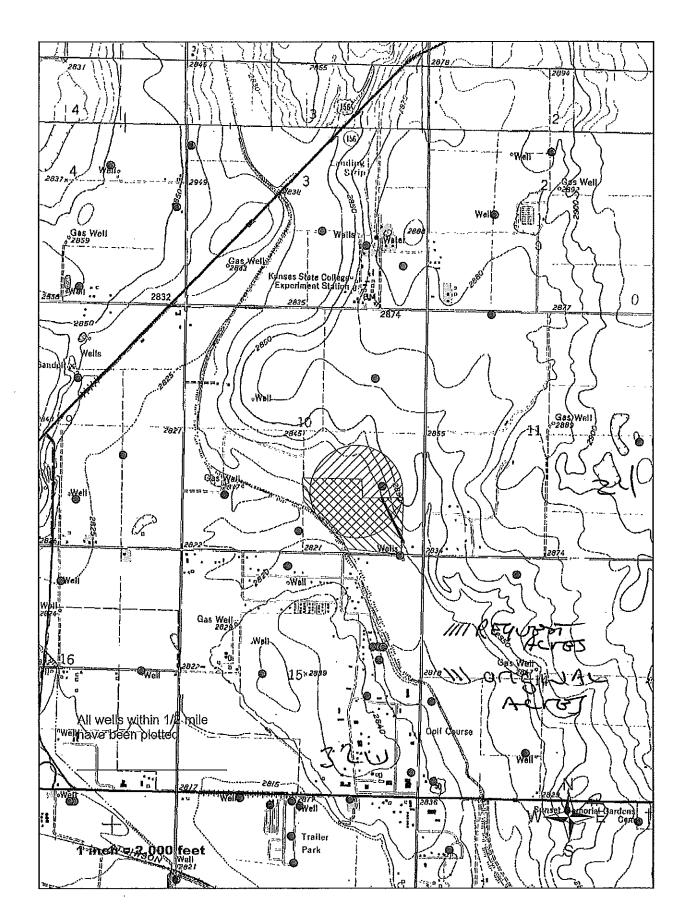
5.	Presently authorized point of diversion:			
	One in the Quarter of the			
1	of Section, Township			
	in County, Kansas,	feet Nor	th feet West of Sou	utheast comer of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet)
- 1	(DWR use only: Computer ID No GPS		feet North	feet West)
	☐ This point will not be changed ☐ This point will be	e chan	ged as foliows:	
	Proposed point of diversion: (Complete only if change	is requ	ested)	
	One in the Quarter of the			Quarter
	of Section, Township			
	in County, Kansas,			
-	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List oth			
				· · · · · · · · · · · · · · · · · · ·
a [Presently authorized point of diversion:			
·	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township			
	in County, Kansas,			
	Authorized Rate Authorized Quantity			
	(DWR use only: Computer ID No GPS			
1	☐ This point will not be changed ☐ This point will be	e chan	ged as follows:	·
	Proposed point of diversion: (Complete only if change	is requ	ested)	
	One in the Quarter of the		Quarter of the	Quarter
ł	of Section, Township			
	in County, Kansas,			
ı	Proposed Rate Proposed Quantity		Proposed well depth (fe	et) l
	This point is: ☐ Additional Well ☐ Geo Center List oth	er wate	r rights that will use this point	,
_		40-	16 the commence of the first of the committee	
7.	Why do you need a new point of diversion?	13a.	If the proposed point of diversion feet of the existing point of dive	n will be relocated within 100 rsion, indicate its location on
	no change to water well		the diagram below in relation to t	he existing point of diversion.
			(PLEASE NOTE: The "X" in represents presently authorize	center of diagram below disposit of diversion.)
			North	•
8.	If a well, is the test hole log attached? Yes No		100 50 0	
9.	When do you propose to complete the new point of	f	<u> </u>	· =
	diversion?		50 + -	+ = = 50
			∞F - =	T 7°
40	If the maint of the mains in a smaller			=
10.	If the point of diversion is a well:		West 0	
	(a) What are you going to do with the old well?		**************************************	·
			50 = + =	+ 50
	(b) When will this be done?		<u> </u>	<u>-</u> j
				
11.	Groundwater Management District recommendation	1	100 50 _0	50 100
	attached?		South Scale: 1"	400;
		13h	If the proposed point of diversion	
12.	Assisted by tpm	ເວນ.	100 feet but within 1320 feet	from the existing point of
			diversion, attach a topographic For groundwater sources, show	map or aerial photograph.
			within one-half mile of the propos	sed point of diversion and the
			names and mailing addresses water sources, show the name	of the owners. For surface
			landowner(s) one-half mile dov	vnstream and one-half mile
			upstream from your property line	S.

14. If the proposed groundwater point of diversion is 300 or fewer feet from	om existing point of diversion, complete the following:
 (a) Does the undersigned represent all owners of the currently authors in the curr	
 (b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this appl 	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	estantial damage to property, public health or safety? cation.)
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, of the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regard to the water right(s) to which this appropriation are true, correct and complete.	ized agent of the owner(s) to make this application on lication pertains. I further verify that the statements
Dated at, Kansas, this	29 day of Necember, 2017
Then al Marky	Mercio Mercio
(Owner)	(Spouse)
Steven W. Ster 11-1	Melodie 7. Sterling (Please Print)
(Please Print)	man and Total C
(Owner)	(Spouse)
	100 D. II
Jesse Ooll (Please Print)	(Please Print)
(17000011111)	(
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Simples SS	i.i.
hereby certify that the foregoing application was signed in m	by presence and sworn to before me this $\frac{29}{100}$ day of
JULIE JONES Norman' My Appointment Expires	A. 1. Q. 224.4.4.4
December 15, 2018	Notary Public
My Commission Expires	5
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.	i of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHED	ULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departm	er this section shall be accompanied by the application fee set nent of Agriculture
 (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use 	et
·	

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro' K.A	visions of the Kansas Water Appropriation Law. K.S.A. 82a-1	-708b, as amended, and K.A.R. 5-14-3 and other applicable 701 et. seq., and rules and regulations promulgated thereunder, essly contained herein, this Summary Order does not change the
1.	A change application was received on <u>December 29, 2017</u> diversion authorized under the above-referenced file number	requesting that the place of use and / or point of be changed as described in the application.
2.	On and after the effective date of this summary order, the at on the topographic map accompanying the application to cha	uthorized place(s) of use shall be located substantially as shown nge the place of use. ☑ Applicable ☐ Not Applicable
3.	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized by the radius of the authorized point(s) of diversion. Applicable	ts and shall be limited to the same source or sources of water as nis summary order shall be located within a foot e
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion. \square Applicable \boxtimes Not	be located more than feet from the previously Applicable
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level measure with K.A.R. 5-6-13. Applicable Not Applicable	well with a diversion rate of 100 gallons per minute or more, a ments shall be installed, operated and maintained in accordance
6.	December 31, 2018, or before the first use of water, whichever and maintained in accordance with K.A.R. 5-1-4 through 5-1	perly install an acceptable water flow meter on or before er occurs first. The water flow meter shall be installed, operated 12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-g of the water flow meter and the total quantity of water diverted f each calendar year.
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the a works for diversion has been completed, on the form provided ☐ Applicable ☐ Not Applicable	completed on or before December 31, 20, or within any oplicant shall notify the Chief Engineer that construction of the d by the Chief Engineer, as required by K.A.R. 5-8-4e.
8.	The completed well log shall be submitted with the requi	red notice. Applicable Not Applicable
9.	All diversion works into which any type of chemical or other for with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in	preign substance will be injected into the water shall be equipped e of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ⊠ Applicable ☐ Not Applicable
10.	Additional Conditions are attached. ☐ Yes ☐ No	
	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summ Appropriation Law and the Rules and Regulations promulg	R. 5-5-14, all of the owners of the authorized place(s) of use of are responsible for compliance with its terms, conditions and nary Order, and with applicable provisions of the <i>Kansas Water</i> ated thereunder. Failure to comply with these provisions may nded, and/or the suspension or revocation and dismissal of the authorized by law.
<u>/</u>	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
You	have the right to a hearing in accordance with K.A.R. 5-14-3	APPLICATION APPROVED AND
befo	ore this Summary Order becomes final action of the Kansas artment of Agriculture. Any request for a hearing must be	SUMMARY ORDER ISSUED
filed	with the Chief Engineer, Division of Water Resources,	\mathcal{A}
Driv	sas Department of Agriculture, 1320 Research Park re, Topeka, Kansas 66502, within 15 days after the date	By: Duly Authorized Designee of the Chief Engineer
sho is no	wn on the Certificate of Service attached hereto. If a hearing of requested in accordance with K.A.R. 5-14-3, this Summary	(Print Name): Thomas P Makens
Ord	er will become effective on the 15 th day after the date shown he Certificate of Service.	Division of Water Resources - Kansas Department of Agriculture
011 (For Use by Register of Deeds	Date of Issuance: FEBRUARY 6, 2018
		State of Kansas)
		County of Finne) SS
		Acknowledged before me on February 6 2018
		by Thomas P. Makens
		Signature: She Kermy Notary Public
		My commission expires: SUE KEENY My Appointment Expires June 8, 2018 Modern County My Appointment Expires My

FI 41





Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner

Fax: (620) 276-9315 www.agriculture.ks.gov

Phone: (620) 276-2901

Sam Brownback, Governor

January 3, 2018

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

Re: Water Right file number FI 41

Dear Mr. Norquest;

Steve Sterling has applied to alter the acres authorized to correct his pivot location. The Base acres are 62.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted. I have enclosed a copy of the change for your perusal.

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

Sincerely;

Thomas P Makens

encs.

			,
	•		



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

January 4, 2018

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

RE:

Application for Change in Place of Use

Vested Right, File No. FI 41

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use is in accordance with K.A.R. 5-5-11(b). It is therefore recommended that the application be approved at this time.

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

Sincerely,

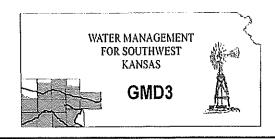
Jason L. Norquest

Assistant Manager

RECEIVED

JAN 1 0 2018

Garden City Field Office
Division of Water Resources



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

January 4, 2018

RECEIVED

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846 JAN 04 2018

Garden City Field Office Division of Water Resources

RE:

Application for Change in Place of Use

Vested Right, File No. FI 41

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use is in accordance with K.A.R. 5-5-11(b). It is therefore recommended that the application be approved at this time.

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

Sincerely,

Jason L. Norquest Assistant Manager

GMD3 Change Review

File No(s).: <u>FI41</u> .	DWR office: <u>GC</u> .	
App filed to change: PU.		
Is Landowner(s) correct in V	VRIS: <u>Appears</u> .	
If NO, is documentat	ion included?	entity when the American Security
Is Water Use Correspondent		RECEIVED
If NO, is documentat		0.000
Regulation(s) Reviewed: KA		JAN 04 2018
Point of diversion ID No(s)		Garden City Field Office
,		Division of Water Resources
ft. North	ft. West	:
Authorized PD	•	
Proposed PD		
Difference	0	
a2 + b2 = c2	0 0	· :
GPS for proposed PD: Lat:	Long:	
Is proposed PD stacking on o	existing WRs?	
Is Proposed PU overlapping	existing WRs? MC	
Land Owner(s) notified:		
Name	Name	
Address	Address	
Zip	Zip	
Neighboring certified well(s)) notified:	
Name	Name	
Address	Address	
Zip	Zip	
Domestic well(s) notified: _		
Name	Name	
Address	Address	
Zip	Zip	
Base Acres: 62 (agree with	DWR).	
Perfected Acres:		
Irr. Return-Flow%		
Applicant is requesting the	change to cover a pivot that is currently in pl	ace and a
portion of the land would r	ot be authorized.	
Proposed to increase by 10	acres which is allowed in the rules. No chang	e to any
other portion of the water	right.	
Is a waiver needed: No.		
Final Recommendation: Af	ter review of all available information, it appears	s the area
rules are met. Staff therefore	e recommends approval of the application.	

f



Garden City Field Office JAN 04 2018

WIMAS WELLS GMD3

STK

, ,

DEW MOG

X

RR

jason GIS Workshop, LLC.

·			
	·		



Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

February 6, 2018

FOLTZ EXCAVATING INC DOUG FOLTZ 1902 WINDY VIEW DR GARDEN CITY KS 67846

RE: Water Right file no. FI 41

This is to advise you that Mid America Cattle has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3



Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

February 6, 2018

J & C LIGHTNER 8955 S US HIGHWAY 83 GARDEN CITY KS 67846

RE: Water Right file no. FI 41

This is to advise you that Mid America Cattle has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3



Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

February 6, 2018

SOUTHWEST KANSAS RESEARCH EXT CENTER 4500 E MARY ST GARDEN CITY KS 67846

RE: Water Right file no. FI 41

This is to advise you that Mid America Cattle has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced application.

You are notified on this proposed change in place of use so that you may furnish this office with any comments or other information you may want to submit.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3