

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

1. File Number: 15636	2. Status Change Date: 4-3-19	3. Change Num: C1	4. Field Office: 04	5. GMD: 03
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: 3/6/2019
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8a. Applicant, Landowner New to system <input type="checkbox"/> TODD HAMILTON PO BOX 149 24506 22 RD ENSIGN KS 67841	Person ID 58024 Add Seq# 1 8c. WUC New to system <input type="checkbox"/> 8a
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8b. Landowner(s) New to system <input type="checkbox"/> 8a	Person ID _____ Add Seq# _____ 8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: **12/31/19** N & P Date to Comply: **12/31/2019**

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

10. Use Made of Water From: _____ To: _____

Date Prepared: **4/2/2019** By: **AM**
 Date Entered: _____ By: _____

File No. **15636** 11. County: GY Basin: ARKANSAS RIVER Stream: Formation Code: **211** Special Use:

12. Points of Diversion
CHK
MOD
DEL
ENT

PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Authorized		Additional		Overlap PD Files
									Rate gpm	Quantity af	Rate gpm	Quantity af	

DEL	11405												
ENT	SW SW NE	22	27S	30W		2742	2587		1960	418	1960	418	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files		
						NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼						
CHK 381																									8a	N	22509

Base Acres: **Year:** **Minimum Reasonable Quantity:**
 Comments:

Garden City Field Office
2508 Johns Street
Garden City, KS 67846-2804



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Interim Secretary

Laura Kelly, Governor

April 3, 2019

TODD HAMILTON
PO BOX 149 24506 22 RD
ENSIGN KS 67841

RE: Water Right, File No. 15636

Dear Sir:

Enclosed is an order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that acceptable water flowmeter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since this order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

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,

A handwritten signature in blue ink, appearing to read "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
enclosures
pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

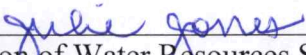
CERTIFICATE OF SERVICE

On this 3rd day of March, 2019, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 15,636, dated 3rd day of March, 2019 was mailed postage prepaid, first class, US mail to the following:

TODD HAMILTON
PO BOX 149 24506 22 RD
ENSIGN KS 67841

With photocopies to:

GROUNDWATER MANAGEMENT DISTRICT NO. 3



Division of Water Resources Staff

Submit completed application to:
 Kansas Department of Agriculture
 Division of Water Resources
 Field Office for your area.
 Call for address:
 Topeka -- (785) 296-5733
 Stafford -- (620) 234-5311
 Stockton -- (785) 425-6787
 Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

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



STATE OF KANSAS

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

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

File No. 15636

RECEIVED
 11:10 A.M.
 MAR 06 2019

Garden City Field Office
 Division of Water Resources

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

Place of Use Point of Diversion

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

The source of supply is: Groundwater Surface water

2. Name and address of Applicant: TODD HAMILTON

PO BOX 149 24506 22 RD ENSIGN, KS. 67841

Phone Number: (620)865 0009

Email address: Todd

Name and address of Water Use Correspondent: TODD HAMILTON

PO BOX 149 24506 22 RD ENSIGN, KS. 67841

Phone Number: (620)865 0009

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: TODD HAMILTON

ADDRESS: PO BOX 149 24506 22 RD ENSIGN, KS. 67841

(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		
22	27	30W	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	576

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

ADDRESS: _____

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

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

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 3-6-19 Check # 7472

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the SW Quarter of Section 22, Township 27 South, Range 30 (W), in GRAY County, Kansas, 2560 feet North 2720 feet West of Southeast corner of section. Authorized Rate 1960 GPM Authorized Quantity 418 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 GPS _____ feet North _____ feet West)
 This point will not be changed This point will be changed as follows: No change, point better described with GPS as follows:
Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)
 One in the SE SW Quarter of the SE SW Quarter of the NW NE Quarter of Section 22, Township 27 South, Range 30 (W), in GRAY County, Kansas, 3001 feet North 2587 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 _____

** 2742' N. x 2587' W*

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

7. The changes herein are desired for the following reasons?
 (please be specific) lack of production on current PD

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

9. The change(s) (was)(will be) completed by?
April 04 2019

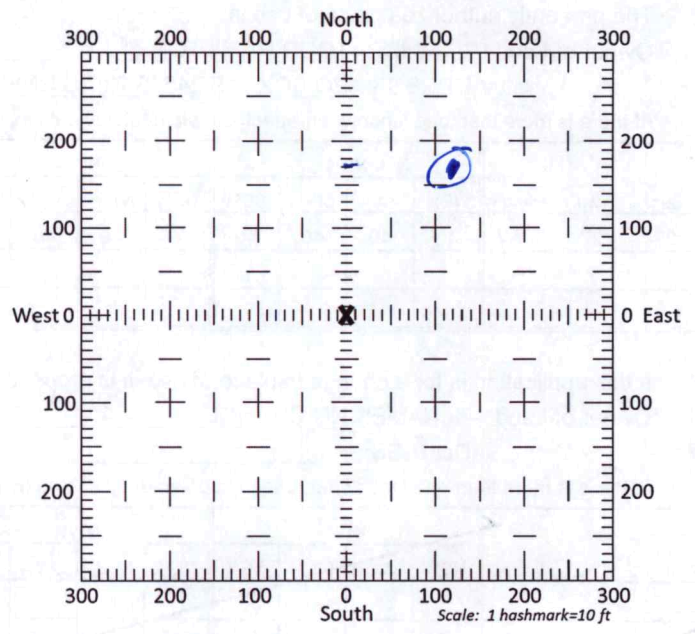
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
To be plugged
 (b) When will this be done? April 04 2019

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by CAC

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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

** As per test hole 3-28-19*



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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

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

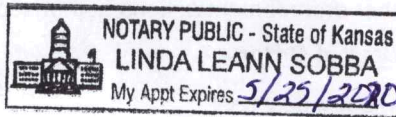
If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized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

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

Dated at Ensign, Kansas, this 5th day of March, 20 19.

<u>Todd Hamilton</u> (Owner)	_____	(Spouse)
<u>Todd Hamilton</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of Kansas }
County of Gray } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 5th day of March, 20 19.

Linda Leann Sobba
Notary Public

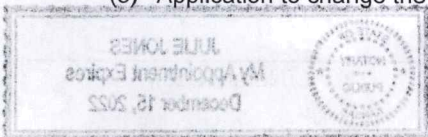
My Commission Expires May 25th 2020.

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

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less \$100
- (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200



SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 15636.

1. A change application was received on March 6, 2019 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. Applicable Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 50 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. Applicable Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than 300 feet from the previously authorized point(s) of diversion. Applicable Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. Applicable Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019**, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year. Applicable Not Applicable
8. **Installation of the works for diversion of water shall be completed on or before December 31, 2019**, or within any authorized extension of time. By March 1, 2020 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. Applicable Not Applicable
9. **The completed well log shall be submitted with the required notice.** Applicable Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. Applicable Not Applicable
11. Additional Conditions are attached. Yes No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

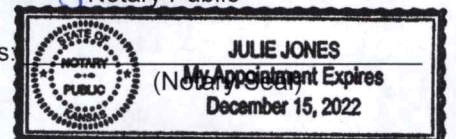
Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

For Use by Register of Deeds

FOR OFFICE USE ONLY
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Michael A. Meyer
Duly Authorized Designee of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: April 3, 2019
State of Kansas)
County of Stinney) SS
Acknowledged before me on April 3, 2019
by Michael A. Meyer
Signature: Julie Jones
Notary Public
My commission expires:



#15636

WELL LOG

DATE: 3-28-19

Downey Drilling Inc.



QG
THH
SA
THH THH

Q.T
THH 1

CUSTOMER NAME: Todd Hamilton
LEGAL: E 1/2 22-27S-30W
COUNTY: Gray
GPS: N-37 41 10
W-100 35 19
DRILLER: Ryan
WO: 16-445

I-load H26

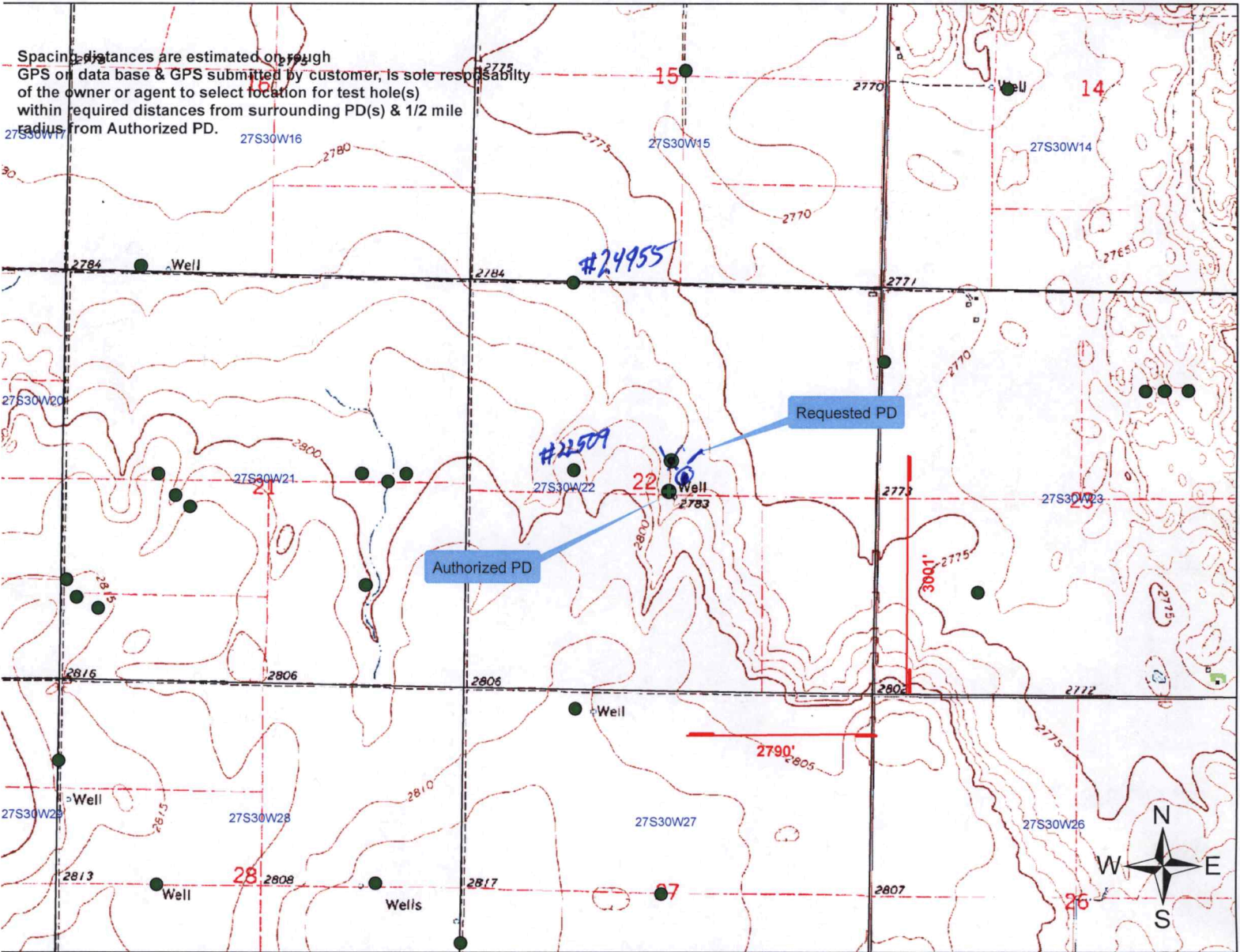
TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	5	TS	soft	blk	fst	NO	sm
	5	21	sitty-sandy clay	1	br	1	1	1
	21	45	clay, s-clay, F-t-m-sand layers	1	tan	1	1	slight
	45	54	clay	Firm	br	slw	1	sm
	54	56	clay cemented sand	hard	tan/whit	slw	1	choppy
	56	59	clay F-t-m-sand	soft	tan	fst	NO	slight
X	59	62	Fmc-sand F-gravel	soft	red	1	NO	chatter
X	62	80	Fmc-sand F-m-gravel	1	"	"	1	1
X	80	102	Fmc-sand F-m-c-gravel	1	1	1	1	1
	102	105	clay	1	tan	1	1	sm
X	105	110	Fmc-sand F-m-gravel	1	red	1	1	chatter
X	110	114	Fmc-sand F-m-c-gravel	1	1	1	1	choppy
X	114	142	Fmc-sand F-m-gravel	1	1	1	1	chatter
X	142	161	Fmc-sand F-m-c-vc-gravel	1	1	1	1	choppy
X	161	165	Fmc-sand F-gravel	1	red	1	1	chatter
	165	170	white clay	1	wht	1	1	sm
	170	186	F-t-m-sand s-clay, mag ledges	1	tan/whit	1	1	choppy
	186	193	s-clay, white clay, (F-sand layers?)	1	1	1	1	sm
	193	194	Mag	hard	wht	slw	X	choppy
	194	198	s-clay -> red (sticky) clay	soft	tan	fst	NO	sm
	198	220	s-clay, F-sand	1	1	1	1	slight
	220	235	s-clay, F-m-sand	1	1	1	1	slightly more chatty
	235	242	F-m-c-sand	1	1	1	1	chatter
	242	258	F-m-t-c-sand, clay stringers	1	tan	1	1	slight
X	258	265	Fmc-sand F-gravel	1	red/blk	1	1	chatter
X	265	288	Fmc-sand, F-gravel, t-br/yellow rocks (softer)	soft	"	1	1	1
X	288	290	Br yellow rock, F-gravel t-ocher	"	br/yella	fst	1	choppy
	290	300	ocher, lt gry weathered shale	"	gold, gry	slw	1	sm
	300	306	shale w/ soapstone (gritty)	Firm	drk gry/blk	1	1	slight
	306	321	shale	F-m	blk	1	1	sm

2742' x 2587'


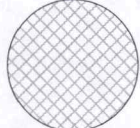
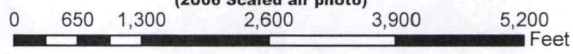

-100.58861111

37.680111

**Point of Diversion Change
WR 15636
T 27 R 30W Sec 22 Gray County**

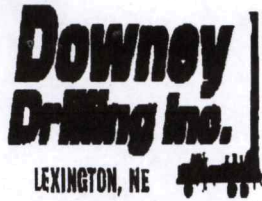


Spacing distances are estimated on rough GPS of data base & GPS submitted by customer, is sole responsibility of the owner or agent to select location for test hole(s) within required distances from surrounding PD(s) & 1/2 mile radius from Authorized PD.

● Authorized PD	 Authorized PU	 Half Mile Radius	<p>(2006 Scaled air photo)</p>  <p>0 650 1,300 2,600 3,900 5,200 Feet</p>
● Requested PD	 Requested PU		
● Point of Diversion			

Applicant Signature

By signing this map the applicant is aware that no other wells (Irrigation, Domestic, Industrial etc) are within the 1/2 mile radius circle.



Well Design & Construction

Customer Name: HAMILTON BROTHERS - TODD HAMILTON

Legal: SW/NE 22-27S-30W

County: GRAY COUNTY

G.P.S.: 37 41' 12.51" N
-100 35' 19.91" W

Date:

WO #:

DRILLER:

WATER SUPPLY: NEARBY IRRIGATION WELL

HELPER(S):

DRILLING RIG:

BOREHOLE DIAMETER: 30"

DRILLING METHOD: REVERSE CIRCULATION

CASING DIAMETER: 16"

QUIKGEL: TBD

HOLE PLUG: 20' +/-

TOTAL WELL DEPTH: 320

GRAVEL: 78 TONS OF #1 COARSE

DRILLING FLUID: TBD

GRAVEL SUPPLIER: TBD

ADDITIONAL INFO:

AT TEST HOLE #2 LOCATION (NORTH OF EXISTING WELL)

GROUT AND GRAVEL

SCREEN AND CASING

