# Kansas Department of Agriculture Division of Water Resources

**CHANGE: P/U WORKSHEET** 

1. File Number: <b>18069</b>	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
6. Status: ⊠ Approved ☐ Der	ied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: <b>5/13/2019</b>
8a. Applicant(s) New to system □  ALBERT W SAMUELSO	Person ID 54575 Add Seq#	8c. Landown New to sy		Person ID 54576 Add Seq#
5940 E FAIR AVE ENGLEWOOD CO 8011		5968 S	NOME ST EWOOD CO 801	
8b. Landowner(s)  New to system □	Person IDAdd Seq#	8d. WUC New to sy	vstem □	Person IDAdd Seq#
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9. Documents and Enclosure(s): ☑ Documents and Enclosure(s): ☑ Documents and Enclosure(s): ☑ Documents and Enclosure(s): ☑ Meter ☐ Meter ☐ Conservation Plan ☐ Date Require		□ N & P Form	☐ Water Tube ☐ [	Oriller Copy
10. Use Made of Water From:	1 14	To: _		
			Date Prepared: <b>5/28/</b> Date Entered:	<b>2019</b> By: <b>AM</b> By:

File No. 18069	11. County:	WH	Ba	sin: LA	ADDE	R CRE	EK			S	tream:	1						Fo	rmation Code: 2	111 Special Use:
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 29, 2019

ALBERT W SAMUELSON III 5940 E FAIR AVE ENGLEWOOD CO 80111

RE: Water Right, File No. 18069

Dear Sir or Madam:

Enclosed is the 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 an acceptable water flow meter 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/or installation of the required meter as soon as these actions are completed.

Since the 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 contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely.

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

Jeffery Samuelson GROUNDWATER MANAGEMENT DISTRICT NO. 1

#### CERTIFICATE OF SERVICE

On this 29<sup>th</sup> day of May, 2019, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File No. 18069 dated 29<sup>th</sup> day of May, 2019 was mailed postage prepaid, first class, US mail to the following:

ALBERT W SAMUELSON III 5940 E FAIR AVE ENGLEWOOD CO 80111

Pc:

JEFFERY SAMUELSON 5968 S NOME ST ENGLEWOOD CO 80111

GROUNDWATER MANAGEMENT DISTRICT NO. 1

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.

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(b) When will this b	e done?	100 E		
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Groundwater Manag	ement District recommendation attached	? 200	1 + 1 + 1 =	+   +   = 200
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a topographic map sources, show all w of the proposed pol addresses of the ownames and addre	of diversion will be relocated more than 3 feet of the existing point of diversion, atta or aerial photograph. For groundwaells (including domestic) within one-half mores. For surface water sources, show the sees of the landowner(s) one-half more-half mile upstream from your proper.	ach 13b.lf the p ter of the nile diagra- ing diversi the above nile divers	existing point of diversion shown above in relation. (PLEASE NOTE: Terepresents the pres	will be relocated within 300 n, indicate its location on to the existing point he "X" in center of diagrently authorized point

lines

14. If the proposed groundwater point of diversion is 300 of fewer feet in	official existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this appli	
<ul> <li>(b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this appli	
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).	
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 regards to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
Dated at 6050 5-Holly St. greenwood, Kansas, this	7th day of May , 20 19.
Albertal Soming 1505 III	Constitution of the second of
(Owner)	(Spouse)
Albert W. SAMUELSON JH	and the state of t
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(Owner)	(Spouse)
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State of Kansas Colora de ) SS	
County of trapanoe	108 - 108 - 108 A 108 OF 11 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this // Wday
	de la commence
	Notary Public Notary Public State of Colorada
My Commission Expires 7-28-2021.	Notary ID 20014012917
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.	of the applicable portions of the application form must be completed with ppropriate owners' must be affixed to the application and notarized; and
FEE SCHEDU	JLE
Each application to change the place of use or the point of diversion under	er this section shall be accompanied by the application fee set
forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use	ent of Agriculture

#### 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. 18069 requesting that the place of use and / or point of A change application was received on 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. 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 radius of the authorized point(s) of diversion. 

Applicable 

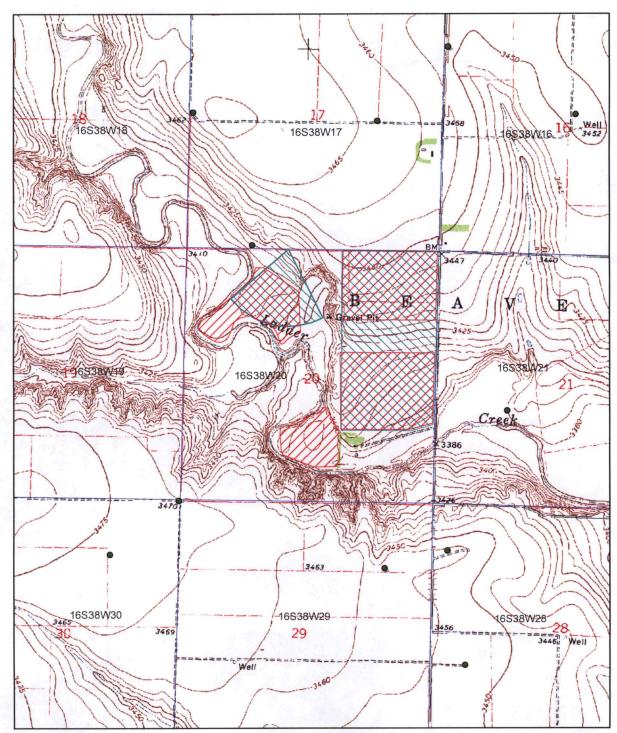
Not Applicable The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than feet from the previously authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable 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 Not Applicable K.A.R. 5-6-13. Applicable 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 Installation of the works for diversion of water shall be completed on or before December 31, 20 12, or within any authorized extension of time. By March 1, 20<del>20</del> 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. Not Applicable Applicable The completed well log shall be submitted with the required notice. ☐ 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 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. 822-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer administrative review by the Secretary must be filed within 30 days pursuant to K.S.A. 77-531. Any request for administrative Austin Welollock (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture 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 105 Date of Issuance: State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on Signature: ones A Notary Public TATE JULIE JONES NOTARY My commission expires: My Appointment Expires (Notary Seal) December 15, 2022 PUBLIC .

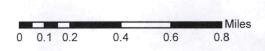
File No. 19069

## Change in Place of Use for Water Right 18069 Section 20, Township 16 South, Range 38 West, Wichita County





**Authorized Place of Use** 







**Proposed Place of Use** 

All wells within 1/2 miles are on this map.

V	
<b>A</b>	

## French, Mitch [KDA]

From:

French, Mitch [KDA]

Sent:

Wednesday, May 1, 2019 11:39 AM

To:

gsgraff@fairpoint.net

Subject:

water right 18069

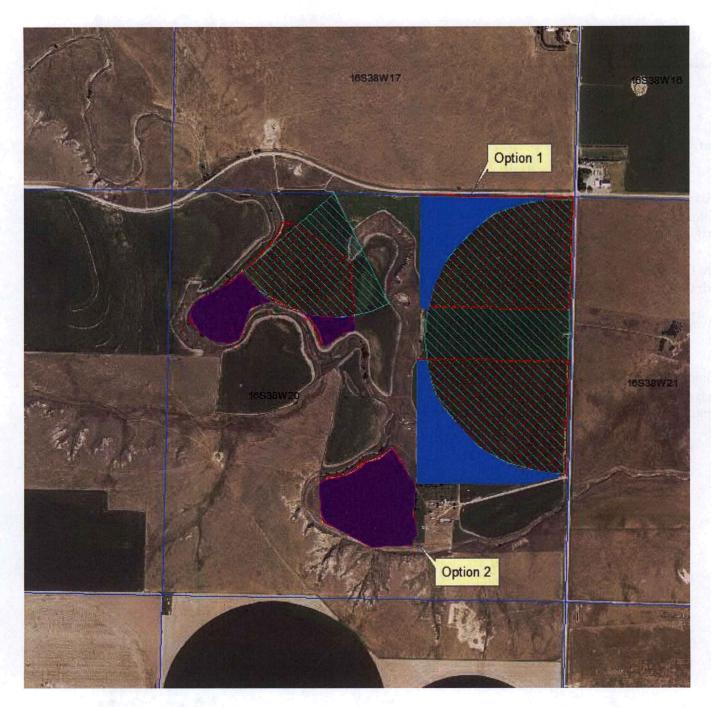
Hello Gary,

There are two easy options for removing un-irrigated ground from the current place of use to cover the ground that is currently being irrigated.

You can either remove the blue ground, Option 1, (approximately 44 acres) in the east half of the section, or the purple ground, Option 2, (approximately 44 acres) in the southern and western portion of the section.

Either way, there will be no reduction in authorized acres (212 acres), or the authorized quantity of 424 acre feet of water.

The choice is up to you and the landlord. Just let me know which option is preferred. If need be, we can also take portions of either option as long as we can come up with the approximately 44 acres that we need to move around. I can complete the application to change this place of use.



Thank you, Mitchell D French Kansas Department of Agriculture Division of Water Resources Garden City Field Office (620) 276-2901 mitch.french@ks.gov

## STATE OF COLORADO CERTIFICATION OF VITAL RECORD

#### STATE OF COLORADO **CERTIFICATE OF DEATH**

STATE FILE NUMBER

				عام الماء الماء			
	. DECEDENT'S NAME (First, M		A Too	CAMUE	CON TR		3. DATE OF DEATH (Month, Day, Year)
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	NUMBER 510 1/2 7560	Birthday (Years)	Days Hrs	Mins	(Month, Day, Year)	07 1001	Country)
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>	7. FATHER-NAME (First, Mid	1 1000 3 16	MOTHER-NAME	First Middle Last (A	White	INFORMANT-NA	ME and relationship to deceased.
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	100	001	Was			D-1.80 # #P	Denver, zip:CO 80231
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IFIER	the cause(s) and manner a	s stated.	16 10	Y a	A Total Control of the Control of th	and due to the ca	stigation in my opinion death occurred a use(s) and manner as stated.
	Signature	the has	SINF	LINE	Signature	Ma	(Luendano
_ 2	8. DATE SIGNED (Month, Day	(Kear)	200	2	9. DATE SIGNED (Mon	Day, Year)	
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	27. 5 28	ת שלים "לב	the factories				
_ >3	2. MANNER OF DEATH	33a. DATE OF INJURY	33b. TIME OF	33c. INJURY AT WORK?	33d. DESCRIBE HOW	INJURY OCCUR	RED
	Matural II Rending Investigati	(Month Day Year)	1 6 6 40				
	□ Accident Investigati	on De D	M	Yes No			
	☐ Suicide ☐ Undeterm	133e. PLACE OF INJURY	At home, farm, street	, factory, office	33f. LOCATION (Stree	and Number or R	lural Route Number, City, County, State)
	☐ Homicide	building, etc. (Speci	(x)				
	34. IMMEDIATE CAUSE	ENTER ONLY ONE CAUSE PER	LINE FOR (a), (b), AN	VD (c).) Do not enter	mode of dying (e.g. Card	liac or Respirator	y Agrest) alone. Interval between onse
E OF	ART (a)		Lesopi				bilare 4 fan
TH C	ONDITIONS DU	E TO OR AS A CONSEQUENCE	OF			0	Interval between onse
G	ANY WHICH AVE RISE TO (b)						and death
Si		E TO OR AS A CONSEQUENCE	OF	1400°	54.5 X		Interval between onse
U	NDERLYING CAUSE AST (c) (c)						and death
		ONDITIONS - Conditions contrib	uting to death but not	t related to cause in	35.	AUTOPSY 36.	IF YES were findings considered
	II PART I (e.g., alcohol abus		S 27				in determining cause of death?
		AD			/	1/0	
	noul he	/.					
	renal trans	plant				01	
	renal trans	slant		J. Serve			

F. CO

ADRS-16

1-89 (Rev. 1-91)
THIS IS A TRUE CERTIFICATION OF NAME AND FACTS AS RECORDED IN THIS OFFICE. Do not accept unless prepared on with high resolution horder displaying the Colorado state security paper with high resolution border displaying the Colorado state seal and signature of the Registrar PENALTY BY LAW, Section 25-2-118, Colorado Revised Statutes, 1982, if a person alters, uses, attempts to use or furnishes to another for deceptive use any vital statistics record. NOT VALID IF PHOTOCOPIED.

REV 04/16





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F. CO



## WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

May 20, 2019

Michael A. Meyer Water Commissioner Division of Water Resources Garden City Field Office 4532 W Jones Ave. Suite B Garden City, KS. 67846

RE: Water Right File No. 18069

Dear Mr. Meyer:

After reviewing the Place of Use change application for the above referenced water right, the Western Kansas Groundwater Management District #1 recommends approval.

If you have any questions or concerns please contact me anytime.

Sincerely,

Kyle Spencer District Manager

RECEIVED

MAY 2 0 2019

Garden City Field Office Division of Water Resources Garden City Field Office 4532 W. Jones, Suite AB Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

May 16, 2019

WESTERN KANSAS GROUNDWATER 906 W. 5th P.O. BOX 604 SCOTT CITY KS 67871

Re:

Water Right File No. 18069

Dear Mr. Spencer:

This is to advise you that Albert Samuelson III has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion for the above referenced file. This application is to re-arrange base acres to cover actual acres irrigated.

We are delaying action on the change application to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

Michael A. Meyer Water Commissioner

MAM Enclosures