

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

1. File Number: 33676	2. Status Change Date: 4-3-19	3. Change Num: C3	4. Field Office: 04	5. GMD: 03
---------------------------------	---	-----------------------------	-------------------------------	----------------------

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: 3/29/2019
--	---

8a. Applicant, Landowner
 New to system

Person ID **61989**
 Add Seq# **1**

JACOB NEUFELD
10165 W RIVER RD
HOLCOMB KS 67851

8c. WUC
 New to system

Person ID _____
 Add Seq# _____

8a

8b. Landowner(s)
 New to system

Person ID **64846**
 Add Seq# _____

SANDYHILL ENTERPRISES LLC
JACOB NEUFELD
10165 W RIVER RD
HOLCOMB KS 67851

8d. WUC
 New to system

Person ID _____
 Add Seq# _____

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. **33676** 11. County: FI Basin: ARKANSAS RIVER Stream: Formation Code: 211/331 Special Use:

12. Points of Diversion
CHK
MOD
DEL
ENT

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

DEL	54622												
ENT	SE NW NW	15	26S	34W		4005	4181		1000	260	1000	260	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

PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
					NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

CHK	17330																						8b	N	MULTIPLE
CHK	39162																						8b	N	MULTIPLE
CHK	33972																						8b	N	MULTIPLE

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

Comments: OVERLAPPING WR ON PU: 28871-D1; 29939; 33677

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

SANDYHILL ENTERPRISES LLC
JACOB NEUFELD
10165 W RIVER RD
HOLCOMB KS 67851

RE: Water Right, File Nos. 29939 and 33676

Dear Sir:

Enclosed is are orders executed by the designee of 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. Conditions of these approvals are that acceptable water flowmeters must be installed on the diversion works authorized under the referenced file numbers 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 these orders modify the original documents referred to above, they 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,


Michael A. Meyer
Water Commissioner

MAM:
enclosures
pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

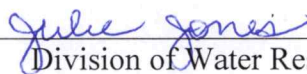
CERTIFICATE OF SERVICE

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 Nos. 29,939 and 33,676, dated 3rd day of March, 2019 was mailed postage prepaid, first class, US mail to the following:

SANDYHILL ENTERPRISES LLC
JACOB NEUFELD
10165 W RIVER RD
HOLCOMB KS 67851

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. 33676

RECEIVED
 3:03 pm
MAR 29 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: SANDYHILL ENTERPRISES LLC, JACOB NEUFELD

10165 W RIVER RD, HOLCOMB KS 67851

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: JACOB NEUFELD

10165 W RIVER RD, HOLCOMB KS 67851

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Same

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	

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: _____

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 \$ 100.00 TR # _____ Receipt Date 3-29-19 Check # 4130

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ NW Quarter
 of Section _____ 15 _____, Township _____ 26 _____ South, Range _____ 34 _____ (W),
 in FI _____ County, Kansas, _____ 3945 feet North _____ 3960 feet West of Southeast corner of section.
 Authorized Rate _____ 1000 gpm _____ Authorized Quantity _____ 260 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 Quarter of the _____ NC NW Quarter of the _____ NW Quarter
 of Section _____ 15 _____, Township _____ 26 _____ South, Range _____ 34 _____ (W),
 in FI _____ County, Kansas, _____ 4005 feet North _____ 4181 feet West of Southeast corner of section.
 Proposed Rate _____ 1000 gpm _____ Proposed Quantity _____ 260 AF _____ Proposed well depth (feet) _____ 600 _____
 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 _____ (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) _____

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

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

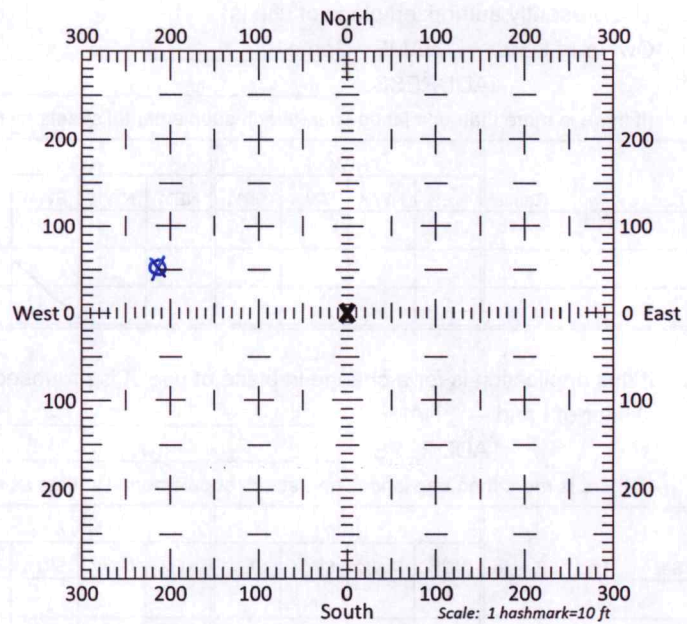
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by mf/GCFO _____

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



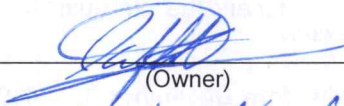
13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of 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 Warden City, Kansas, this 28th day of March, 2019.

 (Owner)	 (Spouse)
<u>Jacob Neufeld</u> (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (Please Print)
 (Owner)	 (Spouse)
 (Please Print)	 (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 28th day of March, 2019.



My Commission Expires

Julie Jones
 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

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 Garden City, Kansas, this 29th day of March, 2019.

_____	<u>Aganetha Neufeld</u>
(Owner)	(Spouse)
_____	<u>Aganetha Neufeld</u>
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(Please Print)
_____	_____
(Owner)	(Spouse)
_____	_____
(Please Print)	(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 29th day of March, 2019.



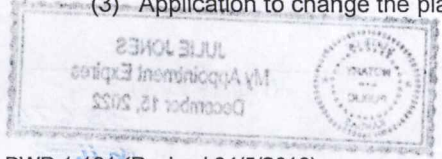
Julie Jones
Notary Public

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



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. ~~29939~~ 33,676.

1. A change application was received on March 29, 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

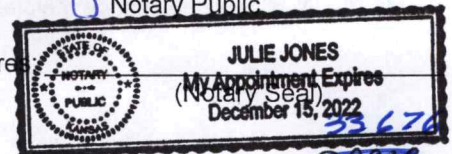
FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
 SUMMARY ORDER ISSUED**

By: Michael A. Meyer

 (Print Name): MICHAEL A. MEYER
 Division of Water Resources - Kansas Department of Agriculture
 Date of Issuance: APRIL 3, 2019
 State of Kansas)
) SS
 County of Stinson)
 Acknowledged before me on April 3, 2019
 by Michael A. Meyer
 Signature: Julie Jones

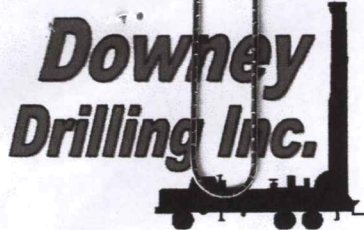
 Notary Public

My commission expires



WELL LOG

DATE: 3/15/2019



CUSTOMER NAME: JACOB NEUFELD TH#4

LEGAL: NW 15-26S-34W

COUNTY: FINNEY CO. ELEVATION 2940

GPS: 37.791209 37° 47' 28"N

-101.030794 101° 1' 51"W

DRILLER:

WO: 18-975

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	20	TOP SOIL, FINE SAND	SOFT	TAN	FAST		SMOOTH
	20	57	SANDY CLAY	SOT	TAN	FAST		SMOOTH
	57	160	FINE GRAVEL, FINE-MEDIUM-COARSE SAND TRACES OF COARSE GRAVEL	SOFT	RED	FAST		CHATTER
	160	220	FINE GRAVEL	SOFT	RED	FAST		CHATTER
			CEMENTED LAYER @ 215'	LITTLE HARD	WHITE			CHOPPY
	220	230	SAND, SANDY CLAY	SOFT	TAN	FAST		SOME CHATTER
	230	257	FINE GRAVEL, FINE-MEDIUM-COARSE SAND TRACES OF SANDY CLAY	SOFT	RED	FAST		FAST CHATTER
	257	273	COARSE-VERY COARSE SAND, FINE GRAVEL	SOFT	RED	FAST		CHATTER
	273	275	SANDY CLAY	SOFT	TAN	FAST		SMOOTHER
	275	290	FINE GRAVEL	SOFT	RED / TAN	FAST	10	CHATTER
	290	297	MED - COARSE SAND	SOFT	RED / TAN	FAST	7	CHATTER
	297	345	FINE - MED SAND, SANDY CLAY LAYERS	SOFT	TAN	FAST	5	SMOOTHER
	345	357	FINE GRAVEL	SOFT	RED	FAST	12	FAST CHATTER
	357	363	SANDY CLAY W/MED-COARSE SAND	SOFT	TAN	FAST	2	SLIGHT CHATTER
	363	379	MEDIUM-COARSE SAND. TR. FINE GRAVEL	SOFT	TAN	FAST	16	SOME CHATTER
	379	400	FINE, MED. COARSE SAND W/SANDY CLAY	SOFT	TAN	FAST	3	SLIGHT CHATTER
	400	420	FINE SAND, BROWN ROCK, SANDSTONE	SOFT	TAN	FAST	10	CHATTER
			HARD SPOT AT 410'					
	420	450	FINE SAND, BROWN ROCK, SANDSTONE W/SHALE LENSES	SOFT	BROWN / GRAY	SLOWER @ TIMES	15	SOME CHATTER, SMOOTHER @ TIMES
			HARD SPOT @ 430' & 447'				80	
	450	462	WEATHERED TIGHT GRAY SHALE	SOFT	GRAY	LITTLE SLOW		SMOOTH
	462	496	FINE SAND W/ FEW SHALE LENSES	SOFT	GRAY	NOT AS SLOW	8	SLIGHT CHATTER @ TIMES
	496	520	SHALE W/FINE SAND LAYER @ 505' - 507'	DENSE	BLACK	SLOW		SMOOTH
	520	535	FINE-MED SAND	SOFTER	GRAY	FASTER NOT AS FAST	15	SLIGHT CHATTER @ TIMES
	535	550	SHALE W/FINE SAND LAYERS	DENSE	GRAY	FASTER NOT AS FAST		SMOOTHER
			HARD SPOT AT 545'					
	550	600	DARK SHALE	DENSE	BLACK	SLOW		SMOOTH
							93	
			7 BAGS OF QUIKGEL					
			1 BAG OF SODA ASH					
			2 LOADS OF WATER					
			1 BAG OF HOLEPLUG					