

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

1. File Number: <b>11408</b>	2. Status Change Date: <b>4-29-2020</b>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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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: <b>4/28/2020</b>
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8a. LANDOWNER, applicant, WUC New to system <input type="checkbox"/>  <b>J &amp; C LIGHTNER</b> <b>8955 S US HIGHWAY 83</b> <b>GARDEN CITY, KS 67846-9462</b>	Person ID <b>21109</b> Add Seq# <b>1</b>	8c. Correspondent New to system <input checked="" type="checkbox"/>  	Person ID _____ Add Seq# _____
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8b. Landowner(s), New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____	8d. correspondent 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: **12/31/2020**     N & P Date to Comply: **3/1/2021**

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: **4/28/20**    By: **MAM**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

File No. **11408**      11. County: **FI**      Basin: **ARKANSAS RIVER**      Stream:      Formation Code: **211**      Special Use:

12. Points of Diversion										Rate and Quantity				
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	
ENT		SENESW	32	25	32W		1698	2659		965	296	965	296	NONE

DEL 40264

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										NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK MOD DEL ENT	PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
						¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼				
CHK	18788																												

Base Acres:      Year:      Minimum Reasonable Quantity:

Comments:

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

April 29, 2020

J & C LIGHTNER  
8955 S US HIGHWAY 83  
GARDEN CITY, KS 67846-9462

RE: Water Right, File No. 11408

Dear Sir and Madam:

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 this enclosure and to the terms, conditions, and limitations specified in the approval for change. Conditions of the 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 the order modifies the original documents referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

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 that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:  
enclosures

pc:

GMD3


**CERTIFICATE OF SERVICE**

On this 29<sup>th</sup> day of April 2020, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 11,408 dated 29<sup>th</sup> day of April 2020 were mailed postage prepaid, first class, US mail to the following:

J & C LIGHTNER  
8955 S US HIGHWAY 83  
GARDEN CITY, KS 67846-9462

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. 11408

**RECEIVED**  
 4:20 pm  
**APR 28 2020**

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: J C LIGHTNER

8955 S US HIGHWAY 83 GARDEN CITY, KS 67846 - 9462

Phone Number: (    ) \_\_\_\_\_ Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: (    ) \_\_\_\_\_ Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: SAME AS ABOVE / 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	

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	

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>100.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>4-28-20</u> <b>Check #</b> <u>3255</u>
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5. **Presently authorized point of diversion:**  
 One in the SE Quarter of the NE Quarter of the SW Quarter of Section 32, Township 25 South, Range 32 (W), in FINNEY County, Kansas, 1570 feet North 2700 feet West of Southeast corner of section.  
 Authorized Rate --- Authorized Quantity --- 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 NE Quarter of the SW Quarter of Section 32, Township 25 South, Range 32 (W), in FINNEY County, Kansas, 1698 feet North 2659 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          (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

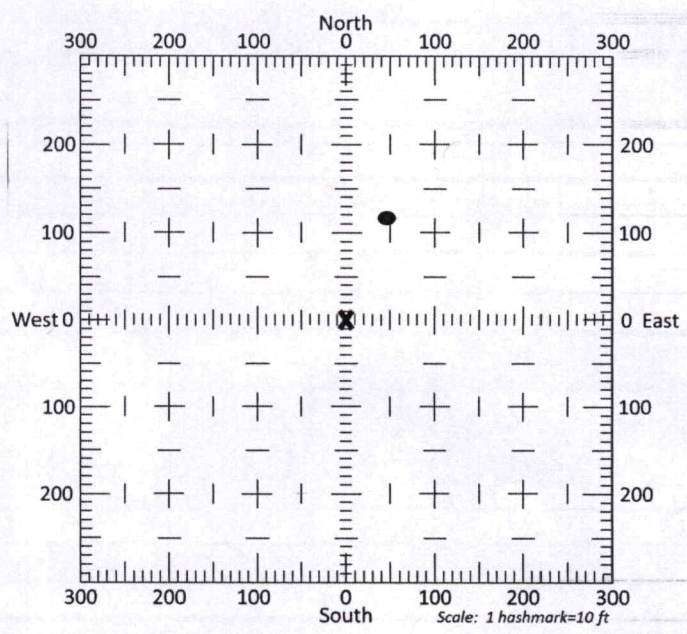
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by AM/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 GARDEN CITY, Kansas, this 28TH day of APRIL, 20 20.

John Steinhilber  
 (Owner)

\_\_\_\_\_  
 (Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }  
 County of ANNEK } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 28TH day of APRIL, 20 20.



Catherine Reinert  
 Notary Public

My Commission Expires 9-14-22

**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. 11408

1. A change application was received on APRIL 23, 2020 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 \_\_\_\_\_ 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, 2020**, 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, 2020**, or within any authorized extension of time. By March 1, 2021 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

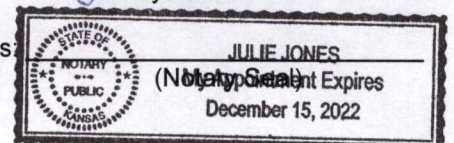
Date of Issuance: APRIL 29, 2020

State of Kansas )  
 ) SS  
 County of Finney )

Acknowledged before me on April 29, 2020  
 by Michael A. Meyer

Signature: Julie Jones  
 Notary Public

My commission expires:





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



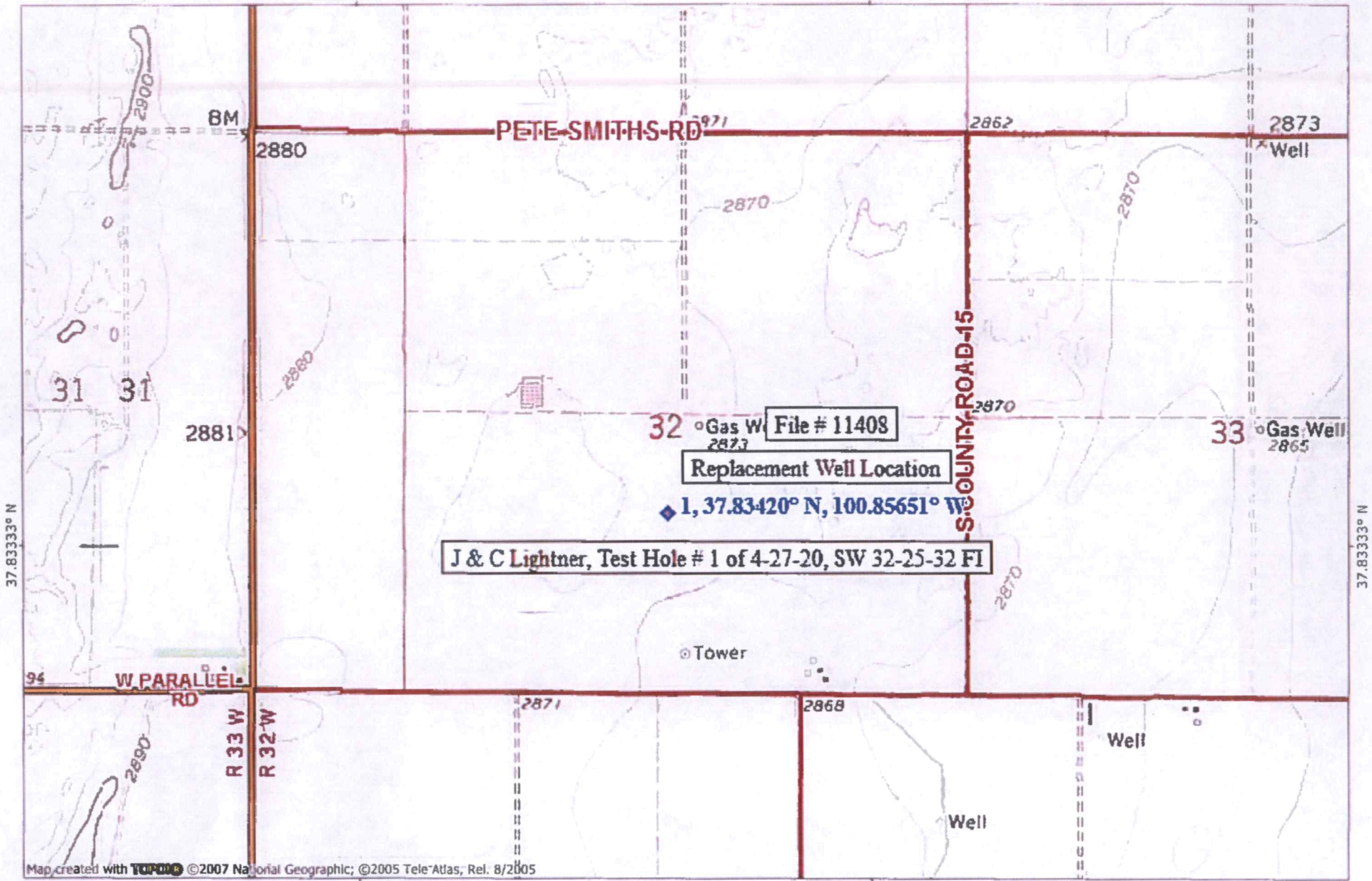
PO Box 639  
 Garden City, KS 67846  
 Fax: 620-277-0224

JOHN LIGHTNER 620-290-8855

Customer Name: J+C Lightner, Inc. WO#: 19980 Date: 4-27-20  
 Street Address: 8955 US HWY 83 Test #: 1 E LOG: \_\_\_\_\_  
 City, State: GARDEN CITY, KS. 67846 Driller: Dale Guinn  
 County: Finney Quarter: SW Section: 32 Township: 25 Range: 32  
 Location: 85' North & 13' West of Existing Well GPS: N37.834198 W100.856514  
 Rig #: 10002 Elevation: \_\_\_\_\_ Static WL: 248' Estimated? \_\_\_\_\_  
 Proposed Well Depth 543

Underground Water Line Approx. 12' East Of Test Hole 20' SAMP

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		27	Brown Sandy Clay
	27		36	Fine Med Sand w/some Clay stringers
	36		130	Fine Med Course Sand Small Med Large Gravel
	130		137	Gray Clay
	137		149	Fine Med Sand
	149		196	Blue Clay
	196		214	Fine Med Course Sand "Blue In Color"
	214		232	Blue Clay
	232		237	Blue Clay w/ Couple Sand Layers
5	237	12	260	Fine Med Sand w/some Blue Clay Layers
	260		271	Blue & Brown Clay w/ Few Sand Strips
10	271	23	294	Fine Med Sand w/ Many Brown Clay Layers
25	294	10	304	Fine Med Course Sand Small Gravel
10	304	10	314	Brown Sandy Clay w/ Fine Med Course Sand
25	314	9	323	Fine Med Course Sand
5	323	13	336	Brown Sandy Clay w/ Fine Sand
25	336	29	365	Fine Med Course w/ Few Clay Layers
5	365	18	383	Brown Sandy Clay & Fine Sand
20	383	16	399	Fine Med Sand w/ Couple Clay Layers
30	399	22	421	Fine Med Course Sand w/ some small Brown & Tan Rock w/ Few Clay Layers
	421		440	Brown Sandy Clay
10	440	10	450	Fine Sand w/some Clay Layers
20	450	5	455	Fine Med Sand
15	455	24	479	Fine Some Med w/ Few clay stringers
10	479	25	504	Fine Some Med w/some clay layers
	504		509	Brown Sandy Clay
30	509	14	523	Fine Med Course Sand w/ Brown & Tan Rock
	523		529	Yellow Soapstone
	529		540	Blue & Gray Shale
				Super Gel X -3
				Grout -5
				Hole Plug -6
				Perma Plug -1



Map created with TOPO! ©2007 National Geographic; ©2005 TeleAtlas, Rel. 8/2005

