## Kansas Department of Agriculture Division of Water Resources

CHANGE: pu WORKSHEET

1. File Number: <b>26846</b>	2. Status Change Date: 2-27-2020	3. Change Num:	4. Field Office: <b>04</b>	5. GMD:
6. Status:   Approved □	Denied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: <b>2/19/20</b>
8a. Landowner, applicant, New to system ☐  RETA JANE KANE TF 17398 ROAD O KISMET, KS 67859	Person ID 32276 Add Seq# 1	8c. landowne New to sy		Person IDAdd Seq#
8b. Landowner(s) New to system ☑  SARA LYNN WILLIMO 17938 ROAD O KISMET KS 67859	Person ID ? Add Seq#	8d. WUC New to sy	vstem □	Person IDAdd Seq#
9. Documents and Enclosure(s):   Anti-Reverse Meter	eter Seal	□ N & P Form	□ N & P Date t □ Water Tube □ □ Date	Driller Copy ☐ H & E Letter
10. Use Made of Water From: _		To:		
descarsal d			Date Prepared: <b>2/27</b> Date Entered:	7/20 By: <b>MAM</b> By:

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16. Place of Use CHK			Z	NE%			Ź	NW74			SW%	1/4	H 7 1		SE1/4			Total	Owner	Chg?	Overlap Files	
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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

February 27, 2020

RETA JANE KANE TRUST 17398 ROAD O KISMET, KS 67859

RE:

Water Right, File No. 26846

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 the enclosures and to the terms, conditions, and limitations specified in the approval for change. A condition of the approval is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file number and meet current specification. Please return the required notification of completion of the diversion works and installation of the required meters 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 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:

SARA LYNN WILLIMON 17938 ROAD O KISMET KS 67859

GMD3

#### CERTIFICATE OF SERVICE

On this 27<sup>th</sup> day of February 2020, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File No. 26,846 dated 27<sup>th</sup> day of February, 2020 was mailed postage prepaid, first class, US mail to the following:

RETA JANE KANE TRUST 17398 ROAD O KISMET, KS 67859

Pc:

SARA LYNN WILLIMON 17938 ROAD O KISMET KS 67859

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.

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If the proposed point of div	ersion will be relocated more than	300	reneged point of diversion	
a topographic map or a	of the existing point of diversion, at erial photograph. For groundw	rater of the	proposed point of diversion we existing point of diversion,	indicate its location on
sources, show all wells (in	cluding domestic) within one-half	mile diagra	m shown above in relation	on to the existing point
of the proposed point of a	diversion and the names and ma	iling diversi	on. (PLEASE NOTE: The	e "X" in center of diagr
names and addresses	For surface water sources, show of the landowner(s) one-half	mile <b>above</b>	represents the presention.)	itiy authorized point
downstream and one-hal	If mile upstream from your prop	perty		

lines

5. Presently authorized point of diversion:

14. If the proposed groundwater point of diversion	on is 300 or fewer feet fro	m the existing point	of diversion, complete t	ne following:
(a) Does the undersigned represent all own   ✓ Yes  No (If no, all own	ners of the currently authoriers must sign this applic		e identified in this applic	ation?
(b) Will the ownership interest of any ownership affected if this application is approved a	er of the currently author	ized place(s) of use	e identified in this applica	ation be adversely
(c) If this application is not approved exped		stantial damage to	property, public health or	safety?
If the application proposes a surface water change or a change in place of use, the application must agent (attach notarized statement authorizing rep	ge in point of diversion, a be signed by all owners	groundwater chang		
I hereby verify, being first duly sworn up age and the owner, the spouse of the owner their behalf, in regards to the water right contained in this application are true, cor	ner, or a duly authori t(s) to which this app	zed agent of the dication pertains	owner(s) to make the life that it is a second to make the life that it is a second to make the life that it is a second to make the life that	is application on t the statements
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Jana Bynn Wullema	n trustee			
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I hereby certify that the foregoing and configuration of Fundamental property, 20 20 My Appt.	ation Was signed Nin r lotary Public - State of Kansas Expires 9-22-2002	ny presence and	sworn to before me	this <u>19</u> day
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My Commission Expires 9-22-202	anaires no		I Adian A apric	
ONLY COMPLETE APPLICATIONS WILL BE PROCE accurate information; maps, if necessary, must be incluted appropriate fee must be paid.	SSED. To be complete, all uded; signatures of all the ap	of the applicable portion opropriate owners' mus	ons of the application form r st be affixed to the applicati	nust be completed with on and notarized; and
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Each application to change the place of use or the forth in the schedule below: Make checks payabe (1) Application to change a point of diversity (2) Application to change a point of diversity (3) Application to change the place of use the plac	ne point of diversion under ble to: <b>Kansas Departmo</b> ersion 300 feet or less ersion more than 300 feet	r this section shall bent of Agriculture		\$100 \$200

#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

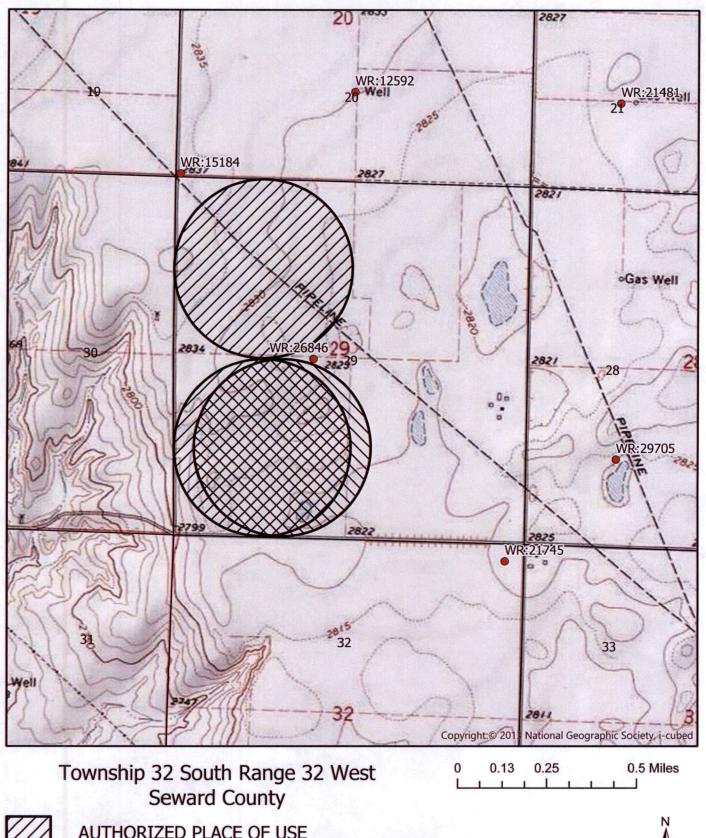
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, et seq. and other applicable provisions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 26846 2020 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. 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 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. 

Applicable Not Applicable feet from the previously 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 ☐ Applicable K.A.R. 5-6-13. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 20 20, 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 following the early of each calendary leaves. 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 20, or within any authorized extension of time. By March 1, 20 1, 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 Not 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 11. Additional Conditions are attached. ☐ Yes 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. 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 review must state a basis for review pursuant to K.S.A. 77-527. (Print Name): Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of Acknowledged before me on 2020 Signature: STATE OF JULIE JONES My Appointment Expires My commission expires (Notable See 1)5, 2022

#### CHANGE IN PLACE OF USE FILE NO. 26846



**AUTHORIZED PLACE OF USE** 

PROPOSED PLACE OF USE



Created By: AM/GCFO



#### 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

February 27, 2020

Austin J. McColloch Division of Water Resources 4532 W Jones Ave., Suite B Garden City, Kansas 67846

RE: Application for Change in Place of Use

Water Right, File No. 26846

#### Dear Austin:

We have reviewed 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, to shift one of the pivots east to better suit the operation and is in accordance with K.A.R. 5-5-11. 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

FEB 27 2020

Garden City Field Office Division of Water Resources

### GMD3 Change Review

File No(s).: 268		arca dal	DWR office:	GC.
App filed to chan	THE PROPERTY OF THE PARTY OF TH		Maria da	
Is Landowner(s)			e Kane Trust	
	documentation			
Is Water Use Cor	respondent co	orrect in WRIS	?	RECEIVED
If NO, is	documentation	n included?		
Regulation(s) Re-	viewed: KAR	5-5-11		FEB 27 2020
Point of diversion	ID No(s) _	being change	d.	Ciny Field Office
				Garden City Field Office Division of Water Resources
	ft. North	ft. West		Division
Authorized PD				
Proposed PD				
Difference	0	0		
a2 + b2 = c2	0	0	0	TATE OF PURPLES
GPS for proposed	PD: Lat:	Long:_	- de la companya della companya della companya de la companya della companya dell	
Is proposed PD s	tacking on exi	isting WRs? 1	No Change.	
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Address				
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Name .	notified			
Address .				
Zip				
Base Acres: 26	<u>6</u> .			
Perfected Acres:	<u> </u>			
Irr. Return-Flow				
Currently author		es		
Requested 266 a				
Applicant is war	nting to move	the SW pivo	t point 300' e	east. The 10 new acres will
replace the 10 be	eing given up	on the west s	ide of the pi	vot.
The are not proj	posing to inci	rease the base	acres with t	his application and just
maintain the 260	6 acres.			
Is a waiver neede	ed: Meets cur	rrent area rules		
Recommendation	: After revie	w of all availa	ble informati	on, the proposal is consistent
				taff therefore recommends
approval of the a				^ /

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

February 24, 2020

GROUNDWATER MANAGEMENT DISTRICT #3 2009 E SPRUCE ST GARDEN CITY KS 67846

Change Application, File No. 26846

#### Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Reta Jane Kane Trust and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc: