

Kansas Department of Agriculture  
Division of Water Resources  
**CHANGE: pu WORKSHEET**

|                                 |  |                             |                               |                      |
|---------------------------------|--|-----------------------------|-------------------------------|----------------------|
| 1. File Number:<br><b>26846</b> | 2. Status Change Date:<br><b>2-27-2020</b> | 3. Change Num:<br><b>C2</b> | 4. Field Office:<br><b>04</b> | 5. GMD:<br><b>03</b> |
|---------------------------------|--|-----------------------------|-------------------------------|----------------------|

|  |   |
|--|---|
| 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:<br><b>2/19/20</b> |
|--|---|

|  |   |   |                                   |
|--|---|---|-----------------------------------|
| 8a. Landowner, applicant,<br>New to system <input type="checkbox"/><br><br><b>RETA JANE KANE TRUST<br/>17398 ROAD O<br/>KISMET, KS 67859</b> | Person ID <b>32276</b><br>Add Seq# <b>1</b> | 8c. landowner<br>New to system <input type="checkbox"/> | Person ID _____<br>Add Seq# _____ |
|--|---|---|-----------------------------------|

|   |                                      |   |                                   |
|---|--------------------------------------|---|-----------------------------------|
| 8b. Landowner(s)<br>New to system <input checked="" type="checkbox"/><br><br><b>SARA LYNN WILLIMON<br/>17938 ROAD O<br/>KISMET KS 67859</b> | Person ID <b>?</b><br>Add Seq# _____ | 8d. WUC<br>New to system <input type="checkbox"/><br><br><b>3</b> | Person ID _____<br>Add Seq# _____ |
|---|--------------------------------------|---|-----------------------------------|

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/20**     N & P Date to Comply: \_\_\_\_\_

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: **2/27/20**    By: **MAM**  
Date Entered: \_\_\_\_\_    By: \_\_\_\_\_



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,

A handwritten signature in blue ink that reads "Michael A. Meyer".

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.

File No. 26846

RECEIVED  
 11:40 AM  
 FEB 19 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: RETA JANE KANE TRUST

17398 ROAD O KISMET KS 67859

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

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 |             |
| 29   | 32S  | 32W   |     |     |     |     | 33.25 | 33.25 | 33.25 | 33.25 | 33.25 | 33.25 | 33.25 | 33.25 |     |     |     |     | 266         |
|      |      |       |     |     |     |     |       |       |       |       |       |       |       |       |     |     |     |     |             |

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: RETA JANE KANE TRUST

//  SARA LYNN WILLIMON

ADDRESS: 17398 ROAD O KISMET KS 67859

// 17938 ROAD O KISMET KS 67859

(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 |             |
| 29                                     | 32S  | 32W   |     |     |     |     | 33.25 | 33.25 | 33.25 | 33.25 | 39  | 22.5 | 22.5 | 39  |     |     |     |     | 256         |
| <input checked="" type="checkbox"/> 29 | 32S  | 32W   |     |     |     |     |       |       |       |       |     |      |      |     |     | 5   | 5   |     | 10          |

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 2-19-20 Check # 3032

5. **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 \_\_\_\_\_

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) MOVE PIVOT 300' EAST

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

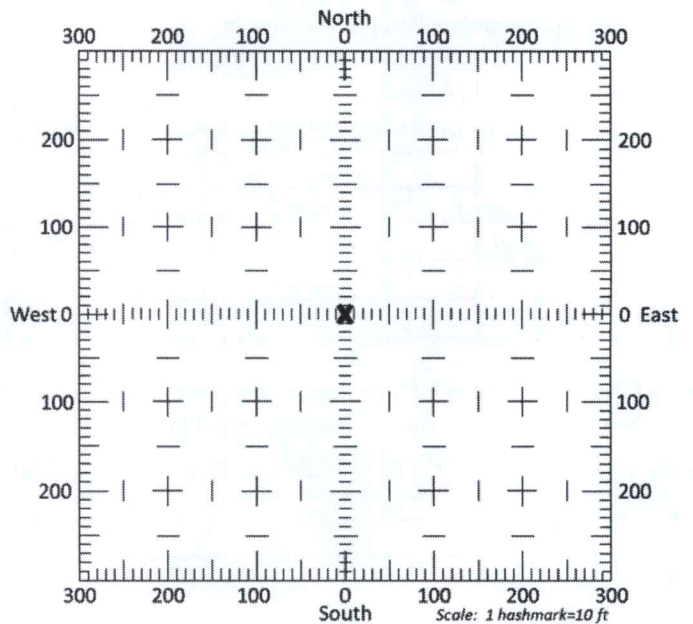
9. The change(s) (was)(will be) completed by?  
UPON APPROVAL

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

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 Liberal, Kansas, this 19<sup>th</sup> day of February, 2020.

|   |       |                |
|---|-------|----------------|
| <u>Jana Lynn Willimon Kusler</u><br>(Owner)   | _____ | (Spouse)       |
| <u>Jana Lynn Willimon</u><br>(Please Print)   | _____ | (Please Print) |
| <u>RETA JANE KANE TRUST</u><br>(Owner)        | _____ | (Spouse)       |
| <u>Reta Jane Kane Trust</u><br>(Please Print) | _____ | (Please Print) |
| <u>Scott P. Kane</u><br>(Owner)               | _____ | (Spouse)       |
| <u>Scott P. Kane</u><br>(Please Print)        | _____ | (Please Print) |

State of Kansas  
 County of Seward } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 19 day of February, 2020.

**STARLA YOUNG**  
 Notary Public - State of Kansas  
 My Appt. Expires 9-22-2022

[Signature]  
 Notary Public

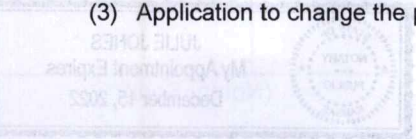
My Commission Expires 9-22-2022

**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**

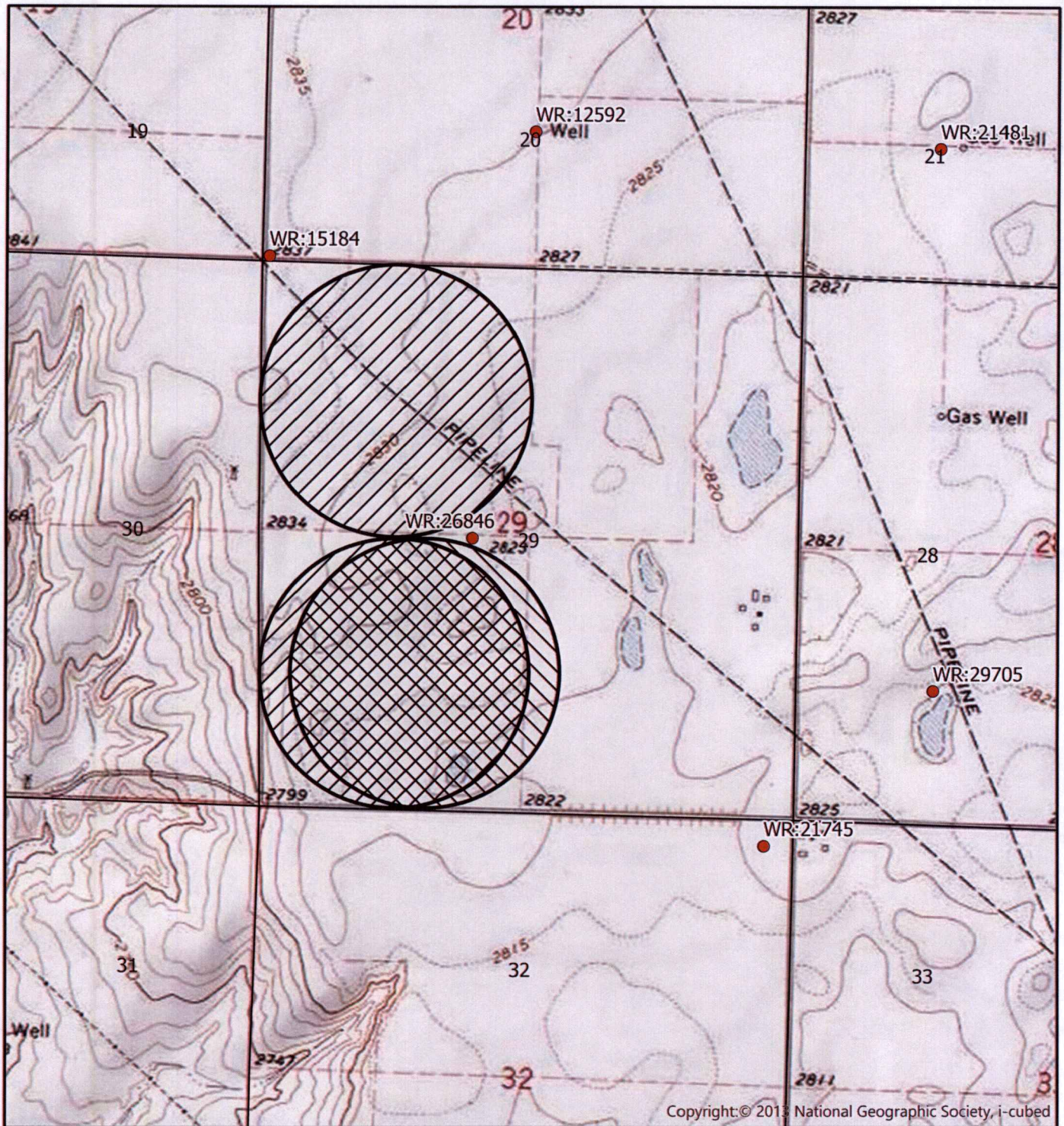
- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200



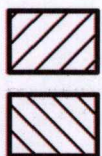
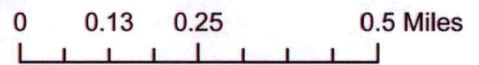




CHANGE IN PLACE OF USE FILE NO. 26846



Township 32 South Range 32 West  
Seward County

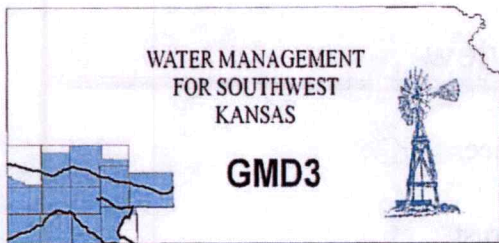


AUTHORIZED PLACE OF USE

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

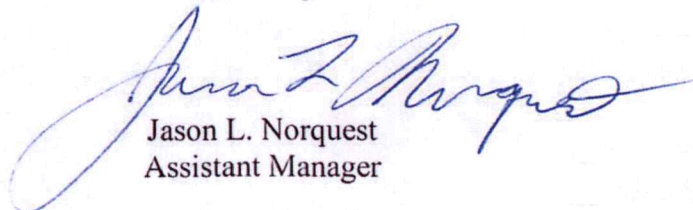
RE: Application for Change in Place of Use  
Water Right, File No. 26846

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): 26846.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Reta Jane Kane Trust.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS?    .

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s)     being changed.

RECEIVED

FEB 27 2020

Garden City Field Office  
Division of Water Resources

|               | ft. North | ft. West |   |  |  |
|---------------|-----------|----------|---|--|--|
| Authorized PD |           |          |   |  |  |
| Proposed PD   |           |          |   |  |  |
| Difference    | 0         | 0        |   |  |  |
| a2 + b2 = c2  | 0         | 0        | 0 |  |  |

GPS for proposed PD: Lat:     Long:    .

Is proposed PD stacking on existing WRs? No Change.

Is Proposed PU overlapping existing WRs? No.

Neighboring certified well(s) notified:    .

Name    .

Address    .

Zip    .

Domestic well(s) notified:    .

Name    .

Address    .

Zip    .

Base Acres: 266.

Perfected Acres:    .

Irr. Return-Flow    %

**Currently authorizes 266 acres**

**Requested 266 acres.**

**Applicant is wanting to move the SW pivot point 300' east. The 10 new acres will replace the 10 being given up on the west side of the pivot.**

**The are not proposing to increase the base acres with this application and just maintain the 266 acres.**

Is a waiver needed: Meets current area rules.

Recommendation: After review of all available information, the proposal is consistent with current rules and regulations and seem reasonable. Staff therefore recommends approval of the application.

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](http://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,

A handwritten signature in blue ink, appearing to read "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc: