

Kansas Department of Agriculture
 Division of Water Resources
CHANGE: P/U / REQUEST TO REDUCE WORKSHEET

1. File Number: 16834	2. Status Change Date:	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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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:
--	---------------------------

8a. Applicant(s) New to system <input type="checkbox"/> Person ID 8306 Add Seq# _____ JAMES A HUSH PO BOX 458 PLAINS, KS 67869	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
---	--

8b. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 8a	8d. WUC New to system <input type="checkbox"/> Person ID _____ Add Seq# _____ 8a
---	--

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/2021 <input checked="" type="checkbox"/> N & P Date to Comply: 3/1/2022	
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: _____ To: _____

Date Prepared: 3/2/2021	By: AM
Date Entered:	By:

File No. **16834** 11. County: **ME** Basin: **CROOKED CREEK** Stream: Formation Code: Special Use:

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm/cfs	Quantity af/mgy	Rate gpm/cfs	Quantity af/mgy	Overlap PD Files
CHK	9404															
MOD	21069				11	33S	30W	1	3475	5265		1470	542	1470	542	NONE
CHK	24568															*PER REQUEST TO REDUCED RECEIVED ON 1/26/2021*
CHK	32183															

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 ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼				
MOD	6641				11	33S	30W	2						9	33	40	33	33	40	33	9					230	8a	Y	NONE
MOD	32575				3	33S	30W	1											40	40	40	40			160	8a	Y	NONE	
MOD	39089				10	33S	30W	1		33	9	33	40	40	33	40	40								268	8a	Y	NONE	
ENT					9	33S	30W			33	33	33	33												132	8a		NONE	

Base Acres: **780** Year: Minimum Reasonable Quantity:
 Comments: **ADDITIONAL CONDITION ATTACHED TO ADJUST QTY ON PDIV ID 21069**

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

March 2, 2021

JAMES A HUSH
PO BOX 458
PLAINS, KS 67869

RE: Water Right, File No. 16834

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,

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

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 3

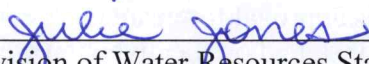
CERTIFICATE OF SERVICE

On this 2nd day of March, 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File No. 16,834 dated 2nd day of March, 2021 was mailed postage prepaid, first class, US mail to the following:

JAMES A HUSH
PO BOX 458
PLAINS, KS 67869

Pc:

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.

RECEIVED
 2:30 pm
 JAN 26 2021

File No. 16834

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: JAMES A HUSH

PO BOX 458 PLAINS KS 67869

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: JAMES A HUSH

ADDRESS: PO BOX 458 PLAINS KS 67869

(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	
11	33S	30W					40	40	40	40	40	40	40	40					320
3	33S	30W													40	40	40	40	160
10	33S	30W	40	40	40	40	40	40	40	40									320

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: SEE ATTACHED SUPPLEMENTAL SHEET

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 \$ 200.00 TR # _____ Receipt Date 1-26-21 Check # 8588

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE
SUPPLEMENTAL SHEET
FILE NO. 16834
MAKE ADDITIONAL COPIES AS NECESSARY

4. *Continued:* 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: JAMES A HUSH
ADDRESS: PO BOX 458 PLAINS KS 67869

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	
11	33S	30W					9	33	40	33	33	40	33	9					230
3	33S	30W													40	40	40	40	160
10	33S	30W	33	9	33	40	40	33	40	40									268

Owner of Land ---- NAME: JAMES A HUSH
ADDRESS: PO BOX 458 PLAINS KS 67869

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	
9	33S	30W	33	33	33	33													132

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) REARRANGE ACRES TO BETTER
SUIT THE OPERATION

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

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

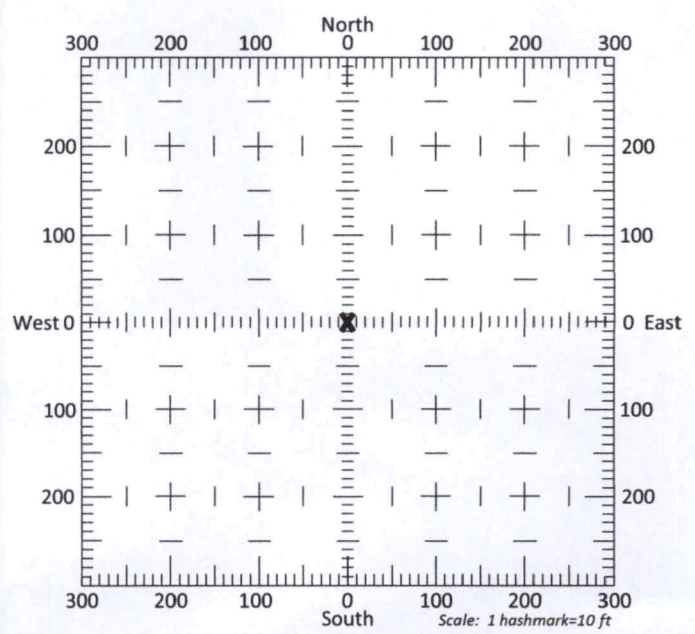
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

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.)**

ADDITIONAL CONDITIONS TO
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE
AND IMPOSING CONDITIONS,
Water Right, File Nos. 16,834

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the following condition is included as a condition of the approval of this application for change in place of use.

This order effectively reduces the authorized quantity of water to 1,580 acre-feet per year for irrigation use on the land described herein, as requested by James A. and LaVeta J. Hush on January 26, 2021, under Water Right, File No. 16,834, from the points of diversion described as:

one(1) well located in the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 3, more particularly described as being near a point 2,475 feet North and 2,325 feet West of the Southeast corner of said Section, at a diversion rate not in excess of 760 gallons per minute (1.69 c.f.s) and in a quantity not to exceed 252 acre-feet of water per calendar year;

one(1) well located in the near the center of the North side of the Northwest Quarter (NW $\frac{1}{4}$) of Section 10, more particularly described as being near a point 5,240 feet North and 3,947 feet West of the Southeast corner of said Section, at a diversion rate not in excess of 1,115 gallons per minute (2.48 c.f.s) and in a quantity not to exceed 424 acre-feet of water per calendar year;

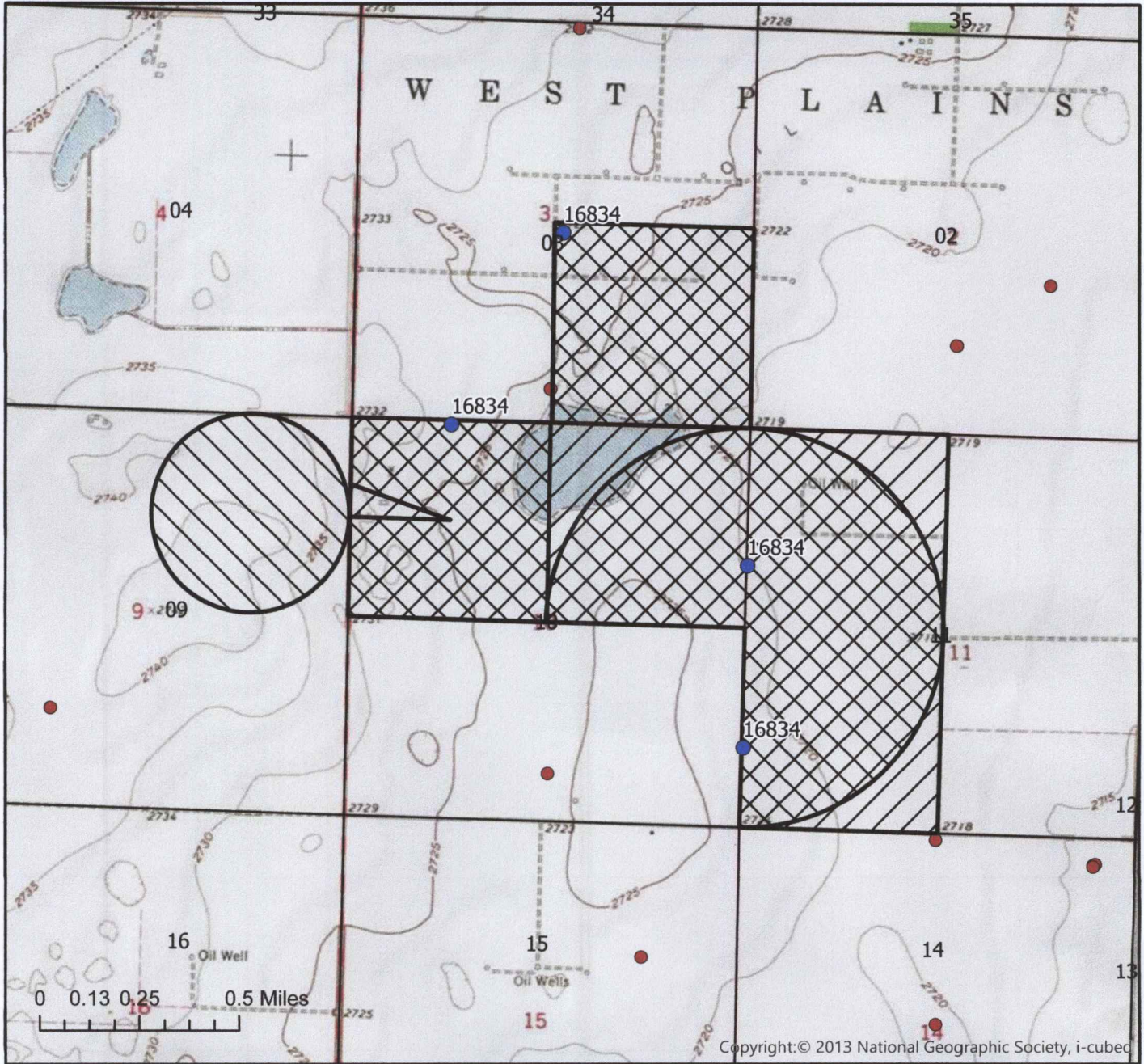
one(1) well located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 11, more particularly described as being near a point 3,475 feet North and 5,265 feet West of the Southeast corner of said Section, at a diversion rate not in excess of 1,470 gallons per minute (3.28 c.f.s) and in a quantity not to exceed 542 acre-feet of water per calendar year;

one(1) well located in the near the center of the West side of the Southwest Quarter (SW $\frac{1}{4}$) of Section 11, more particularly described as being near a point 1,067 feet North and 5,265 feet West of the Southeast corner of said Section, at a diversion rate not in excess of 1,230 gallons per minute (2.74 c.f.s) and in a quantity not to exceed 362 acre-feet of water per calendar year;






all in Township 33 South, Range 30 West, Meade County, Kansas.

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 16834

Section 3, 9, 10 & 11 Township 33 South Range 30 West Meade County



Copyright: © 2013 National Geographic Society, i-cubed

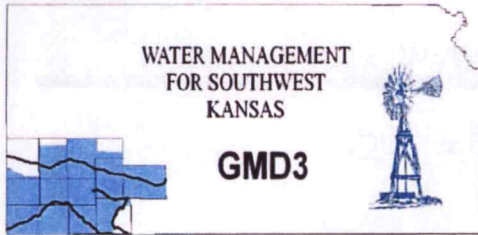
	Authorized Point of Diversion
	Permitted Water Right
	Domestic Well within 1/2 mile
	Authorized Place of Use
	Proposed Place of Use

List of owner name and addresses within 1/2 mile:



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

James A. Hush 1-22-21
 (Signature) Date Date AM/GCFO
 1:24,000 Scale



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 26, 2021

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. 16834

Dear Austin:

We have completed a review of 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 will rearrange the acres to better suit the operation and is in accordance with K.A.R. 5-5-11. It is therefore recommended that the applications 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

GMD3 Change Review

File No(s): 16834.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: James Hush.

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.

	ft. North	ft. West			
Authorized PD					
Proposed PD					
Difference	0	0			
$a^2 + b^2 = c^2$	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, rearranging the current acres and bringing in new acres by eliminating corners.

Neighboring certified well(s) notified: .

Name .

Address .

Zip .

Email: Phone: .

Domestic well(s) notified: .

Name .

Address .

Zip .

Base Acres: 780acres.

Perfected Acres: .

Irr. Return-Flow %

Currently: 192AF combined between the 4 wells.

800 acres currently.

Proposed: 790 acres. Which is 10 acres above base

Is a waiver needed: No, 10 acres over base acres is allowed in area rules.

Recommendation: After review of all available information, it appears area rules are met. 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

Mike Beam, Secretary

Laura Kelly, Governor

February 17, 2021

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

Change Application,
File No. 16834

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by James Hush 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:

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 1, 2021

MARCELLENE K WHINERY REV TRUST
11501 WEST 101ST
OVERLAND PARK, KS 66214

RE: Water Right, File No. 16834

Dear Sir or Madam:

This is to advise you that James Hush has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file number.

From: a total of 320 acres in the West Half (W $\frac{1}{2}$) in Section 11, 160 acres in the Southeast Quarter (SE $\frac{1}{4}$) in Section 3, and 320 acres in the North Half (N $\frac{1}{2}$) in Section 10, all in Township 33 South, Range 30 West, Meade County, Kansas,

To: a total of 230 acres in the West Half (W $\frac{1}{2}$) in Section 11, 160 acres in the Southeast Quarter (SE $\frac{1}{4}$) in Section 3, 268 acres in the North Half (N $\frac{1}{2}$) in Section 10, and 132 acres in the Northeast Quarter (NE $\frac{1}{4}$) in Section 9, all in Township 33 South, Range 30 West, Meade County, Kansas,

You can find the complete applications posted by water right file number as referenced above at: <https://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices>

You are notified on this proposed change in the place of use so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

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

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:
GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED

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 1, 2021

THE STURGEON FAMILY LP AGREEMENT
Attn: BRIAN A HUGHES
1813 KINGS ISLE DR
PLANO, TX 75093

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Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED

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 1, 2021

STEVEN BETTS
PO BOX 16184
LUBBOCK, TX 79490

RE: Water Right, File No. 16834

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Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED

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 1, 2021

CARL DEAN & WILLYNOA HOLMES TRUST
PO BOX 2288
LIBERAL, KS 67905

RE: Water Right, File No. 16834

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Assistant Water Commissioner

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GROUNDWATER MANAGEMENT DISTRICT NO. 3

SCANNED