

File No. **20154** 11. County: FI Basin: **ARKANSAS RIVER** Stream: Formation Code: **211** Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT
 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

DEL 16870
ENT NW SE SE 17 23S 34W 1309 1325 790 520 790 146 NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: **1205** af/yr at _____ gpm (_____ cfs) when combined with file number(s) **2592 & 7191**
 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 CHK MOD DEL ENT	PUSE	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
						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				
CHK 28916																							8a	Y	2592; 7191
CHK 66856																							8a	Y	2592; 7191

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

July 12, 2021

GERALD D MILLER
2201 CENTER ST
GARDEN CITY, KS 67846-3518

RE: Water Right, File No. 20154

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 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 12th day of July, 2021, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 20,154 dated 12th day of July, 2021 was mailed postage prepaid, first class, US mail to the following:

GERALD D MILLER
2201 CENTER ST
GARDEN CITY, KS 67846-3518

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

JUL 09 2021

8:35 Am

Garden City Field Office
 Division of Water Resources

File No. 20154

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: ~~BIG M FARMS~~ GERALD MILLER
2201 CENTER ST GARDEN CITY KS 67846-3518

Phone Number: (620) 640-8340 Email address: _____

Name and address of Water Use Correspondent: ~~GROSS BELL FARMS~~ GERALD MILLER
2411 ROAD Y DEERFIELD KS 67838 2201 CENTER ST, GARDEN CITY, KS 67846

Phone Number: (620) 271-2134 Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: 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		

For Office Use Only: Code _____ Fee \$ 100 TR # _____ Receipt Date 7/9/21 Check # 3484

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ NC Quarter of the _____ SE Quarter
 of Section _____ 17 _____, Township _____ 23 _____ South, Range _____ 34 _____ (W),
 in FINNEY _____ County, Kansas, _____ 1313 feet North _____ 1247 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 03 GPS 1339 feet North 1344 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 _____ NW Quarter of the _____ SE Quarter of the _____ SE Quarter
 of Section _____ 17 _____, Township _____ 23 _____ South, Range _____ 34 _____ (W),
 in FINNEY _____ County, Kansas, _____ 1309 feet North _____ 1325 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ 354'
 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 _____ (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 _____ (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?

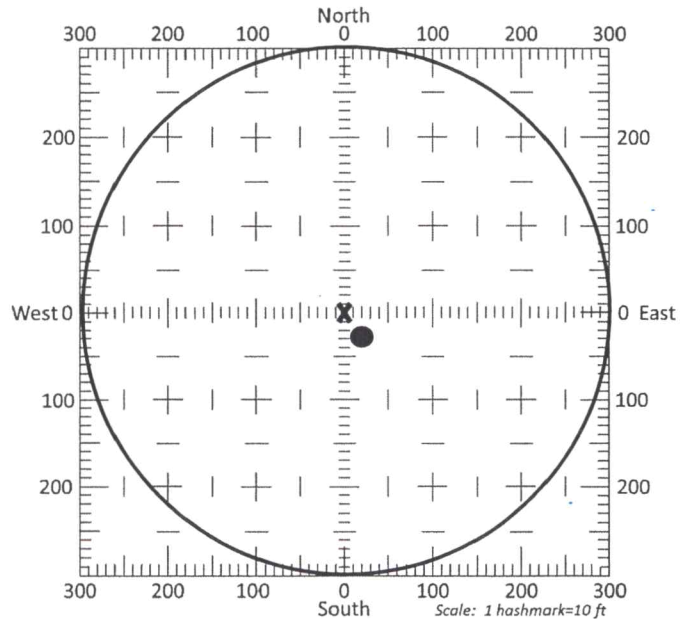
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by 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 a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

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. 20154.

1. A change application was received on July 9, 2021 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, 2021**, 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, 2021**, 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: Austin McColloch
Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: July 12, 2021

State of Kansas)

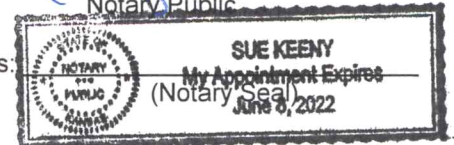
) SS

County of Finney)

Acknowledged before me on July 12, 2021
by Austin McColloch

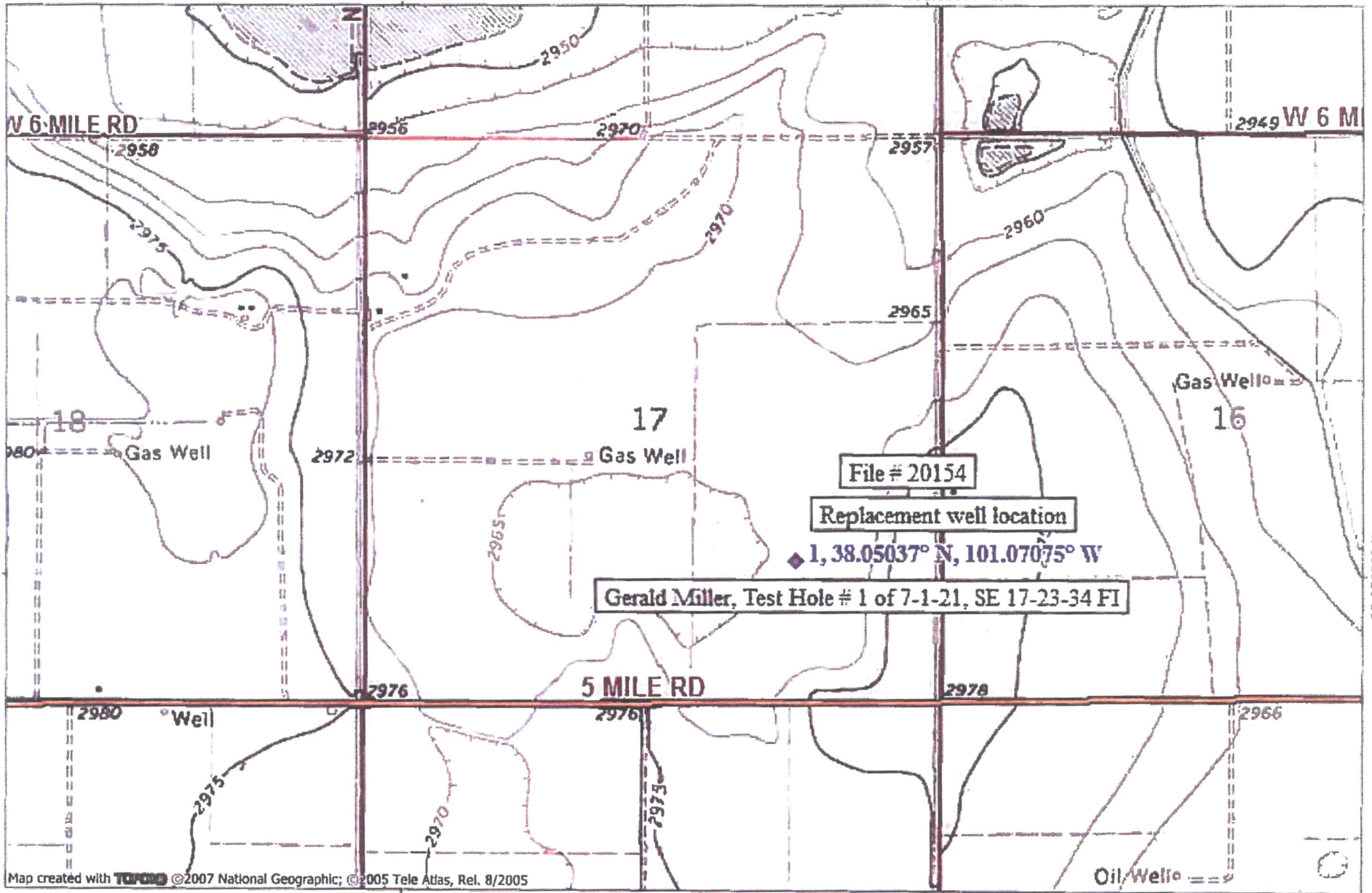
Signature: Sue Keeny
Notary Public

My commission expires: _____



101.08333° W

WGS84 101.06667° W



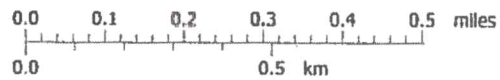
38.05000° N

38.05000° N

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

101.08333° W

WGS84 101.06667° W



TN MN
5 1/2°
07/07/21

Property Details for PID: 0282441700000001000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=0282441700000001000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelId=0282441700000001000>

QuickRef ID : R2828

Owner Name : MILLER, GERALD D

Location: W Five Mile RD, Garden City, KS 67846

Abbreviated Boundary Description: S17, T23, R34W, ACRES 631.13, ALL SEC LESS RD/RW

Owner Information:

Owner MILLER, GERALD D

Mailing Address 2201 CENTER ST GARDEN CITY, KS 67846-3518

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 065 06 SHERLOCK 363 JWD

Neighborhood Code 121

No Secondary Address Details found

Market Land Details:

Actual Width: 0

Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	0

No Permit Details found

Deed Book Page Details

Book	Page
0333	0674
0335	0727
0335	0798

Additional Deed Book Page Details

Deed Book/Page 0049/0141

Value Details

	Year	2021
Current Final Value (Agricultural)	Land	\$327,870.00
	Building	\$0.00
	Total	\$327,870.00

Current Final Value (Agricultural) Year 2020

Land	\$337,620.00
Building	\$0.00
Total	\$337,620.00

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

No Commercial Building Details found

No Commercial Building Section Details found

Ag Land Details

Acre Type :	No Acres :	Map Unit :	Irrig :	Well Depth :
Dry Land - DR	73.45	1761		
Dry Land - DR	17.35	1856		
Dry Land - DR	6.74	1857		
Dry Land - DR	33.82	1967		
Irrigated Land - IR	245.93	1761	C	300
Irrigated Land - IR	29.43	1856	C	300

Irrigated Land - IR	29.20	1857	C	300
Irrigated Land - IR	69.90	1967	C	300
Irrigated Land - IR	87.03	1761	C	400
Irrigated Land - IR	27.54	1856	C	400
Irrigated Land - IR	10.70	1967	C	400
Total Acres :	631.09			

No Ag Building Details found

Property Details for PID: 0282430800000003000

Shareable link to Property Information : <https://www.kansasgis.org/orka/permalinkprop.cfm?parcelid=0282430800000003000>

Shareable link to Map: <https://www.kansasgis.org/orka/permalink.cfm?parcelId=0282430800000003000>

QuickRef ID : R2827

Owner Name : MILLER, GERALD D

Location: N Peterson RD, Garden City, KS 67846

Abbreviated Boundary Description: SE 1/4, S08, T23, R34W, ACRES 159.7, LESS RD R/W

Owner Information:

Owner MILLER, GERALD D

Mailing Address 2201 CENTER ST GARDEN CITY, KS 67846-3518

Property Information:

Type Agricultural Use

Status Active

Taxing Unit 065 06 SHERLOCK 363 JWD

Neighborhood Code 121

No Secondary Address Details found

Market Land Details:

Actual Width: 0

Eff. Width	0
Eff. Depth	0
Acres	0
Square Feet	0

No Permit Details found

Deed Book Page Details

Book	Page
0333	0674
0323	0980
0313	0668

Additional Deed Book Page Details

Deed Book/Page 0056/0395

Value Details

Year	2021
Land	\$84,010.00
Current Final Value (Agricultural)	
Building	\$0.00
Total	\$84,010.00

Current Final Value (Agricultural) Year 2020

Land	\$86,290.00
Building	\$0.00
Total	\$86,290.00

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

No Commercial Building Details found

No Commercial Building Section Details found

Ag Land Details

Acre Type :	No Acres :	Map Unit :	Irrig :	Well Depth :
Dry Land - DR	26.78	1761		
Dry Land - DR	5.41	1856		
Dry Land - DR	7.36	1967		
Irrigated Land - IR	89.36	1761	C	300
Irrigated Land - IR	3.49	1856	C	300
Irrigated Land - IR	27.26	1967	C	300

Total Acres : 159.66

No Ag Building Details found