# Kansas Department of Agriculture Division of Water Resources

## **CHANGE: P/U WORKSHEET**

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:		
25355		C1	04	01		
6. Status: ☐ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change:		
				11/5/21		
8a. Applicant(s)  New to system □	Person ID 5067 Add Seq#	8c. Landown		Person IDAdd Seq#		
FAIRLEIGH CORPORAT 207 E BELLEVUE SCOTT CITY, KS 67871	ION					
8b. Landowner(s) New to system □	Person ID Add Seq#	New to sy	stem 🗌	Person ID Add Seq#		
8a		8A				
9. Documents and Enclosure(s): 🛛 D\	VR Meter(s) Date to Comp	ly: <b>12/31/22</b>	⊠ N & P Date to	Comply: <u>3/1/23</u>		
☐ Anti-Reverse Meter ☐ Meter	Seal	⊠ N & P Form	☐ Water Tube ☐ D	riller Copy		
☐ Conservation Plan Date Requir	red: Da	ite Approved:	Date to	Comply:		
10. Use Made of Water From:		To: _				
			Date Prepared: <b>11/23</b> /Date Entered:	<b>/21</b> By: <b>AM</b> By:		

File No.	2535	5		11.	Coui	nty: S	С	Ва	sin: Al	RKAN	SAS F	RIVER		Stream:				Formation Code: 211 Special Use:									
12. Points of Diversion CHK MOD Rate and Quantity Authorized Additional																											
DEL ENT	PDIV	Qı	ualifier		S	Т	-	R	ID	í	N	'W		Com	ment	(AKA I	Line)		Rate	e	Quanti af/mg		Rate gpm/c	e Qua	antity mgy	Overlap PD Files	
СНК	49097																										
				e.																							
							5																				
13. Stor	age: Rate	e				_ NF		Quar	ntity					ac/ft	A	ddition	nal Rat	e				NF	Addi	tional Quai	ntity		_ ac/ft
14. Limi	tation:				_ af/	yr at _				(	gpm (_				cfs) w	hen co	mbine	d with	file n	umber	(s)						
Lim	itation:				_ af/	yr at _					gpm (_				cfs) w	hen co	mbine	d with	file n	umber	(s)						
15. 5YR	R Allocatio	n:	Allocation	Туре	_	_	Star	t Year		_	5 YR	Amou	nt		Amo	unt U	nit	_	Base	Acres		_ C	omment _				
CHK	ce of Use							NE	Ξ1/4			NV	V¹/4			SV	<b>V</b> ½			S	6E1/4		Total	Owner	Chg?	Overlap Files	
MOD DEL FNT	PUSE	S	T R		ID		NE 1⁄4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4					
			20\$32								40	L-1 39.42	L-2 39.48	40	40	L-3 39.52	L-4 39.58	40					318	8a	N	MULTIPLE	
ENT 3	31443	25	20\$33	W	3		40	34	22	40													136	8a	N	MULTIPLE	
ENT 2	29962	30	20\$32	W	3						40	L-1 39.61	L-2 39.63	40	40	L-3 39.65	L-4 39.67	40					318.56	8a	Υ	MULTIPLE	
Base A	cres:		Year:			Mini	imum	Reas	onable	Quan	itity:									1							

Comments: OVERLAPPING PU FILES: 546; 7748; 25355; 23956-D1; 26261 & 27048 NOTE: COMBINE PU IDS 29962 (KEEP) & 32093 (DELETE)

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

November 24, 2021

FAIRLEIGH CORPORATION 207 E BELLEVUE SCOTT CITY, KS 67871

RE:

Filed Office Application for Change

Water Right, File Nos. 546; 7748; 23956-D1; 25355; 26261 & 27048

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 numbers.

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,

Austin J. McColloch

Assistant Water Commissioner

AM:

enclosures

pc: GROUNDWATER MANAGEMENT DISTRICT NO. 1

#### CERTIFICATE OF SERVICE

On this 24<sup>th</sup> day of November, 2021, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 546; 7,748; 23,956-D1; 25,355; 26,261 & 27,048 dated 24<sup>th</sup> day of November, 2021 was mailed postage prepaid, first class, US mail to the following:

FAIRLEIGH CORPORATION 207 E BELLEVUE SCOTT CITY, KS 67871

Pc:

GROUNDWATER MANAGEMENT DISTRICT NO. 1

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

NOV 05 2021

Garden City Field Office

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 ma	ip or detailed plat showing the authorized and proposed point(s)
of diversion and/or place of use.	PECEIVED.

File No. 25,355

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

											D : .	( D:				L	DIVISIO	n of	Water Resource
						M P	lace o	f Use			Point	of Dive	ersion						
	under th	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	ordance	e with	the co	ndition	s desc	ribed l	pelow.		
	The sou	rce of s	upply i	s:		$\boxtimes$ G	round	water			Surfac	ce wat	er						
2.	Name a	nd addr	ess of	Applica	ant: <u>F</u>	airleigh	n Corp	oration	1										
	PO Box 560, Scott City, KS 67871																		
	Phone Number: (620) 872-1111 Email address: gglunz@fairleigh.com																		
	Name and address of Water Use Correspondent: Fairleigh Corporation																		
	PO Box	560, Sc	cott City	y, KS	67871														
	Phone N	lumber:	(620)	872-1	111				Email	addre	ss: gg	lunz@	fairleig	h.com					
3.	The pres	sently a	uthoriz	ed pla	ce of u	se is:													
	Owner of Land NAME: Fairleigh Corporation																		
	ADDRESS: PO Box 560, Scott City, KS 67871																		
	(If there is	s more th	nan one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
	NE¼						NV	V1⁄4		SW1/4				SE¼				TOTAL	
Se	c. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
								L-1	L-2			L-3	L-4						
19	9 208	32W	-				40.00	39.42	39.48	40.00	40.00	39.50	39.60	40.00				-	318.00
4	If this am	nlinatio					-6	16.1		41 4	ا د د داله								
4.	If this ap				-				ropose	ed that	tne pi	ace or	use be	cnan	ged to				
	Owner o		ADDRI				•		'C 679	071									
	(If there is										cany)								
	(If there is more than one landowner, attach supplemental sheets as necessary.)																		
					Ξ½ 				V1/4			I	V1/4				=1/4		TOTAL ACRES
Se	c. Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4 L-1	SW1/4 L-2	SE1/4	NE1/4	NW¼ L-3	SW1/4 L-4	SE¼	NE¼	NW1/4	SW1/4	SE1/4	
19	208	32W					40.00			40.00	40.00			40.00					318.00
								L-1	L-2			L-3	L-4						
30	208	32W					40.00	39.61	39.63	40.00	40.00	39.65	39.67	40.00					318.56
25	5 20S	33W	40.00	34.00	22.00	40.00													136.00
	For Offi	ce Use	Only:	Code		For	s 2	00	TR	#		Re	ceint	Date	1-5	-21	Chec	k#	20192
	For Office Use Only: Code Fee \$ \( \sum_{O} \) TR # Receipt Date \( \sum_{S} \sum_{O} \) Check # \( \sum_{O} \) O \( \sum_{O} \)																		

5.	Presently authorized	point of diversion:			
	one in the	Quarter of the		Quarter of the	Quarter
		, Township			
		County, Kansas,			
	Authorized Rate	Authorized Quantity _		Depth of well	(feet)
	(DWR use only: Com	puter ID No GPS	3	feet North	feet West)
		hanged  This point will be changed			
		ersion: (Complete only if change			
		Quarter of the			-
		, Township			
		County, Kansas,			
		Proposed Quantity			
	This point is: Addition	onal Well Geo Center List otl	ner water rig	hts that will use this point	,
_					
ء آ	Presently authorized	point of diversion:			
٠.		Quarter of the		Quarter of the	Quarter
		, Township			
		County, Kansas,			
		Authorized Quantity _			
	(DWR use only: Com	puter ID No GPS	3	feet North	feet West)
	This point will not be cl	hanged  This point will be changed	as follows:	No change, point better desc	ribed with GPS as follows:
		ersion: (Complete only if change			
		Quarter of the			
		, Township			
		, Township			
		County, Ransas, Proposed Quantity			
		onal Well  Geo Center List oth			
L	This point is.   Addition	orial vveil Geo Center List oth	iei watei iig	Tits that will use this point	
7.	The changes herein are	e desired for the following reasons	?		
		pletely overlap the places of use		North	
		7748, 25355, 23956-D1, 26261	300		100 200 300
	and 27048.		E	± ±	
8	If a well, is the test hole I	og attached?  Yes  No			
•		og amaoa	200		+   +   = 200
9.	The change(s) (was)(will	be) completed by?		-/ =	\=
	Upon approval.		100	$I_1 + I_2 + I_3 = I_3$	+ + + + + = 100
					1
10.	If the point of diversion is	s a well:	I		
	(a) What are you going	to do with the old well?	West 0	<del>m</del> drodon/mdodo <b>z</b> odo	0 East
			1	<del>-</del>	
			100	1 + 1 + 1 = 1	+ + + + 1100
	(b) When will this be do	ne?			
					/ =
11.		ent District recommendation attached	? 200		+   +   = 200
	☐ Yes	⊠ No		= _\ _ =	_ /_ =
12	Assisted by		E		
12.	Assisted by		300		100 200 300 Scale: 1 hashmark=10 ft
				30411	

13a. If the proposed point of diversion will be relocated more than 300 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

feet but within 2,640 feet of the existing point of diversion, attach 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.)

14. If the proposed groundwater point of diversion is 300 of fewer feet no	in the existing point of diversion, complete the following.
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applic	
<ul> <li>(b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this applied)</li> </ul>	
(c) If this application is not approved expeditiously, will there be subside of the provided HTML (If no, all owners must sign this application). (If no, all owners must sign this application).	
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirmage and the owner, the spouse of the owner, or a duly authoritheir behalf, in regards to the water right(s) to which this appropriate in this application are true, correct and complete.	zed agent of the owner(s) to make this application on
Dated at Scott City , Kansas, this _	2nd day of November, 2021.
A. T	
(Owner)	(Spouse)
Greg Glunz, CEO, Fairleigh Corporation (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of Soft	ROBIN BUEHLER Notary Public - State of Kansas My Appt. Expires 3/5/2023
I hereby certify that the foregoing application was signed in n of Aluxember 20 31.	
	Voer Duly
My Commission Expires 3/5/3033	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	
FEE SCHEDU	<u>LE</u>
Each application to change the place of use or the point of diversion unde forth in the schedule below: Make checks payable to: <b>Kansas Departme</b> (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	ent of Agriculture \$100 \$200

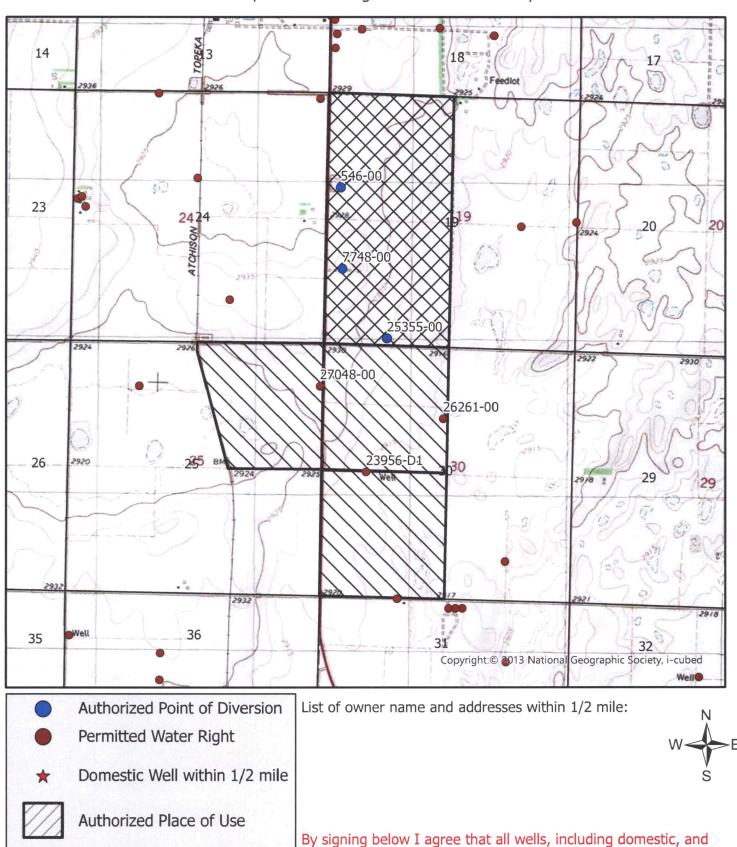
#### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

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. 25,355 Novem 5 . 202 requesting that the place of use and / or point of A change application was received on 1020 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 ☒ Not Applicable The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion. ☐ Applicable Not Applicable 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 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 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. ☐ Not Applicable M Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20 22, or within any authorized extension of time. By March 1, 20 23 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 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 ☐ Yes Additional Conditions are attached. 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 (Print Name): Hustin days pursuant to K.S.A. 77-531. Any request for administrative Division of Water Resources - Kansas Department of Agriculture review must state a basis for review pursuant to K.S.A. 77-527. File any request with Kansas Department of Agriculture, 205 Novembe 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 Signature: Notary Public JULIE JONES NOTARY My commission expires: My Appointment Expir (Notary Seal) (Pecember 15, 2022 ent Expires " PUBLIC .

# CHANGE IN PLACE OF USE WATER RIGHT FILE NOS. 546; 7748 & 25355

Township 20 South Range 32 West Scott County



Proposed Place of Use

| 11/02/2021 | Date AM/GCFO | 1:24,000 Scale

owners names and addresses within 1/2 mile of the proposed point

of diversion have been shown on the map



### WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1

November 12, 2021

Austin McColloch Assistant Water Commissioner Kansas Dept. of Agriculture – DWR Garden City Field Office 4532 W. Jones Ave., Suite B Garden City, KS. 67846

RE: File Nos. 546; 7748; 25355; 23956-D1; 26261 & 27048

Dear Mr. McColloch,

After reviewing the above referenced applications, the Western Kansas Groundwater Management District No. 1 recommends approval.

Sincerely,

Kyle Spencer

District Manager

RECEIVED

NOV 1 2 2021

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

November 8, 2021

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

Re:

Request for Recommendation,

File Nos. 546; 7748; 25355; 23956-D1; 26261 & 27048

#### Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Fairleigh Corporation 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: