# NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a. 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

RECEIVED

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.

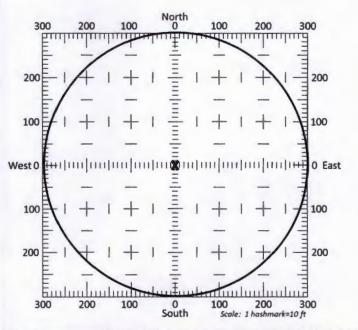
Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

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	,	ADDR	ESS:	NO CH	ANG													
(	If there is more th	an one	landow	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)				-			-	
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Presently authori		0 1 1			0			
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of Section	30	, Township		30	So	uth, Range	32	(W),
in HASKELL	(	County, Kansas,	4738	_ feet North _	4955	feet West of S	Southeast corne	r of section.
Authorized Rate _		Authorized Qu	uantity_		Dept	th of well	(fee	et)
(DIMD upp only )	Commuter	ID No. 04	CP	9	foot	Manth	foot Ma	(10)
(Dwk use only: )	Jomputer	ID NO. 04	GF	3	1000	North	leet we	(SL)
		This point will be						
This point will not	be changed		e change	ed as follows: [	No char	nge, point better de	escribed with GP	S as follows:
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This point will not Proposed point of One in the of Section in HASKELL	be changed f diversion NE 25	d XThis point will be n: (Complete only in Quarter of the , Township	e change if chang he 3530	ed as follows: [ <u>e is requeste</u> <u>SW</u> <u>30</u> _ feet North _	No char ed or if ex Qu So 1784	nge, point better de <b>xisting point is</b> arter of the uth, Range feet West of S	escribed with GP better describe NE 33 Goutheast corne	S as follows: ad by GPS) Quarter (W), r of section.

One in the	Quarter of the		Quarter of the	Quarter
of Section	, Township		South, Range	(W),
in	County, Kansas,	feet North	feet West of So	outheast corner of section.
Authorized Rate	Authorized Quantit	ty	Depth of well	(feet)
(DWR use only: Con	mputer ID No.	GPS	feet North	feet West)
This point will not be	changed This point will be chan	nged as follows:	No change, point better des	cribed with GPS as follows:
	changed This point will be chan iversion: (Complete only if cha			
Proposed point of d		ange is requested	or if existing point is b	etter described by GPS)
Proposed point of d	iversion: (Complete only if cha	ange is requested	Ouarter of the	etter described by GPS) Quarter
Proposed point of d One in the of Section	iversion: (Complete only if cha Quarter of the	ange is requested	Quarter of the South, Range	etter described by GPS) Quarter (W),
Proposed point of d One in the of Section in	iversion: (Complete only if cha Quarter of the, Township	ange is requested	Quarter of the South, Range feet West of So	etter described by GPS) Quarter (W), putheast corner of section.

- 7. The changes herein are desired for the following reasons? (please be specific) LOSS OF PRODUCTION
- 8. If a well, is the test hole log attached? Xes No
- 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?
  - PLUG / CAP
  - (b) When will this be done? UPON COMPLETION
- 11. Groundwater Management District recommendation attached?
- 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.)

- 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 (If no, all owners must sign this application.) No
  - (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 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? 1 Yes No 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	GARDENCITY	, Kansas, this	4 day of DECEMBER	, 20 21
W	E Land & Cattle	luc		
	(Owner)		(Spouse)	
	(Please Print)		(Please Prin	t)
	(Owner)		(Spouse)	
	(Please Print)		(Please Prin	()
	(Owner)		(Spouse)	
	(Please Print)		(Please Prin	t)
	FINNEY SS			
of	certify that the foregoing applies	CATHERINE REINERT 6 NOTARY PUBLIC STATE OF KANSAS AS My App. Exp. Sept. 14, 2022	presence and sworn to before	e me this [4774 day
My Commiss	ion Expires 9-14-22	·	Notary Public	

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

#### 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. <u>8398</u>

- 1. A change application was received on <u>beenfork / 4, 202</u> 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 \_\_\_\_\_\_ foot radius of the authorized point(s) of diversion. 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

- 7. 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.
- 8. Installation of the works for diversion of water shall be completed on or before December 31, 20\_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_\_ 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.
- 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

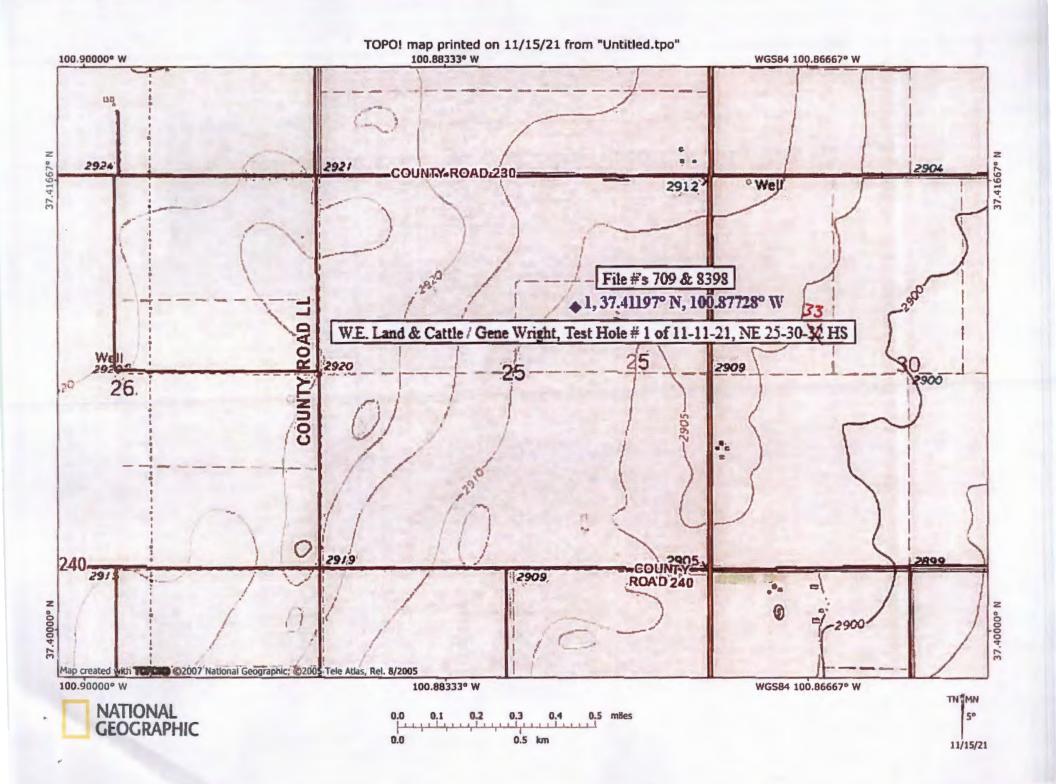
If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and 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

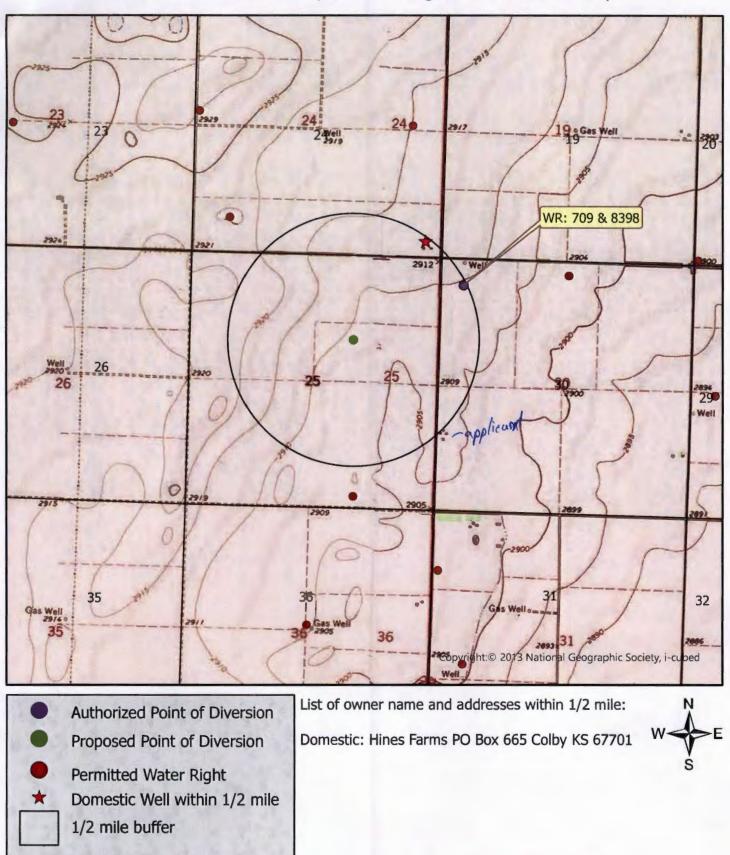
Designee of the Chief Engineer
es - Kansas Department of Agriculture
) ) SS
)
n
Notary Public
(Notary Seal)

Custome	Name:	V.E. Land	1+ catt	C Hydro GENEWRIAM 630-260-6919 le / Gene Wright WO#: 22791 Date: 11-11-21
Street Ad	dress:	PO BO	× 864	Test #: 1 ELOG: 1/6.5
City, State	e:			KS 67877 Driller: Dale Guinn
County:	Haskell	Quarter:	NE	
ocation:				GPS: N27 WURZ LAWER WIRES
Rig #:	10002			Elevation: 2894 Static WI: 34/ Estimated?
				File 709 + 8399
	1	Footage		20'Sump
Rating	From	Pay	То	Description of Strata
	0		2	Top Soil
	2		48	Brown Sandy Clay
	48	1	56	Fine Med Sand w/Few Clay Stringers
	56		64	Brown Sandy Clay
	64	1	72	Fine Mod Sand
	72		103	Fine Med Course Sand Small Med Large Gravel
-	103		126	Brown Sandy Clay w/Some Fine Fow Med Sand Mixed
	126		136	Brown Sandy Clay w/ Calich & Fine Sand Mixed
	136		168	Fine Med Course Sand Small Some Med Gravel
	168		294	Fine Mod Course Sand Small Med Gravel
	294		317	Blue Clay
25	317	5	346	Fine Med Course Sand Small Gravel w / Few Thin Clay String
30	346	83	429	Fine Med Course Sand Small Gravel
5	429	29	458	White Sandy Clay W/Many Fine Sand Layers
10	458	29	487	Fine Sand w/Few Clay stringers
5	487	8	495	Fine Sand VI Many clay Stringers
5	495	11	506	Sandstons + Little Brown Rock w/Few Sompstome Layers
	506		515	Sonpstane & Blue Shale
10	515	13	528	Sandstone "Used Little Water"
	528	1	547	Blue Shale
15	547	53	600	Sendstons" Lost Circ. @ 550ft Mixed 2 Bron"
5	600	10'	610	Sondstone" Prillad Tight"
10	610	22	632	Sandstone + Brown Rock
-	632	-	640	Red Bed
-	-	-	-	TEST Ro -
			-	(F)7 N/6 -
-				7 - MaxGel X
-				5=GRout
				16 - Bearleaute
			12	- Prema Pluc,
				2-Beer



## CHANGE IN PD WATER RIGHT, FILE NO. 709 & 8398

NE1/4 of Section 25 Township 30 South Range 33 West Haskell County



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

Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Laura Kelly, Governor

December 17, 2021

HINES FARMS PO BOX 665 COLBY KS 67701

> RE: Application for Change Water Right, File Nos. 709 & 8398

Dear Sir:

This is to advise you that we Land and Cattle Co Inc has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, for change in point of diversion under the above referenced applications.

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

You are notified of this proposed point of diversion (well) so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within <u>15 days</u> from the date of this letter.

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

Sincerely,

Ally Michael A. Meyer

Water Commissioner

MAM

pc: Groundwater Management District No. 3