

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

1. File Number: <b>23295</b>	2. Status Change Date: <u>11-23-2022</u>	3. Change Num: <b>C1</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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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: <b>11/4/2022</b>
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8a. Landowner, New to system <input type="checkbox"/>  <b>HEMINK FARMS LTD</b> <b>2635 CR 521</b> <b>HART, TX 79043</b>	Person ID <b>64577</b> Add Seq# _____  8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	8d. Correspondent, New to system <input type="checkbox"/>  <b>ARCH B &amp; MICHELLE FRINK</b> <b>PO BOX 1088</b> <b>CIMARRON, KS 67835-1088</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: 12/31/2023     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: **11/22/2022** By: **MAM**  
 Date Entered: \_\_\_\_\_ By: \_\_\_\_\_

File No. **23295**      11. County: GY      Basin: BUCKNER CREEK      Stream:      Formation Code:      Special Use:

12. Points of Diversion  
**CHK**      Rate and Quantity  
**MOD**      Authorized      Additional  
**DEL**      PDIV      Qualifier      S      T      R      ID      'N      'W      Comment (AKA Line)      Rate      Quantity      Rate      Quantity  
**ENT**                                                                                 gpm      af      gpm      af      Overlap PD Files

**CHK 4067**

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 <b>CHK</b> <b>MOD</b> <b>DEL</b> <b>ENT</b>	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				
<b>MOD</b>	<b>1715</b>	<b>24</b>	<b>24</b>	<b>28W</b>	<b>02</b>					<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>					<b>248</b>	<b>8a</b>	<b>N</b>	<b>12315, 12456, 13865, 16803, 21820, 21819</b>
<b>MOD</b>	<b>26526</b>	<b>25</b>	<b>24</b>	<b>28W</b>	<b>01</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>31</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>36.76</b>	<b>38.50</b>	<b>38.50</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>537.76</b>	<b>8a</b>	<b>N</b>	<b>12315, 12456, 13865, 16803, 21820, 21819</b>
<b>CHK</b>	<b>33049</b>	<b>31</b>	<b>24</b>	<b>27W</b>	<b>01</b>					<b>40</b>	<b>L-1 38.14</b>	<b>L-2 37.42</b>	<b>40</b>	<b>40</b>	<b>L-3 37.70</b>	<b>L-4 38.98</b>	<b>40</b>					<b>314.24</b>	<b>8a</b>	<b>N</b>	<b>12315, 1256, 13865, 16803, 21820, 21819</b>

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments: **CORRECTION LOTS**

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 23, 2022

HEMINK FARMS LTD  
2635 CR 521  
HART, TX 79043

RE: Field Office Application for Change  
Water Right, File Nos. . 12315, 12456, 13865, 16803, 21819, 21820, 23295

Dear Sir or Madam:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications 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. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers 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 that reads "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:  
enclosures

pc: Spandet Dairy LLC  
GMD3

## CERTIFICATE OF SERVICE

On this 23<sup>rd</sup> day of November 2022, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 12,315, 12,456, 13,865, 16,803, 21,819, 21,820, 23,295 dated 23<sup>rd</sup> day of November 2022 was mailed postage prepaid, first class, US mail to the following:

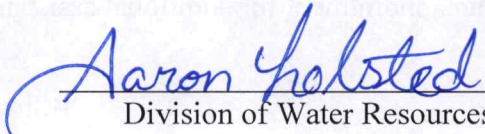
HEMINK FARMS LTD  
2635 CR 521  
HART, TX 79043

Pc:

ARCH B & MICHELLE FRINK  
PO BOX 1088  
CIMARRON, KS 67835-1088

SPANDET DAIRY LLC  
6306 20 RD  
CIMARRON, KS 67835-9018

GMD3

  
\_\_\_\_\_  
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**  
 12:36 pm  
 NOV 04 2022

File No. 23295

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office  
Division of Water Resources
- 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: ARCH B & MICHELLE FRINK  
PO BOX 1088, CIMARRON, KS 67835-1088  
 Phone Number: (620)338-3514      Email address: afrink14@hotmail.com  
 Name and address of Water Use Correspondent: SAME AS ABOVE  
SAME AS ABOVE  
 Phone Number: ( )      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: HEMINK FARMS LTD  
ADDRESS: 2635 CR 521 HART, TEXAS 79043  
 (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	
24	24	28					40	40	40	40	40	40	18	36					294
25	24	28	40	40	40	40	34	25	34	40	40	38.50	38.50	40	40	40	40	40	610
31	24	27					40	38.14	38.42	40	40	38.70	38.98	40					314.24

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: Same as Above  
ADDRESS: Same as Above  
 (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	
24	24	28					31	31	31	31	31	31	31	31					248
25	24	28	31	31	31	31	25	25	25	25	36.76	38.50	38.50	40	40	40	40	40	537.76
31	24	27					40	38.14	38.42	40	40	38.70	38.98	40					314.24

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 11-4-22 Check # 015062

5. **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. 1 \_\_\_\_\_ 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 \_\_\_\_\_

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

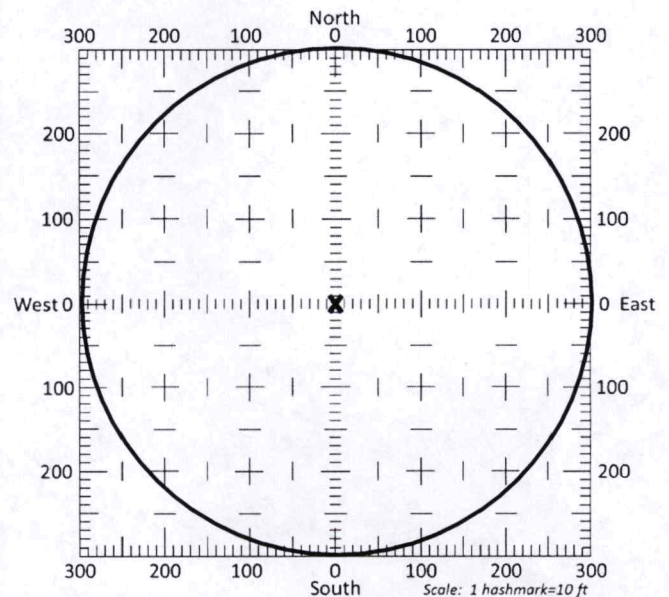
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_  
 \_\_\_\_\_

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 JG/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     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.

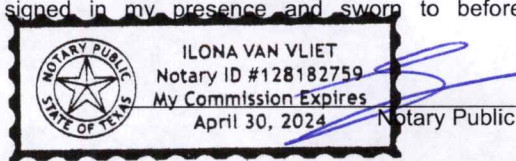
Dated at Haskell TX, ~~Kansas~~, this 25 day of October, 2022.

<u>L. Schilderink</u>	
(Owner)	(Spouse)
<u>L. SCHILDERINK</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of ~~Kansas~~ TX }  
 County of Castro } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25 day of October, 2022.

My Commission Expires 4/30/24.



**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**

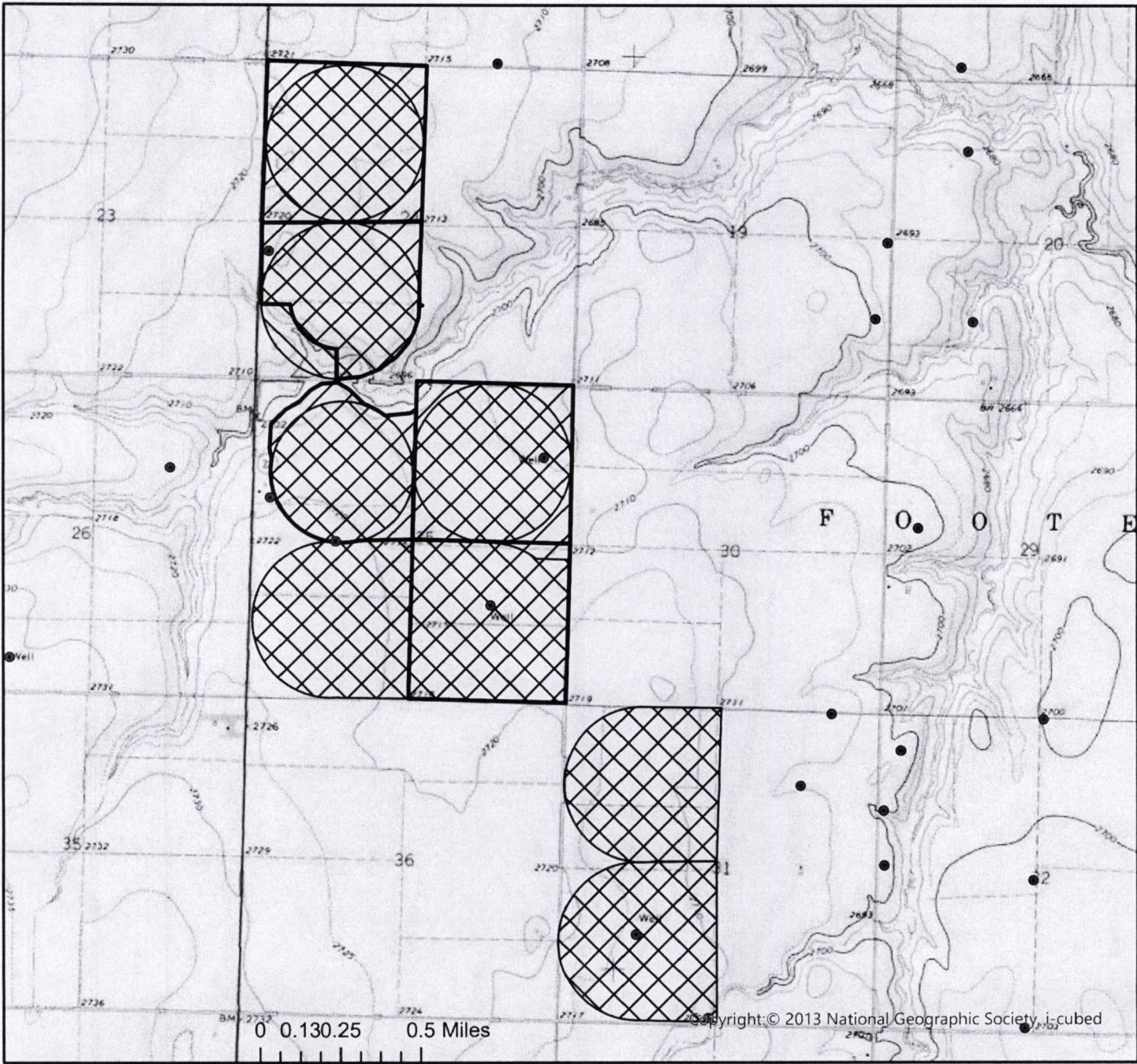
- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200










# CHANGE IN PLACE OF DIVERSION WATER RIGHT, FILE NO. 23295

SW 1/4 of Section 24 Township 24 South Range 28 West Gray County



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

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



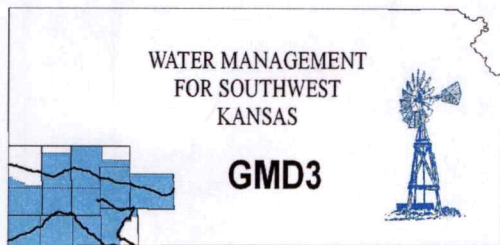
All wells of any kind within 1/2 mile of the requested place of use have been plotted.

*P. Schilderink*

(Signature)

Date

Date JG/GCFO  
1:24,000 Scale



**Southwest Kansas**  
**Groundwater Management District No. 3**  
**2009 E. Spruce Street**  
**Garden City, Kansas 67846**  
(620) 275-7147 phone  
www.gmd3.org

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November 29, 2022

Michael A. Meyer  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

RE: Applications for Change in Place of Use  
Water Right, File Nos. 12315, 12456, 13865, 16803, 21819, 21820 & 23295

Dear Mike:

We have completed a review of the applications for the above referenced water rights. The proposals are 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 current acres to cover land that was not previously authorized and eliminate some of the corners that are not watered. At the same time, the applications will maintain a complete overlap in place of use in accordance with K.A.R. 5-5-11(b). 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

**RECEIVED**

**NOV 18 2022**

Garden City Field Office  
Division of Water Resources

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 7, 2022

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Re: Request for Recommendation  
Water Right, File Nos. 12315, 12456, 13865, 16803, 21819, 21820, 23295,

Dear Mr. Norquest:

This is to advise you that the Arch Frink has filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

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

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures