

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

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.

File No. 25379

RECEIVED
 12:05 PM
 SEP 27 2022

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: GRANT WEBBER

PO BOX 339 SUBLETTE KS 67877

Phone Number: () _____

Email address: grfarmz@gmail.com

Name and address of Water Use Correspondent: _____

Phone Number: () _____

Email address: _____

3. The presently authorized place of use is:

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			

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 \$ 200.00 TR # _____ Receipt Date 9-27-22 Check # 10886

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the CE Quarter of the SW Quarter of Section 8, Township 29 South, Range 33 (W), in HASKELL County, Kansas, 1300 feet North 2700 feet West of Southeast corner of section. Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 02 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 SW Quarter of the SW Quarter of the SE Quarter of Section 8, Township 29 South, Range 33 (W), in HASKELL County, Kansas, 144 feet North 2036 feet West of Southeast corner of section. Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 660'.
 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) LOSS OF PRODUCTION

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

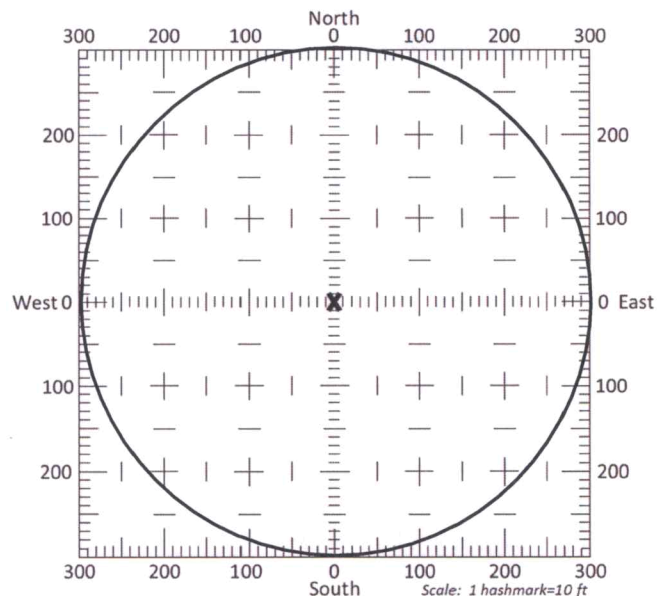
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG / CAP
 (b) When will this be done? UPON COMPLETION

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.)**

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.

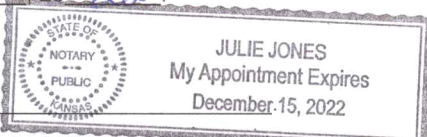
Dated at Warden City, Kansas, this 27th day of September, 20 22.

<p><u>Frank WEBBER</u> (Owner) OWNER <u>TENANT</u></p> <p><u>FRANK WEBBER</u> (Please Print)</p> <p>_____</p> <p>(Owner)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Owner)</p> <p>_____</p> <p>(Please Print)</p>	<p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p> <p>_____</p> <p>(Spouse)</p> <p>_____</p> <p>(Please Print)</p>
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State of Kansas }
 County of Finney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 27th day of September, 20 22.

My Commission Expires _____



Julie Jones
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. 25379.

1. A change application was received on _____ 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 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 _____ 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, 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.
 Applicable Not Applicable
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.
 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: _____
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: _____

State of Kansas)
) SS
County of _____)

Acknowledged before me on _____
by _____

Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

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

September 29, 2022

CURTIS E HUITT
PO BOX 402
PRATT, KS 67124

RE: Application for Change
Water Right, File No. 25379

Dear Sir or Madam:

This is to advise you that Grant Webber has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 29 South, Range 33 West, Haskell County.

You can find the complete applications posted by water right file number as referenced above at: www.Agriculture.ks.gov/DWRNotices

You are notified on this proposed point of diversion (well) 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 blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:

pc:

Sec 8-T29 -Blk R33

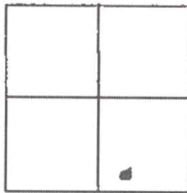
Survey _____ Co. HASKEIL

N. 37.53344° W-100.95090°



No. 29804

P.O. Box 784
Sunray, Texas 79086
(806) 948-4421



WL 380'

GRANT WEBBER

DATE 8/12/22

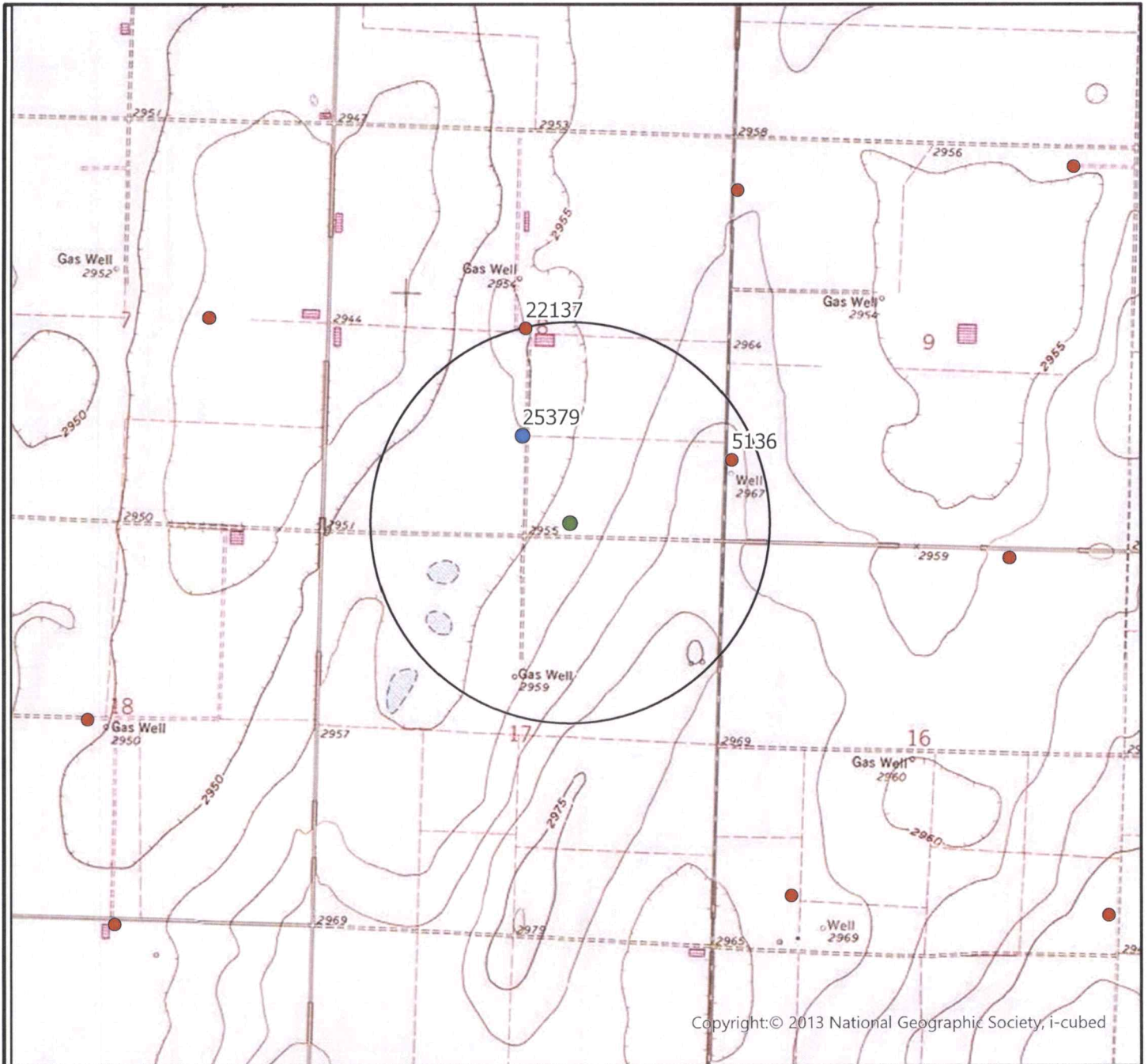
Test Waterwell

NO. 3-22 -A"






FROM	TO	DESCRIPTION	SAND
		Lost Circulation 630'	Lost Circulation 660'
0	60	top soil + brown clay w/ caliche strips	
60	280	med and coarse sand w/ big gravel strips ← used lot water 60' to 280'	
280	360	gray sticky clay w/ sand strips	
360	380	fine, med + coarse sand w/ clay strips	
380	400	fine to med to coarse fairly loose to little tight sand w/ clay strip	11
400	420	fine to med fairly tight sand w/ clay strips + shale strips	12
420	440	fine, med + coarse fairly loose sand	20
440	460	fine, med + coarse fairly loose sand w/ small gravel + clay strips	18
460	480	fine to med, fairly loose to little tight sand w/ clay strips	13
480	500	med fine fairly loose sand w/ clay strips	14
500	520	fine to med fairly tight sand w/ clay strips	15
520	540	fine to med to coarse fairly tight sand w/ gravel strip	20
540	560	fine, med + coarse fairly loose sand w/ gravel	20
560	580	med + coarse fairly loose to little tight sand w/ gravel to brown clay w/ shale	11
580	600	brown clay w/ hard shale + tight sand stone	16
600	620	fairly tight sand stone w/ clay strips	14
620	640	little tight sand stone ← Lost Circulation - 630"	20
640	660	little tight to tight sand stone ← Lost Circulation 660'	used lot water 630"-660"
660	680	1 dragbit	
680	700	2 SKS HULLS. - 1/2 SK GGHV	
		5 BKTS Hydro pack - 2 BKTS Hydro VLS.	

CHANGE IN POINT OF DIVERSION WATER RIGHT, FILE NO. 25379

SE 1/4 of Section 8 Township 29 South Range 33 West Haskell County



Copyright: © 2013 National Geographic Society, i-cubed

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

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

WR 22137: CURTIS E HUITT
PO BOX 402 PRATT KS 67124

WR: 5136: *Owned by Applicant*



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

(Signature)

Date

Date AM/GCFO
1:24,000 Scale

RECORDED IN MY OFFICE THE 29th
DAY OF Aug, 2022
Parinda Carrion
HASKELL COUNTY CLERK



STATE OF KANSAS, HASKELL COUNTY
This instrument was filed for record on
August 29, 2022 10:10 AM and
Recorded in Book 255 Page 372-372
Fees: \$21.00 202200660



Candy Huffine
Candy Huffine, Register of Deeds

LIMITED WARRANTY DEED

HS GROW LLC, a Colorado limited liability company, grantor, for good and valuable consideration, in hand paid, hereby sells and conveys to ARCHIE H. LOWE and KATHRYN E. LOWE, as Joint Tenants, grantee, whose legal address is: PO Box 774427, Steamboat Springs, CO 80477, all of the following real property (the "Property") in the County of Haskell, and State of Kansas:

- Tract 1: The South Half (S $\frac{1}{2}$) of SECTION 8, TOWNSHIP 29 SOUTH, RANGE 33 WEST of the 6th PM, together with all grantor's interest in and to the oil, gas, and other minerals, and
- Tract 2: The North Half (N $\frac{1}{2}$) and Southwest Quarter (SW $\frac{1}{4}$) of SECTION 9, TOWNSHIP 29 SOUTH, RANGE 33 WEST of the 6th PM

with all water, water rights, and rights to appropriate water, and all its hereditaments, tenements, and appurtenances, subject to taxes for current year.

Grantor, for Grantor and Grantor's successors, covenants that Grantor is lawfully seized of Grantor's interest in the Property and has good right to convey Grantor's interest in the Property and guarantees the quiet possession of the Property against the claims of those claiming any right, interest, or title through Grantor, and further covenants that the Property is free from all encumbrances created by Grantor, and Grantor will warrant and defend the Property against all lawful claims of those claiming any right, interest, or title through Grantor, but Grantor does not warrant title against those claiming a right, interest, or title that arose prior to, or separate from, Grantor's interest in the Property.

Grantor has executed this deed to be effective as of the 24th day of August, 2022.

HS GROW LLC, a Colorado limited liability company

By: Jonathan Melvin
Jonathan Melvin, Manager

STATE OF COLORADO, COUNTY OF ROUTT) ss:

The foregoing deed was acknowledged before me this 24 day of August, 2022, by Jonathan Melvin as Manager for HS GROW LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: 8/18/2025

Lynne M. Litzau
Notary Public
LYNNE M. LITZAU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974014923
MY COMMISSION EXPIRES AUGUST 18, 2025

Pursuant to KSA 79-1437e, a real estate valuation questionnaire is not required due to Exception 16.