

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/D WORKSHEET**

1. File Number: <b>21390</b>	2. Status Change Date: <b>3/3/2023</b>	3. Change Num: <b>C4</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</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>02/24/2023</b>
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8a. Landowner, Person ID **67796**  
 New to system  Add Seq# \_\_\_\_\_

**LOEWEN FAMILY FARMS LLC**  
**PO BOX 67**  
**SEMINOLE, TX 79360-0067**

8c. Landowner(s) Person ID \_\_\_\_\_  
 New to system  Add Seq# \_\_\_\_\_

8b. Landowner(s), correspondent Person ID \_\_\_\_\_  
 New to system  Add Seq# \_\_\_\_\_

8d. WUC, applicant Person ID **67428**  
 New to system  Add Seq# \_\_\_\_\_

**JACOB R & SUSANA P LOEWEN**  
**PO BOX 67**  
**SEMINOLE, TX 79360-0067**

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/2023**     N & P Date to Comply: **3/1/2024**

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: \_\_\_\_\_

See attached deed

Date Prepared: **03/13/2023** By: **MAM**  
 Date Entered: \_\_\_\_\_ By: \_\_\_\_\_

File No. **21390**      11. County: KE      Basin: ARKANSAS RIVER      Stream:      Formation Code: **211/331**      Special Use:

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

<b>DEL</b>	<b>38037</b>																		
<b>ENT</b>		<b>LOT 3 (NENW)</b>	<b>1</b>	<b>25S</b>	<b>35W</b>		<b>4011</b>	<b>3783</b>	<b>S9</b>		<b>865</b>	<b>275</b>	<b>865</b>	<b>275</b>	<b>NONE</b>				
<b>CHK</b>	<b>65077</b>	<b>SWNWSE</b>	<b>1</b>	<b>25S</b>	<b>35W</b>	<b>5</b>	<b>1340</b>	<b>2165</b>	<b>S14</b>		<b>875</b>	<b>273</b>	<b>875</b>	<b>273</b>	<b>NONE</b>				
<b>CHK</b>	<b>83161</b>	<b>SEWNNE</b>	<b>1</b>	<b>25S</b>	<b>35W</b>	<b>6</b>	<b>4243</b>	<b>1461</b>	<b>S10</b>		<b>860</b>	<b>273</b>	<b>860</b>	<b>273</b>	<b>NONE</b>				
<b>CHK</b>	<b>88791</b>	<b>NWSESW</b>	<b>1</b>	<b>25S</b>	<b>35W</b>	<b>7</b>	<b>1231</b>	<b>3854</b>	<b>S13</b>		<b>860</b>	<b>267</b>	<b>860</b>	<b>267</b>	<b>NONE</b>				

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 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				
<b>CHK</b>	<b>13202</b>																								
<b>CHK</b>	<b>30719</b>																								

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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

March 13, 2023

JACOB R & SUSANA P LOEWEN  
PO BOX 67  
SEMINOLE, TX 79360-0067

RE: Field Office Application for Change  
Water Right, File Nos. 15582, 21386, 21387, 21388, 21389-D3, 21390

Dear Sir:

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 these approvals 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. Please note that water well completion forms must be completed and submitted after completion of the well. Also note the conditions on the summary order.

Since the orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

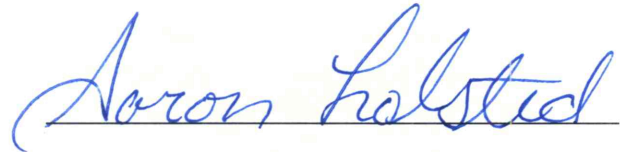
  
Michael A. Meyer  
Water Commissioner

MAM:  
Enclosures

## CERTIFICATE OF SERVICE

On this 13<sup>th</sup> day of March 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 15,582, 21,386, 21,387, 21,388, 21,389-D3, 21390 dated 13<sup>th</sup> day of March 2023 was mailed postage prepaid, first class, US mail to the following:

JACOB R & SUSANA P LOEWEN  
PO BOX 67  
SEMINOLE, TX 79360-0067

A handwritten signature in blue ink that reads "Aaron Halsted". The signature is written in a cursive style and is positioned above a horizontal line.

Division of Water Resources Staff

Submit completed application to:  
Kansas Department of Agriculture  
Division of Water Resources  
Field Office for your area.

# DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

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>

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. 21390

RECEIVED  
3:35 pm  
FEB 24 2023

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: JACOB R & SUSANA P LOEWEN

PO BOX 67, SEMINOLE, TX 79360-0067

Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: same no change

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 \$ 100.00 TR # \_\_\_\_\_ Receipt Date 2-24-23 Check # KanPay Count

visa

5. **Presently authorized point of diversion:**  
 One in the NW Quarter of the SE Quarter of the NW Quarter of Section 1, Township 25 South, Range 35 W, in FI County, Kansas, 3885 feet North 3613 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 NW Quarter of the SE Quarter of the LOT 3 NW (NENW) Quarter of Section 1, Township 25 South, Range 35 W, in FI County, Kansas, 4011 feet North 3783 feet West of Southeast corner of section. Proposed Rate --- Proposed Quantity --- Proposed well depth (feet) ≈ 720  
 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 SW Quarter of the NW Quarter of the SE Quarter of Section 1, Township 25 South, Range 35 W, in FI County, Kansas, 1340 feet North 2165 feet West of Southeast corner of section. Authorized Rate --- Authorized Quantity --- Depth of well --- (feet)  
 (DWR use only: Computer ID No. 05 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 --- (E/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

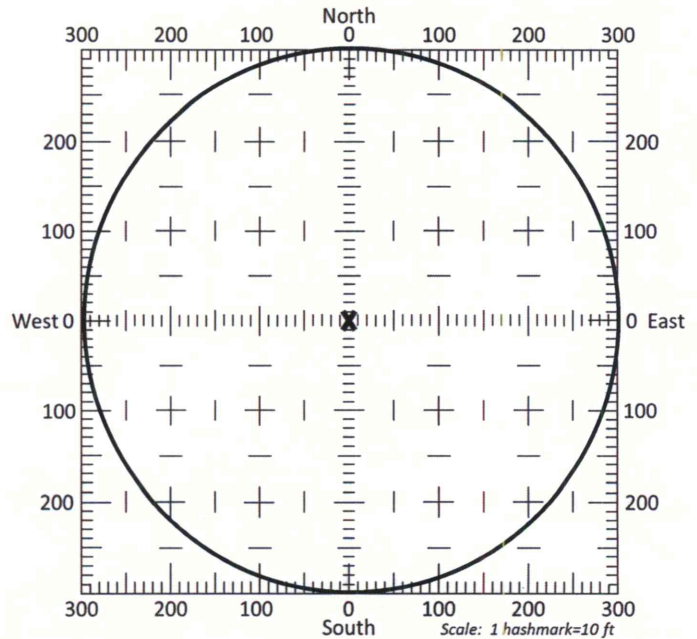
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_  
 \_\_\_\_\_

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 \_\_\_\_\_

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.)

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 21390

**Presently authorized point of diversion:**

One in the SE Quarter of the NW Quarter of the NE Quarter  
of Section 1, Township 25 South, Range 35 W,  
in FI County, Kansas, 4243 feet North 1461 feet West of Southeast corner of section.

Authorized Rate --- Authorized Quantity --- Depth of well            (feet)

(DWR use only: Computer ID No. 06 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)**

One in the            Quarter of the            Quarter of the            Quarter  
of Section           , Township            South, Range            (E/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           

**Presently authorized point of diversion:**

One in the NW Quarter of the SE Quarter of the SW Quarter  
of Section 1, Township 25 South, Range 35 W,  
in FI County, Kansas, 1231 feet North 3854 feet West of Southeast corner of section.

Authorized Rate --- Authorized Quantity --- Depth of well            (feet)

(DWR use only: Computer ID No. 07 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)**

One in the            Quarter of the            Quarter of the            Quarter  
of Section           , Township            South, Range            (E/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           

**Presently authorized point of diversion:**

One in the            Quarter of the            Quarter of the            Quarter  
of Section           , Township            South, Range            (E/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)**

One in the            Quarter of the            Quarter of the            Quarter  
of Section           , Township            South, Range            (E/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           

**Presently authorized point of diversion:**

One in the            Quarter of the            Quarter of the            Quarter  
of Section           , Township            South, Range            (E/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)**

One in the            Quarter of the            Quarter of the            Quarter  
of Section           , Township            South, Range            (E/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

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 24<sup>th</sup> day of February, 20 23.

<u>Jacob Loewen</u> (Owner)	
	(Spouse)
<u>Jacob Loewen</u> (Please Print)	
	(Please Print)
	(Spouse)
	(Please Print)
	(Spouse)
	(Please Print)

State of Kansas }  
 County of Stimney } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24<sup>th</sup> day of February, 20 23.



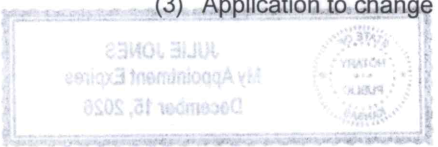
My Commission Expires \_\_\_\_\_ Julie Jones  
 Notary Public

**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. 2-1390.

1. A change application was received on February 24, 2023 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, 2023**, 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, 2023**, or within any authorized extension of time. By March 1, 2024 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: Michael A. Meyer  
 Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER  
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: March 13, 2023

State of Kansas )  
 ) SS  
 County of Stinson )

Acknowledged before me on March 13, 2023

by Michael A. Meyer

Signature: Julie Jones  
 Notary Public

My commission expires: \_\_\_\_\_

