

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

1. File Number: 22089	2. Status Change Date: <i>3-21-2023</i>	3. Change Num: C2	4. Field Office: 4	5. GMD: 3
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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: 03/20/2023
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8a. Landowner, New to system <input type="checkbox"/> S F H TRUST 89 Attn: CEDRIC HANDS 2180 W PARALLEL GARDEN CITY, KS 67846	8c. Landowner(s) New to system <input type="checkbox"/> TRIANGLE H GRAIN & CATTLE CO 1955 W PLYMELL RD GARDEN CITY, KS 67846
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8b. Landowner(s), New to system <input type="checkbox"/> TRIANGLE H GRAIN & CATTLE CO 1955 W PLYMELL RD GARDEN CITY, KS 67846	8d. WUC New to system <input type="checkbox"/> TRIANGLE H GRAIN & CATTLE CO 1955 W PLYMELL RD GARDEN CITY, KS 67846
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9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2023 N & P Date to Comply: 12/31/2024

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: **03/20/2023** By: **MAM**
 Date Entered: _____ By: _____

File No. 23089 11. County: Fl Basin: ARKANSAS RIVER Stream: Formation Code: 211/331 Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

DEL 17735

ENT	SWNESW	2	26	33W	1609	3840	890	324	890	324	none
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CHK 36613

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						
CHK	26251																										

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

Mike Beam, Secretary

Laura Kelly, Governor

March 21, 2023

S F H TRUST 89
Attn: CEDRIC HANDS
2180 W PARALLEL
GARDEN CITY, KS 67846

RE: Field Office Application for Change
Water Right, File No. 22089

Dear Sir:

Enclosed are orders 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 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.

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.

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,

A blue ink signature of Michael A. Meyer, written in a cursive style.

Michael A. Meyer
Water Commissioner

MAM:
Enclosures

pc: TRIANGLE H GRAIN & CATTLE CO


CERTIFICATE OF SERVICE

On this 21st day of March 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,089 dated 21st day of March 2023 was mailed postage prepaid, first class, US mail to the following:

S F H TRUST 89
Attn: CEDRIC HANDS
2180 W PARALLEL
GARDEN CITY, KS 67846

Pc:

TRIANGLE H GRAIN & CATTLE CO
1955 W PLYMELL RD
GARDEN CITY, KS 67846

A handwritten signature in blue ink that reads "Julie Jones". 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.
 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. 22089

RECEIVED
 1:01 PM
 MAR 20 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: Sam Hands

2180 W PARALLEL, GARDEN CITY, KS 67846

Phone Number: () _____ Email address: TRIANGLEHFARMS@TRIANGLE-H.COM

Name and address of Water Use Correspondent: TRIAGLE H GRAIN & CATTLE CO

1955 W PLYMELL RD, GARDEN CITY, KS 67846

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 \$ <u>100.00</u> TR # _____ Receipt Date <u>3-20-23</u> Check # <u>1890</u>
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5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the NC Quarter of the SW Quarter
 of Section 02, Township 26 South, Range 33 W,
 in FINNEY County, Kansas, 1500 feet North 3960 feet West of Southeast corner of section.
 Authorized Rate 890 GPM Authorized Quantity 324 AF Depth of well 460 (feet)
(DWR use only: Computer ID No. 03 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 NE Quarter of the SW Quarter
 of Section 02, Township 26 South, Range 33 W,
 in FINNEY County, Kansas, 1609 feet North 3840 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 576
 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 NC Quarter of the NW (LOT 3) Quarter
 of Section 2, Township 26 South, Range 33 W,
 in FINNEY County, Kansas, 4875 feet North 3930 feet West of Southeast corner of section.
 Authorized Rate 1020 GPM Authorized Quantity 324 AF Depth of well _____ (feet)
(DWR use only: Computer ID No. 04 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?

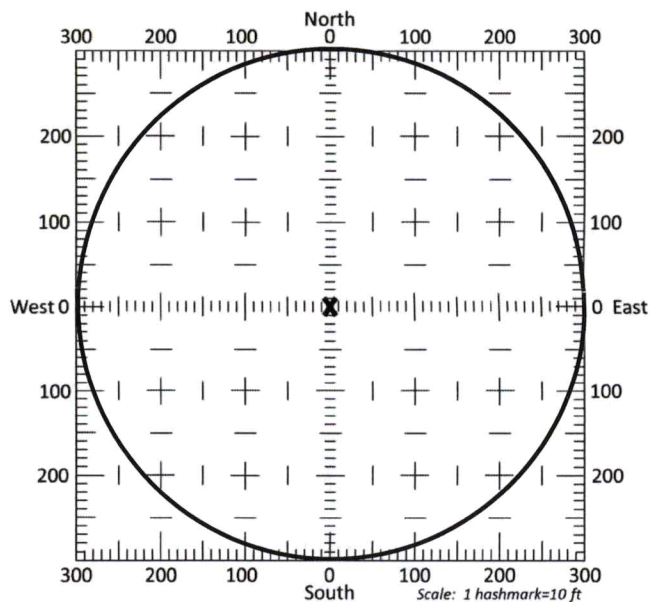
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (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.

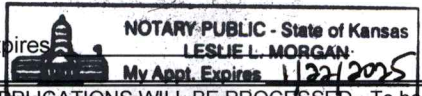
Dated at Lawrence City, Kansas, this 16 day of March, 2023.

<p><u>Cedric K. Harolds</u> (Owner)</p> <p><u>Cedric K. Harolds</u> (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</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 16th day of March, 2023.

Leslie L. Morgan
Notary Public

My Commission Expires 

~~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. 221089.

1. A change application was received on MARCH 20, 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 20, 2023

State of Kansas)

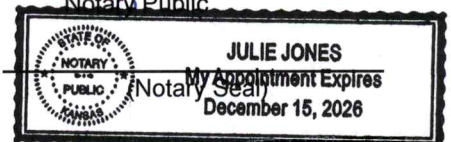
County of Linney) SS

Acknowledged before me on March 21, 2023

by Michael A. Meyer

Signature: Julie Jones
Notary Public

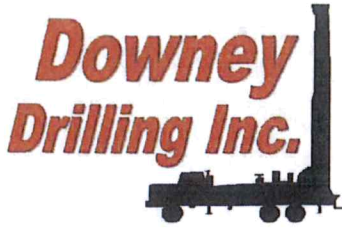
My commission expires: _____



WELL LOG

TH #3

DATE: 1/20/2023



CUSTOMER NAME: SFH TRUST 89 SAM HANDS

LEGAL: SW 2-26-33W

COUNTY: FINNEY CO., KS

WR #22089

GPS: 37.814042

-100.902117

DRILLER: IVAN

WO: 21-353

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
	0	5	SILT SAND TOP SOIL	SOFT	BROWN	FAST		SMOOTH
	5	35	SILTY SAND, FINE-MED SAND	SOFT		FAST		VIBRATION
	35	60	FINE-MED-COARSE SAND	SOFT	RED	FAST		CHATTER
	60	84	MED SAND, SILTY SANDY CLAY	SOFT	BROWN	FAST		SLIGHT CHATTER
	84	146	MED-COARSE SAND FINE-GRAVEL	SOFT	RED	FAST		CHATTER
	146	150	CLAY, SANDY CLAY	SOFT	BLUE	SLOWER		SMOOTHER
	150	178	MED-COARSE SAND, FINE-GRAVEL	SOFT	RED	FAST		CHATTER
	178	210	SANDY CLAY W/ THIN SAND LENSES	STIFFER	BLUE / GRAY	SLOWER		SMOOTH
	210	217	SANDY CLAY W/FINE SAND	SOFT	TAN	FAST		SMOOTH
	217	230	MED SAND, SILTY SANDY CLAY	SOFT	TAN / BROWN	FAST		SLIGHT CHATTER
	240	255	MED-COARSE SAND FINE, TR. MED-GRAVEL	SOFT	RED	FAST		CHATTER
	255	324	MED-COARSE SAND FINE-GRAVEL	SOFT	RED	FAST		CHATTER
	324	331	SILTY SAND, SANDY CLAY	SOFT	BROWN	FAST		SMOOTHER
	331	343	TR. FINE, MED SAND	SOFT	TAN	FAST		SLIGHT CHATTER
	343	416	SANDY CLAY, LIMEROCK, CEMENTED SAND LAYER	SEMI FIRM @ TIMES	TAN / WHITE	FAST		SMOOTH & CHOPPY
	416	430	FINE-MED, COARSE-SAND, TR. FINE GRAVEL	SOFT	TAN	FAST		CHATTER
	430	451	CLAY, SANDY CLAY	STIFFER	GRAY	SLOWER		SMOOTH
	451	454	MED SAND, SANDSTONE TR. BROWN ROCK	SOFTER	BROWN	FASTER		SOME CHATTER
	454	460	CLAY	STIFFER	RED/GRAY	SLOWER		SMOOTH
	460	466	MED SAND, SANDSTONE TR. BROWN ROCK	SOFTER	BROWN	FASTER		CHATTER
	466	473	CLAY SAND LAYERS	STIFFER	BROWN	SLOWER		SMOOTHER
	473	490	MED SAND, SANDSTONE, BROWN ROCK	SOFTER	BROWN	FASTER		CHATTER
	490	494	CLAY	STIFFER	GRAY	SLOWER		SMOOTH
	494	496	IRON PYRITE	HARD	GRAY	SLOWER	Y-800#	CHOPPY
	496	507	SHALE	STIFFER	GRAY	SLOW		SMOOTH
	507	511	MED SAND, SANDSTONE, BROWN ROCK	SOFTER	BROWN	FASTER		SLIGHT CHATTER
	511	526	SHALE	STIFF	GRAY	SLOW		SMOOTH
	526	555	FINE-MED SAND, SANDSTONE, TR. BROWN ROCK	SOFTER	BROWN / GRAY	FASTER		SLIGHT CHATTER
	555	576	SHALE	FIRM / STIFF	GARY	SLOW		SMOOTH
			QUIKGEL = 8					
			SODA ASH = .5					
			EZ MUD = 1 GAL					
			HOLEPLUG = 2					
			CASING SEAL = 1					

STATIC

69

12

14

452'

3

EXISTING WELL DEPTH 40

17

4

29

140