

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

1. File Number: 27128	2. Status Change Date:	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: 2/13/2023
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8a. Applicant / Landowner / WUC
 New to system

Person ID **60404**
 Add Seq# _____

**DAVID C LIGHT ET AL
 PO BOX 257
 ROLLA, KS 67954-0257**

8c. Landowner(s)
 New to system

Person ID **58765**
 Add Seq# _____

**GAUSS REVOCABLE LIVING TRUST
 Attn: DOUGLAS A GAUSS TRUSTEE
 7185 DEVINE STREET
 BARTLETT, TN 38133**

8b. Landowner(s)
 New to system

Person ID **59441**
 Add Seq# _____

**INDEPENDENT ORDER OF ODD FELLOWS
 OF THE STATE OF KS
 Attn: 737 N BROADWAY
 PO BOX 472 737 N BROADWAY
 KINGMAN, KS 67068**

8d. Landowner(s)
 New to system

Person ID **25297**
 Add Seq# _____

**DAVID C & RENEE LIGHT
 PO BOX 257
 ROLLA, KS 67954-0257**

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: _____ 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: **2/15/2023** By: **AM**
 Date Entered: _____ By: _____

File No. **27128** 11. County: **MT** Basin: **CIMARRON RIVER** Stream: Formation Code: **211/500** Special Use:

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

DEL 37978
ENT NE NE SW 4 35S 39W 2382 2710 890 260 890 260 NONE

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 2201																									
CHK 3103																									
CHK 8031																									
CHK 9365																									
CHK 29935																									
CHK 35323																									

Base Acres: Year: Minimum Reasonable Quantity:

Comments: **NO CHANGE IN OWNERSHIP INFROMATION**

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

February 15, 2023

DAVID C LIGHT ET AL
PO BOX 257
ROLLA, KS 67954-0257

RE: Filed Office Application for Change
Water Right, File No. 27128

Dear Sir or Madam:

Enclosed is the order 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 number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval 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 handwritten signature in blue ink that reads "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: Gauss Revocable Living Trust
Independent Order of Odd Fellows of the State of Kansas

CERTIFICATE OF SERVICE

On this 15th day of February, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 27,128 dated 15th day of February, 2023 was mailed postage prepaid, first class, US mail to the following:

DAVID C LIGHT ET AL
PO BOX 257
ROLLA, KS 67954-0257

Pc:

GAUSS REVOCABLE LIVING TRUST
Attn: DOUGLAS A GAUSS TRUSTEE
7185 DEVINE STREET
BARTLETT, TN 38133

INDEPENDENT ORDER OF ODD FELLOWS OF THE STATE OF KS
Attn: 737 N BROADWAY
PO BOX 472 737 N BROADWAY
KINGMAN, KS 67068



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. 27128

RECEIVED
 1:01 pm
 FEB 13 2023

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: DAVID C LIGHT ET AL

PO BOX 257 ROLLA KS 67954 - 0257

Phone Number: (620) 544-9763 Email address: dlight@pld.com

Name and address of Water Use Correspondent: SAME AS ABOVE

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land --- NAME: NO CHANGE

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 2-13-23 Check # 1408

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the SW Quarter of Section 4, Township 35 South, Range 39 (W), in MORTON County, Kansas, 2510 feet North 2750 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 GPS 2342 feet North 2981 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 NE Quarter of the NE Quarter of the SW Quarter of Section 4, Township 35 South, Range 39 (W), in MORTON County, Kansas, 2382 feet North 2710 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) LOSS OF PRODUCTION

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

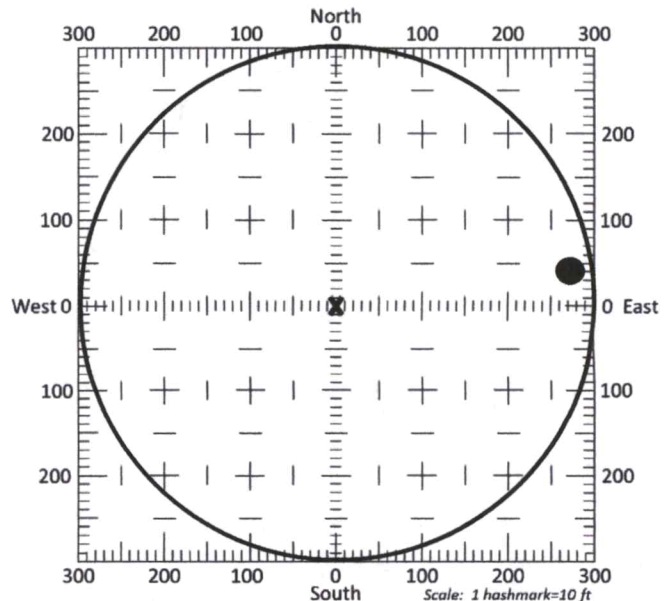
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

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).

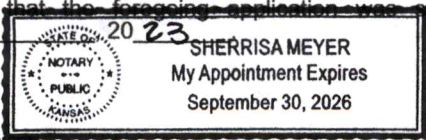
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Rolla, Kansas, this 6 day of Feb, 20 23.

<u>David C. Light</u>	
(Owner)	(Spouse)
<u>DAVID C. LIGHT</u>	
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

State of Kansas }
 County of Morton } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 6 day of February, 20 23.



Sherrisa Meyer
 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. 27128.

1. A change application was received on February 13, 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: Austin McColloch
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: February 15, 2023

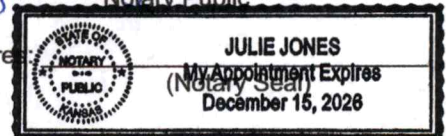
State of Kansas)

County of Lincoln) SS

Acknowledged before me on February 15, 2023
by Austin McColloch

Signature: Julie Jones
Notary Public

My commission expires:



Sec. H T-353
 Survey R-39W Co. Morton
 N. 37.03147° W. 101.56482°

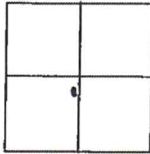


P.O. Box 784
 Sunray, Texas 79086
 (806) 948-4421

No. 29787

Light Family Farms

David Light
 620-544-9763



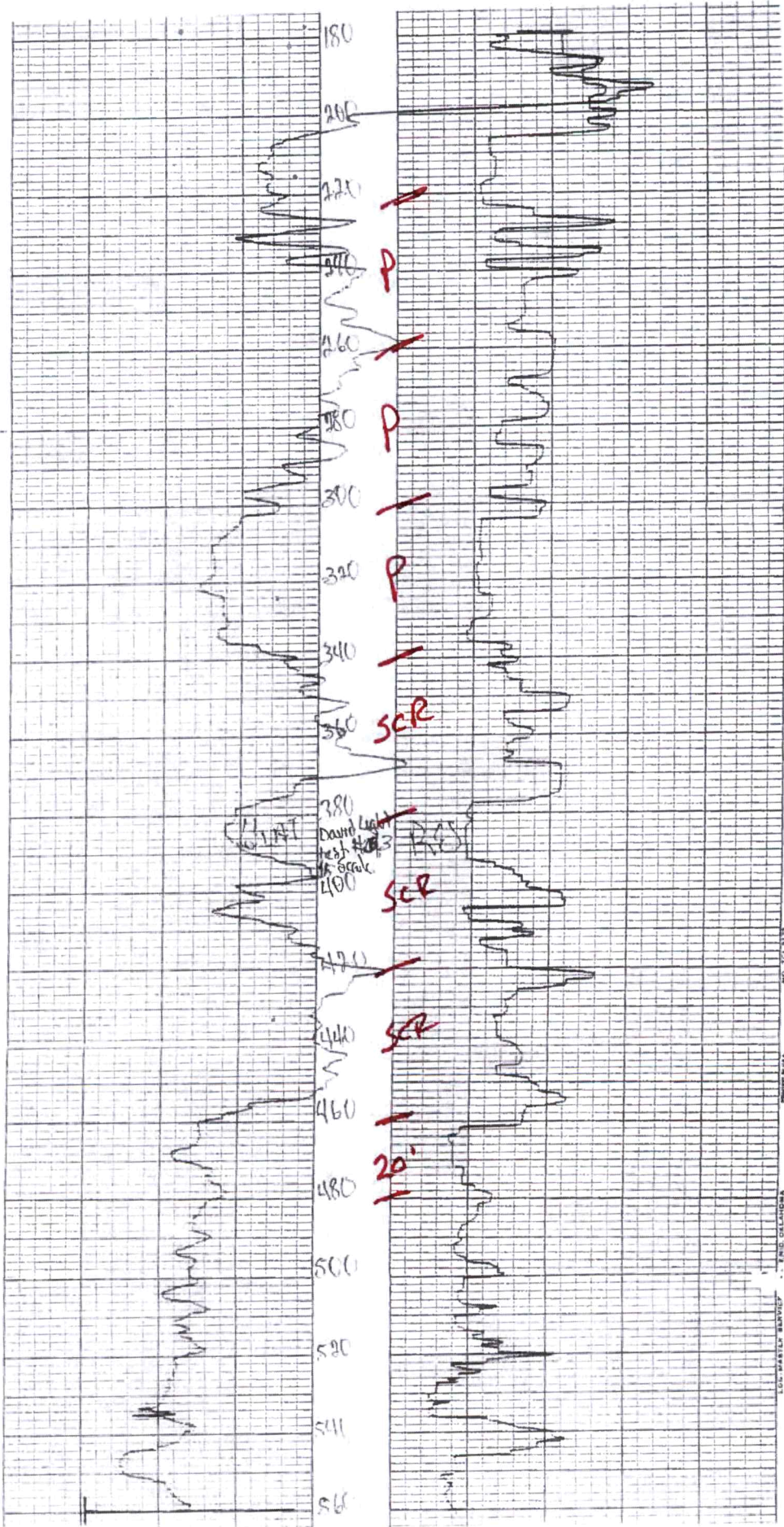
Test Waterwell

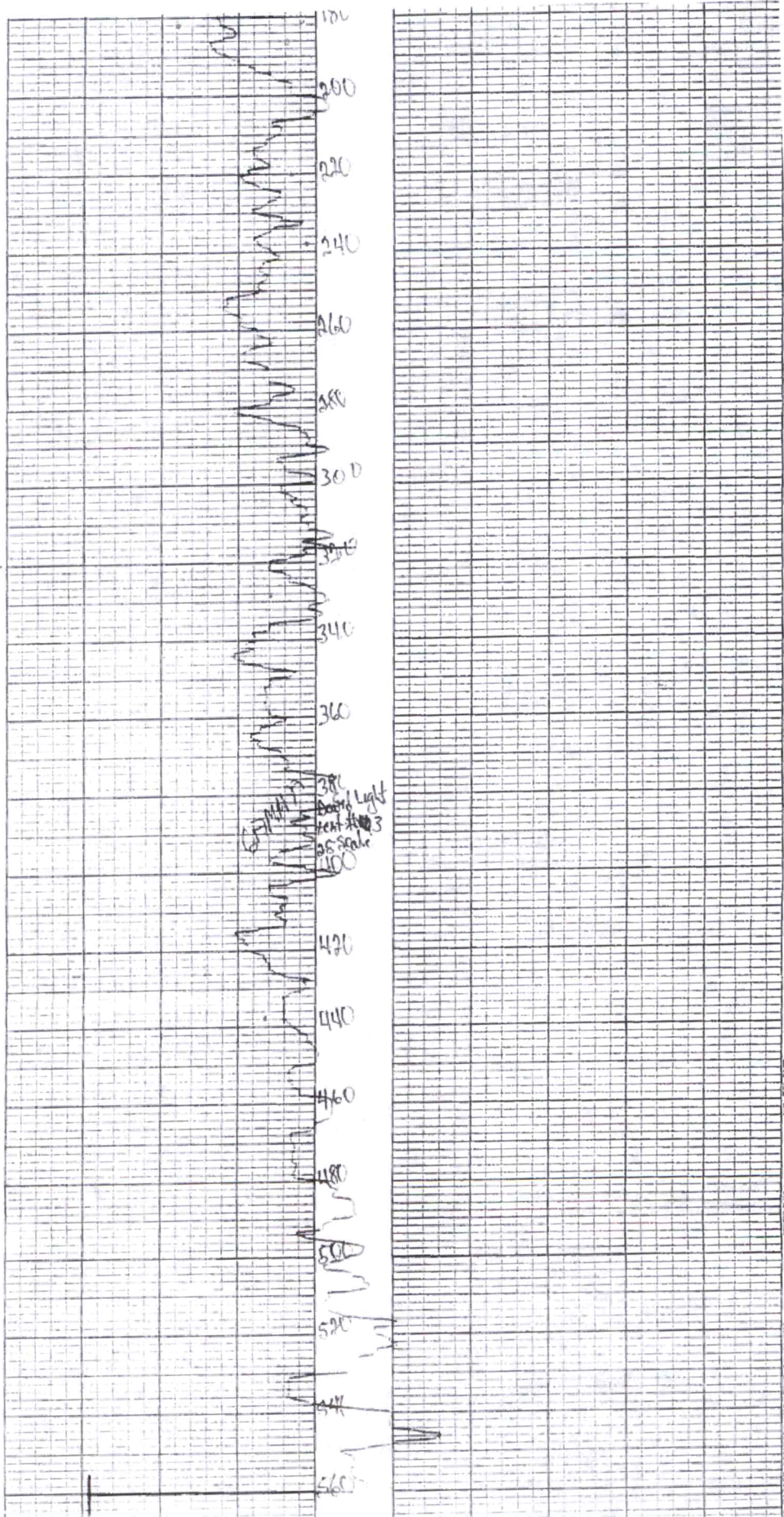
DATE 8-27-22 EAST of well NO 38-22

FROM	TO	DESCRIPTION	SAND
0	81	Surface top soil fine sand w/brown clay strips	
81	200	Brown and gray clay w/med to coarse sand w/gravel strips	
200	220	med to coarse fairly loose sand w/gravel to brown sandy clay	7
220	240	Brown sandy clay to fine fairly loose sand w/brown clay mix	6
240	260	fine fairly loose sand w/brown clay mix + sandy clay strip	17
260	280	fine fairly loose sand w/some brown clay mix	20
280	300	fine fairly loose sand w/brown clay mix	20
300	320	fine fairly loose sand w/brown clay mix to brown clay	2
320	340	Brown sandy clay + clay w/ fine sand strips + clay mix	6
340	360	fine fairly loose sand w/some brown clay mix	20
360	380	fine to med fairly loose sand to brown sandy clay	15
380	400	Brown clay to med fine little tight sand	5
400	420	fine fairly loose sand	20
420	440	fine fairly loose sand w/little clay mix	20
440	460	fine fairly loose sand w/coarse sand strip to brown sandy clay	18
460	480	Brown sandy clay	0
480	500	Brown sandy clay	0
500	520	Brown sandy clay	0
520	540	Brown sandy clay w/ fine tight sand strip to tight red shale	5
540	560	Red shale w/ clay strips	0
		1 Drag bit. 1 BKT Hydro Pac reg	

1"=10'

HUBER
58 ton
90/10c





Well Report Job # _____

Customer Name: _____ Address: _____

Farm: _____ City/State: _____

Well # _____ Test Log # _____ Latitude: _____ Longitude: _____

Section: _____ Block: _____ Survey: _____ County: _____

Well Total Depth: _____

Date Drilled: _____

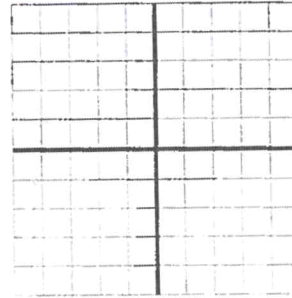
Casing Size & Wall: _____

Screen Size & Wall: _____

Gravel Mix & Amount: _____ Perf. _____

Gravel Mix & Amount: _____ Sump: _____

Concrete Pad Size: _____

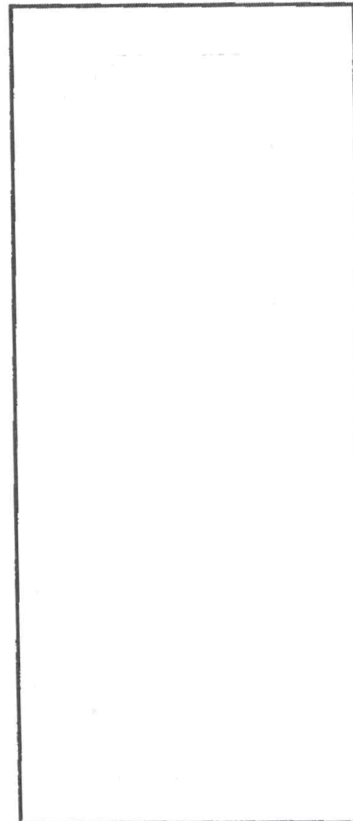


Amount Used

Well Diagram

- GG/HV: _____
- Max Gel: _____
- Hydro Vis: _____
- Hydro Pac: _____
- Hydro Seal: _____
- Drispac Regular: _____
- Drispac Super Low: _____
- RD110: _____
- Soda Ash: _____
- N Seal: _____
- Bentonite: _____
- Chips: _____
- PVC Pipe: _____
- HTH: _____
- Great Valve Size: _____
- Soap: _____
- 3" Pipe Blank: _____
- 2" Pipe Blank: _____
- Super Sacks: _____
- Super Sacks: _____

Misc. Materials Used



McColloch, Austin [KDA]

From: McColloch, Austin [KDA]
Sent: Tuesday, February 14, 2023 8:50 AM
To: 'dlight@pld.com'
Subject: Change Application File No. 27128
Attachments: 20230214083204183.pdf

David,

Can I get you to answer Number 14 (a) , (b) & (c) on the attached PDF. You can answer in the response to this email or print off the page and mark the boxes, whichever works easiest for you. Let me know if you have any questions.

Thanks,

Austin J. McColloch

Assistant Water Commissioner
Kansas Department of Agriculture- DWR
Garden City Field Office
<http://agriculture.ks.gov/>
Ph: (620) 276-2901