

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

1. File Number: <b>29807</b>	2. Status Change Date:	3. Change Num: <b>C2</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>5/19/2023</b>
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8a. Applicant(s) New to system <input type="checkbox"/>	Person ID <b>67764</b> Add Seq# _____
<b>TRL LAND CO LLC 21506 12 ROAD MONTEZUMA, KS 67867</b>	

8c. Landowner(s) New to system <input type="checkbox"/>	Person ID <b>62282</b> Add Seq# _____
<b>MICHAEL R &amp; CAROL A DEAVER 11235 S WEST FORK RD GARDEN CITY, KS 67846</b>	

8b. Landowner(s) New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
<b>8a</b>	

8d. WUC New to system <input type="checkbox"/>	Person ID _____ Add Seq# _____
<b>8a</b>	

9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <b>12/31/2023</b> <input checked="" type="checkbox"/> N & P Date to Comply: <b>3/1/2024</b>
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input checked="" type="checkbox"/> N & P Form <input checked="" type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter
<input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____

10. Use Made of Water    From: _____    To: _____
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Date Prepared: <b>6/2/2023</b> By: <b>AM</b>
Date Entered: _____    By: _____

File No. **29807**      11. County: FI      Basin: **ARKANSAS RIVER**      Stream:      Formation Code:      Special Use:

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

**CHK 47192**

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		
						NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼						
<b>MOD</b>	<b>1926</b>	<b>11</b>	<b>26</b>	<b>S</b>	<b>31</b>	<b>W</b>	<b>2</b>					<b>27.5</b>	<b>27.5</b>	<b>27.5</b>	<b>27.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>					<b>232</b>	<b>8a</b>	<b>N</b>	<b>MULTIPLE</b>
<b>MOD</b>	<b>3994</b>	<b>12</b>	<b>26</b>	<b>S</b>	<b>31</b>	<b>W</b>	<b>1</b>									<b>21.25</b>	<b>21.25</b>	<b>21.25</b>	<b>21.25</b>	<b>28.75</b>	<b>28.75</b>	<b>28.75</b>	<b>28.75</b>	<b>200</b>	<b>8a</b>	<b>N</b>	<b>MULTIPLE</b>
<b>ENT</b>	<b>8970</b>	<b>12</b>	<b>26</b>	<b>S</b>	<b>31</b>	<b>W</b>	<b>4</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>40</b>	<b>25</b>												<b>185</b>	<b>8c</b>	<b>Y</b>	<b>MULTIPLE</b>
<b>ENT</b>	<b>37294</b>	<b>14</b>	<b>26</b>	<b>S</b>	<b>31</b>	<b>W</b>	<b>1</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>													<b>122</b>	<b>8a</b>	<b>N</b>	<b>MULTIPLE</b>
<b>ENT</b>	<b>6070</b>	<b>23</b>	<b>26</b>	<b>S</b>	<b>31</b>	<b>W</b>	<b>2</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>										<b>244</b>	<b>8a</b>	<b>N</b>	<b>MULTIPLE</b>
<b>ENT</b>	<b>25550</b>	<b>24</b>	<b>26</b>	<b>S</b>	<b>31</b>	<b>W</b>	<b>2</b>								<b>30.5</b>	<b>30.5</b>	<b>30.5</b>	<b>30.5</b>						<b>122</b>	<b>8a</b>	<b>N</b>	<b>MULTIPLE</b>

Base Acres:      Year:      Minimum Reasonable Quantity:  
 Comments: **OVERLAPPING WR ON PU: 5953; 7520; 8975; 11369; 13279; 20391; 23788; 29807 & 29808**

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

June 6, 2023

TRL LAND CO LLC  
21506 12 ROAD  
MONTEZUMA, KS 67867

RE: Filed Office Application for Change  
Water Right, File Nos. 5953; 7520; 8975; 11369; 13279;  
20391; 23788; 29807 & 29808

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 numbers. **Note: this approval does not allow any single point of diversion to exceed its annual authorized quantity. All pivots must be adjusted to the now authorized acres per pivot.**

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/or 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, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: Mike & Carol Deaver  
GMD 3

## CERTIFICATE OF SERVICE


On this 6<sup>th</sup> day of June, 2023, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 5,953, 7,520, 8,975, 11,369, 13,279, 20,391, 23,788, 29,807 and 29,808 dated 6<sup>th</sup> day of June, 2023 was mailed postage prepaid, first class, US mail to the following:

TRL LAND CO LLC  
21506 12 ROAD  
MONTEZUMA, KS 67867

Pc:

MICHAEL R & CAROL A DEAVER  
11235 S WEST FORK RD  
GARDEN CITY, KS 67846

GMD 3

  
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**  
 4:07 pm  
 MAY 19 2023

File No. 29807

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: TRL Land Co LLC

21506 12 Rd Montezuma KS 67867

Phone Number: (      )

Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: TRL Land Co LLC

21506 12 Rd Montezuma KS 67867

Phone Number: (      )

Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: TRL Land Co LLC

ADDRESS: 21506 12 Rd Montezuma KS 67867

(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	
11	26	31									33	33	33	33	33	33	33	33	264
12	26	31									20.63	20.63	20.63	20.63					82.52

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: TRL Land Co LLC

ADDRESS: 21506 12 Rd Montezuma KS 67867

(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	
11	26	31									30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	244 <i>232</i>
12	26	31									26.38	26.38	26.38	26.38	28.75	28.75	28.75	28.75	220.52 <i>200</i>
14	26	31	30.5	30.5	30.5	30.5													122

*\* See attachment for initial*

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200.00</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>5-19-23</u> <b>Check #</b> <u>1122</u>
--

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

6. **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 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) \_\_\_\_\_  
 100% PU overlap and move authorized acres that are not  
 irrigated to NE 23 that is not currently authorized.  
 \_\_\_\_\_

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

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

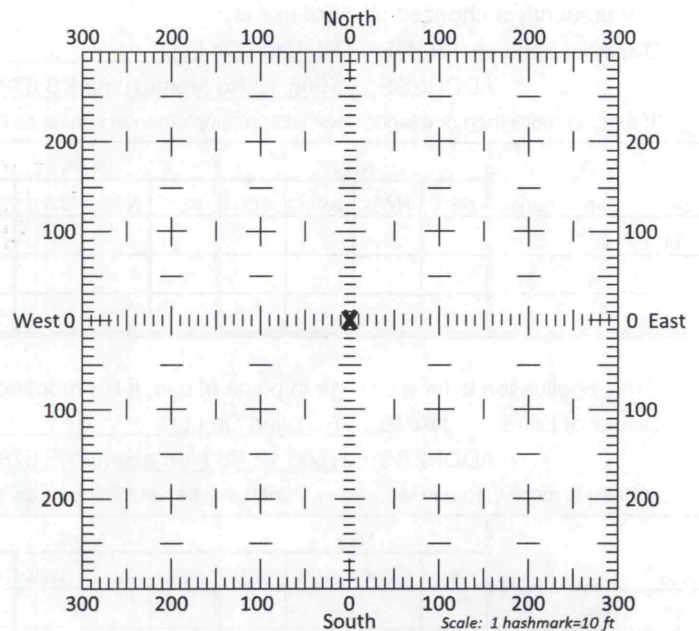
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by CL-GMD3 \_\_\_\_\_

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 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (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. 29807**

MAKE ADDITIONAL COPIES AS NECESSARY

3. *Continued:* The presently authorized place of use is:

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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			

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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				

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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. *Continued:* 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: TRL Land Co LLC  
ADDRESS: 21506 12 Rd Montezuma KS 67867

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					
23	26	31	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	30.5	244	
24	26	31																				122	

Owner of Land ---- NAME: Mike & Carol Deaver  
ADDRESS: 11235 S West Fork Rd Garden City KS 67846

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					
12	26	31	40	40	40	40	25															185	

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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						

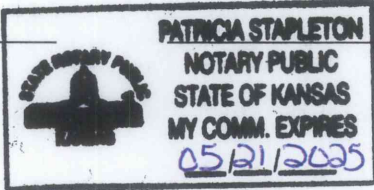
14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign 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 \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

<p><u>Carol Deaver</u> (Owner)</p> <p><u>Carol Deaver</u> (Please Print)</p> <p><u>Michael Deaver</u> (Owner)</p> <p><u>Michael Deaver</u> (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>
--	---



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 11 day of May, 2023.

Patricia Stapleton  
 Notary Public

My Commission Expires 05-21-2025.

**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



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 GARDEN CITY, Kansas, this 19 day of MAY, 2023.

Garett Love  
\_\_\_\_\_  
(Owner)  
Garett Love  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)  
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Spouse)  
\_\_\_\_\_  
(Please Print)

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 19th day of May, 2023.

Patricia Stapleton  
\_\_\_\_\_  
Notary Public

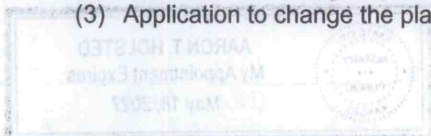
My Commission Expires 05-21-2025

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. 29807.

1. A change application was received on May 19, 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 \_\_\_\_\_ 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, 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.

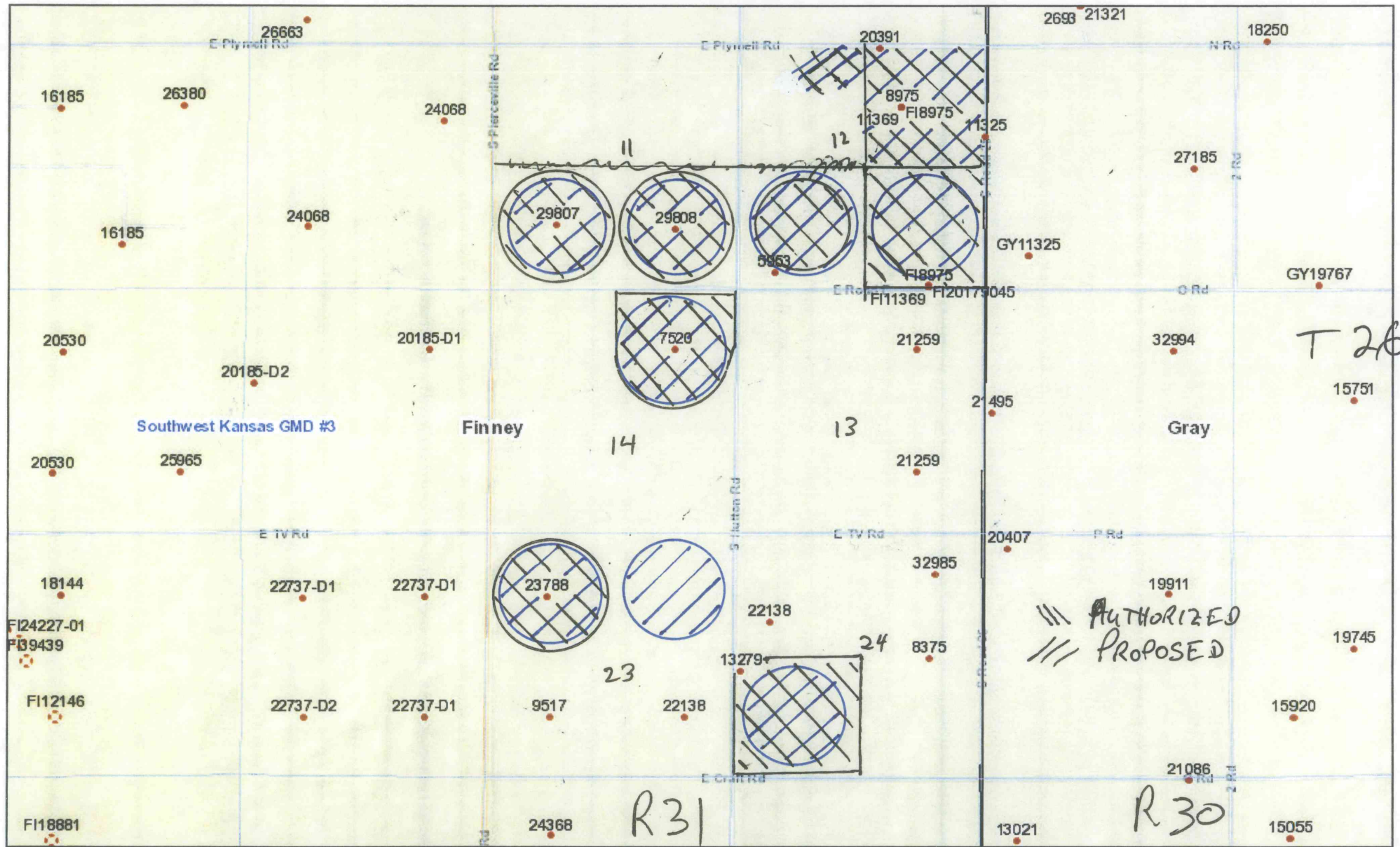
*For Use by Register of Deeds*

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: June 6, 2023  
State of Kansas )  
County of Finney ) SS  
Acknowledged before me on June 6, 2023  
by Austin McColloch  
Signature: Aaron Holsted  
Notary Public

My commission expires:   
AARON T. HOLSTED  
My Appointment Expires  
(Notary 8/31/2027)

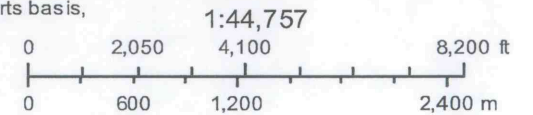
# DEAVER & TRL PU Change



May 4, 2023  
14:23 PM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

<b>Wells</b>	+	CON	●	FPR	▲	MUN	⚡	THX	□	Counties	
?	Other	⊠	DEW	+	HYD	⊠	REC	?	Empty	□	GMD 3
•	IRR	▲	DOM	★	IND	⊠	STK	□	Sections		



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

MAY 26 2023

Garden City Field Office  
 Division of Water Resources

File No. 29807

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: TRL Land Co LLC  
21506 12 Rd Montezuma KS 67867  
 Phone Number: (    )      Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: TRL Land Co LLC  
21506 12 Rd Montezuma KS 67867  
 Phone Number: (    )      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land --- NAME: TRL Land Co LLC  
 ADDRESS: 21506 12 Rd Montezuma KS 67867  
 (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	
11	26	31									33	33	33	33	33	33	33	33	264
12	26	31									20.63	20.63	20.63	20.63					82.52

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: TRL Land Co LLC  
 ADDRESS: 21506 12 Rd Montezuma KS 67867  
 (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	
11	26	31									27.5 30.5	27.5 30.5	27.5 30.5	27.5 30.5	30.5	30.5	30.5	30.5	<del>244</del> 232
12	26	31									21.25 26.38	21.25 26.38	21.25 26.38	21.25 26.38	28.75	28.75	28.75	28.75	220.52 200
14	26	31	30.5	30.5	30.5	30.5					62	526	23						122

For Office Use Only: Code _____ Fee \$ _____ TR # _____ Receipt Date _____ Check # _____
--



*[Signature]*



STEPHANIE SHOCKLEY  
REGISTER OF DEEDS - FINNEY COUNTY KANSAS

Book: 357 Page: 581

Receipt #: 175817

Recording Fee: \$38.00

Pages Recorded: 1 of 2

*[Signature]*

Date Recorded: 3/17/2023 8:34:30 AM

[ELECTRONICALLY FILED]

Filed By  
First American Title  
417 N. 8th  
Garden City, KS 67846  
620-275-7441

**KANSAS WARRANTY DEED**

Joint Tenants

**THIS DEED**, made and entered into this 15 day of **March, 2023**, by and between **Rundell Land and Cattle LLC, a Kansas Limited Liability Company** as Grantor(s), and **Mike Deaver and Carol Deaver**, as Grantee(s), whose mailing address is **NE/4 12-26-31, Garden City, KS 67846**.

**WITNESSETH**, that the Grantor(s), for and in consideration of the sum of One Dollar and other good and valuable consideration paid by the Grantee(s), the receipt and sufficiency of which is hereby acknowledged by Grantor(s), do/does by these presents **GRANT, BARGAIN AND SELL, CONVEY AND WARRANT** unto the Grantee(s), AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON, the following described Real Estate, situated in the County of **Finney** and State of Kansas, to-wit:

**The Northeast Quarter (NE/4) of Section Twelve (12), Township Twenty-six (26) South, Range Thirty-one (31) West of the 6th P.M., Finney County, Kansas.**

Subject to all easements, restrictions and reservations, if any, now of record.

**TO HAVE TO HOLD** the same, together with all rights and appurtenances to the same belonging, unto the Grantee(s), and to the heirs and assigns of such Grantee(s) forever.

The Grantor(s) hereby covenanting that the Grantor(s), and the heirs, executors, administrators and assigns of the Grantor(s), shall and will **WARRANT AND DEFEND** the title to the premises unto the Grantee(s), and to the heirs and assigns of Grantee(s) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the current calendar year and thereafter, and special taxes becoming a lien after the date of this deed.

RECEIVED  
APR 25 2023  
Garden City Field Office  
Division of Water Resources

Filed By  
First American Title  
417 N. 8th  
Garden City, KS 67846  
620-275-7441

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RECEIVED

APR 25 2023

Dated: March 15, 2023

Rundell Land and Cattle LLC

By: Gregory K. Rundell  
Name: Gregory K. Rundell  
Title: Member

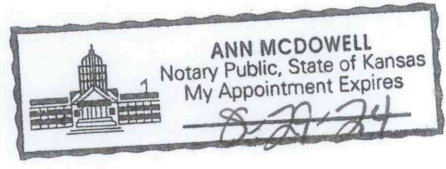
By: Celeste Rundell-Biernacki  
Name: Celeste Rundell-Biernacki  
Title: Member

STATE OF **Kansas** )  
 ) ss.  
COUNTY OF **Finney** )

On March 15 2023 this deed was acknowledged before me by **Gregory K. Rundell and Celeste Rundell-Biernacki, Members of Rundell Land and Cattle LLC, a Kansas Limited Liability Company**, Grantor(s).

Ann McDowell  
Notary Public

My appointment expires:



RECEIVED

APR 25 2023

Garden City Field Office  
Division of Water Resources



**Southwest Kansas  
Groundwater Management District**  
2009 E. Spruce Street  
Garden City, Kansas 67846-6158  
(620) 275-7147  
www.gmd3.org

May 31, 2023

RECEIVED

JUN 1 2023

Garden City Field Office  
Division of Water Resources

Mike Meyer  
Kansas Department of Agriculture  
Division of Water Resources  
4532 W Jones Ave Suite B  
Garden City, KS 67846

RE: Application for Change in Place of Use  
Water Right Files: 5953, 7520, 8975 ~~D2~~,  
11369 ~~D2~~, 13279, 20391, 23788, 29807 &  
29808

Dear Mike,

We have assisted with and 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. The changes in place of use will rearrange acres to better suit the operations. At the same time it will create complete overlap of irrigated acres in accordance with K.A.R. 5-5-11(b)(1). 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  
Asst. Manager