

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

1. File Number: 29808	2. Status Change Date:	3. Change Num: C5	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: 5/19/2023
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8a. Applicant(s) New to system <input type="checkbox"/> TRL LAND CO LLC 21506 12 ROAD MONTEZUMA, KS 67867	8c. Landowner(s) New to system <input type="checkbox"/> MICHAEL R & CAROL A DEAVER 11235 S WEST FORK RD GARDEN CITY, KS 67846
--	--

8b. Landowner(s) New to system <input type="checkbox"/> 8a	8d. WUC New to system <input type="checkbox"/> 8a
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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: _____

Date Prepared: **6/2/2023** By: **AM**
 Date Entered: _____ By: _____

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 6th 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 6th 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

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

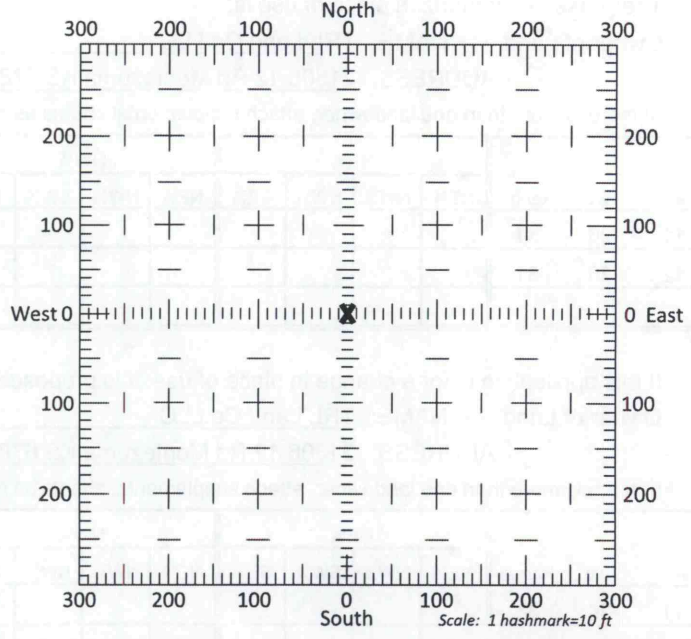
9. The change(s) (was)(will be) completed by?

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. 29808
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												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 GARDEN CITY, Kansas, this 19 day of MAY, 2023.

Garrett Love

(Owner)
Garrett Love

(Please Print)

(Spouse)

(Please Print)

(Owner)

(Please Print)

(Spouse)

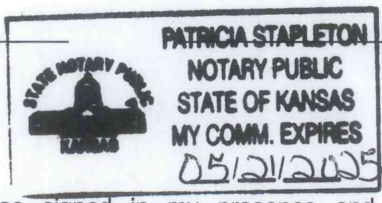
(Please Print)

(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

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

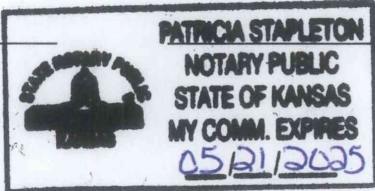
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application 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_____.

<u>Carol Deaver</u> (Owner)	_____	(Spouse)
<u>Carol Deaver</u> (Please Print)	_____	(Please Print)
<u>Michael Deaver</u> (Owner)	_____	(Spouse)
<u>Michael Deaver</u> (Please Print)	_____	(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 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

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

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. 29808

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	27.5	27.5	27.5	30.5	30.5	30.5	30.5	206
12	26	31									21.05	21.05	21.05	21.05	26.38	26.38	26.38	26.38	232
14	26	31	30.5	30.5	30.5	30.5					G-5-86-23				28.75	28.75	28.75	28.75	122

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



[Handwritten Signature]



STEPHANIE SHOCKLEY
REGISTER OF DEEDS - FINNEY COUNTY KANSAS

Book: 357 Page: 581

Receipt #: 175817

Recording Fee: \$38.00

Pages Recorded: 1 of 2

[Handwritten 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

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:

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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