## Kansas Department of Agriculture Division of Water Resources CHANGE: PU WORKSHEET

1. File Number: 3351	2. Status Change Date:	3. Change Num: C3	5. GMD: <b>3</b>	
6. Status: 🛛 Approved 🛛 🗋 Deni	ed by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 12/13/2022
8a. Landowner, applicant, WUC New to system NAIRN & NAIRN FARMS Attn: KEEGAN NAIRN PO BOX 493 JOHNSON, KS 67855	Person ID 51074 Add Seq#	8c. Landown New to sy		Person Add Seq#
8b. Landowner(s), New to system □	Person ID 39063 Add Seq#	8d. WUC New to sy	rstem 🗌	Person ID Add Seq#
9. Documents and Enclosure(s): DV	Seal 🛛 Check Valve	ly: <b>12/31/2023</b>	UWater Tube	o Comply: Driller Copy
10. Use Made of Water From:		To: _		
			Date Prepared: <b>1/10/</b> / Date Entered:	<b>2023</b> Ву: <b>МАМ</b> Ву:

CHK 89936         CHK 13906         CHK 75732         13. Storage: Rate NF Quantity ac/ft Additional Rate NF Additional Quantity         14. Limitation: af/at gpm ( cfs) when combined with file number(s)         Limitation: af/at gpm ( cfs) when combined with file number(s)         Limitation: af/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 CHS R R R ID         NE'A       NW X       SWW:       SEX YS         11. SYR Allocation: Allocation Type Start Year 5 YR Amount Amount Unit Base Acres Comment       Comment	Special Use:		ode:	mation Co	For								ream:	St			IVER	RONR	MARF	sin: Cl	Bas	т	County: S	11. (	iez-	Ś	3351	File No.
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14. Limitation:																											5732	снк 7
14. Limitation:      af/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      SYR Amount      Amount Unit      Base Acres      Comment         16. Place of Use        NE½       NW¼       SW¼       SE¼       Total       Owner       Chg?       Over         16. Place of Use        NE¼       NW¼       SW¼       SE¼       Total       Owner       Chg?       Over         CHK       MOD       NE¼       NE¼       NW¼       SW¼       SE¼       NE N½       NE N½       SU       NE N½       NE N½	44		10						7			10						ST P	Ť.	1								
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Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Laura Kelly, Governor

January 11, 2023

NAIRN & NAIRN FARMS Attn: KEEGAN NAIRN PO BOX 493 JOHNSON, KS 67855

> RE: Field Office Application for Change Water Right, File Nos. 3351, 4814, 8240, 17102, 22167

Dear Sir:

Enclosed are orders executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. Conditions of these approvals are that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file numbers 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.

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

Sincerely,

Michael A. Meye

Water Commissioner

MAM: enclosures

### **CERTIFICATE OF SERVICE**

On this 11<sup>th</sup> day of January 2023, I hereby certify that the foregoing Approvals of Application for Change in Place of Use, Water Right, File Nos. 3,351, 4,814, 8240, 17,102, 22,167 dated 11<sup>th</sup> day of January 2023 was mailed postage prepaid, first class, US mail to the following:

NAIRN & NAIRN FARMS Attn: KEEGAN NAIRN PO BOX 493 JOHNSON, KS 67855

Division of Water Resources Staff

Kansa Divisio Field ( <i>Call fo</i> S S G	it comp as Depa on of W Office fo opeka - topeka -	ater Re or your <i>ess:</i> - (785) (620) (785) City (	of Agr esource area. 296-5 234-5 3 425-6 620) 2 <u>e.ks.go</u>	iculture es 733 311 6787 76-290 v/dwr	)1		TO (	ICA CHA US POIN	TIO NG SE A NT C	N F E TH ND DF D	OR / HE F /OR IVE	FFIC APP PLAC THE RSIC	ROV CE C DN	DF	as ame			OF K	ANSAS
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u	nder the	e water	right v	vhich is	s the s	ubject	of this	applic	ation i	n acco	ordance	e with t	the cor	ndition	s desc	ribed I	below.		
Т	he sour	ce of s	upply is	s:			Ground	water			Surfa	ce wat	er						
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7.

Presently authorized	point of diversion:			
One in the	Quarter of the		Quarter of the	Quarter
of Section	, Township		South, Range	(VV),
in	County, Kansas,	feet North	feet West of S	outheast corner of section.
Authorized Rate	Authorized Quantity		Depth of well	(feet)
(DWR use only: Com	opoter ID No GP	s	feet North	feet West)
	changed This point will be change			
Proposed point of div	version: (Complete only if chang	e is requested	or if existing point is	better described by GPS)
One in the	Quarter of the		Quarter of the	Quarter
	, Township			
in	County, Kansas,	_ feet North	feet West of S	outheast corner of section.
Proposed Rate	Proposed Quantity ional Well		Proposed well depth (	feet)
This point is: Addit	ional Well  Geo Center List of	ther water rights	s that will use this point	
Presently authorized	point of diversion:			
One in the	Quarter of the		Quarter of the	Quarter
of Section	Quarter of the , Township		South Range	(MA
in	County, Kansas,	feet North	feet West of S	outheast corner of section
Authorized Rate	Authorized Quantity		Depth of well	(feet)
(DWR use only: Com	nputer ID No GP	S	feet North	feet West)
	changed This point will be change			
	version: (Complete only if chang			
	Quarter of the			
	, Township			
	County, Kansas,			
	Proposed Quantity			
	ional Well Geo Center List o			·
The changes herein a	re desired for the following reasons	~?		
	EATE A COMPLETE OVERLAP	31	North	
IN PLACE OF USE BET	TWEEN FILE NOS. 3351; 4814;	300		100 200 300
8240; 17102 & 22167		Ē	Ē	
If a well is the test hole	log attached?  Yes  No	E		
		200	1 + 1 =	
The change(s) (was)(wi	Il be) completed by?	E.	/ <del>-</del>	<b>\</b> ∃
		100	1 + 1 + 1 =	
State in the second			· · · · =	H H
If the point of diversion	is a well:	E	E	
(a) What are you going	to do with the old well?	West 0	doolooloolooloo <b>x</b> oo	
N/A		ŧ		
<u>N/A</u>		100	1 + 1 + 1 =	+   +   +   - 4100
(b) When will this be d	one? <u>N / A</u>	E		/]
Groundwater Managem	ent District recommendation attached	d? 200 🗒		
	No	E		
		E		
Assisted by AM / GCFC	)	300	200 100 0	100 200 300
If the proposed point of	diversion will be relocated more than		South	Scale: 1 hashmark=10 ft
feet but within 2,640 fee	t of the existing point of diversion, att	ach 13b. If the p	proposed point of diversio	n will be relocated within a 300
a topographic map or	aerial photograph. For groundwa (including domestic) within one-half r	ater foot rad	dius of the existing point of	of diversion, indicate its location relation to the existing point of
of the proposed point of	of diversion and the names and mai	iling diversi	on. The proposed point	of diversion must be located
addresses of the owner	s. For surface water sources, show	the within	the circle shown above.	(PLEASE NOTE: The "X" in
downstream and one-h	s of the landowner(s) one-half r half mile upstream from your prop		ized point of diversion.	represents the presently
lines	piop	.,		

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File No. 3351

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 owne	ership inte	rest of any owner of the currently authorized place(s) of use identified in this application be adverse	ly
	affected if this	s applicat	on is approved as requested?	
	☐ Yes	No 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 Schosen	Kansas, this _	day of S	December	, 20 22 .
969				
(Owner)			(Spouse)	
(Please Print)			(Please Print)	
(Owner)			(Spouse)	
(Please Print)	in de la	all to the	(Please Print)	
(Owner)			(Spouse)	
(Please Print) State of Kansas County of <u>Stanton</u> SS	CANSAS My C	ONI JO FLOYD IOTARY PUBLIC State of Kansas Commission Expires	(Please Print)	
I hereby certify that the foregoing application was			worn to before me	this <u>Sth</u> day
My Commission Expires 0-21-23	-	( da	Notary Public	Z
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To b accurate information; maps, if necessary, must be included; signatu 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. <u>3351</u>

- 1. A change application was received on <u>lecenter</u> <u>/3,2022</u> 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.
- 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
- 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 X 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, 20\_2, 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.
- 8. Installation of the works for diversion of water shall be completed on or before December 31, 20, \_\_\_\_\_, or within any authorized extension of time. By March 1, 20\_\_\_\_\_ 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.
- 9. The completed well log shall be submitted with the required notice.
- 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 I 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

APPLICATION APPROVED AND
SUMMARY ORDER ISSUED
By:Aluchal A-Meg
Duly Authorized Designee of the Chief Engineer
(Print Name):
Date of Issuance:
State of Kansas )
County of <u>Jinney</u> ) SS
Acknowledged before me on <u>Samuary 11, 2023</u>
by michael A. meyer
Signature:
My commission expires
4 File No. <u>3351</u>

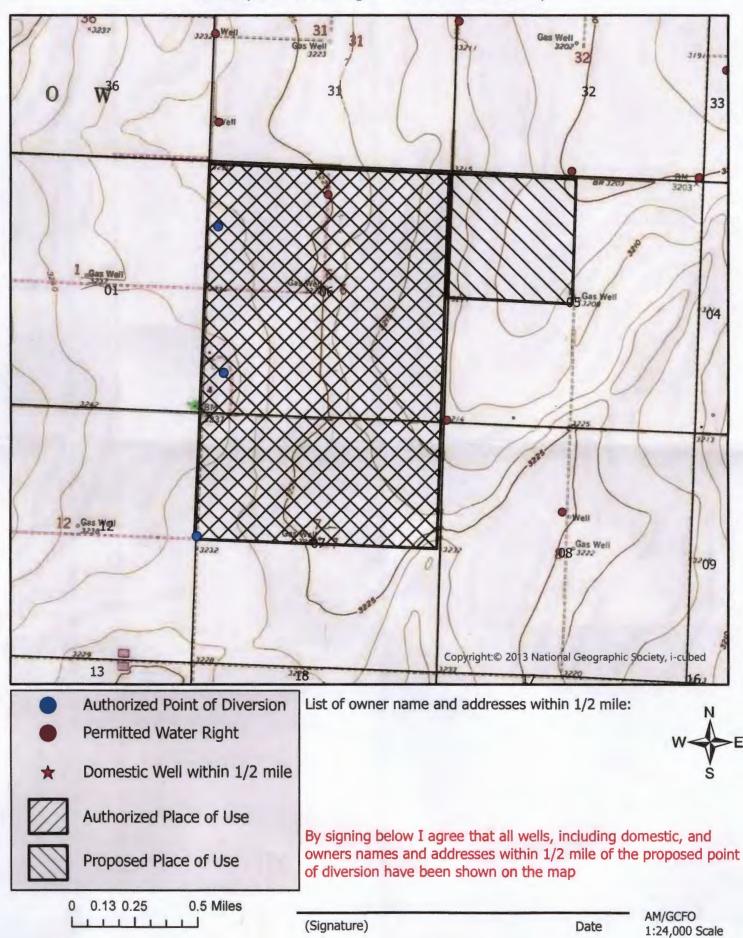
Not Applicable

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# CHANGE IN PLACE OF USE WATER RIGHT, FILE NOS. 3351; 4814; 8240 & 17102

Township 29 South Range 39 West Stanton County



Garden City Field Office 4532 W. Jones, Suite B Garden City, KS 67846 Kansas Department of Agriculture Division of Water Resources

Phone: 620-276-2901 Fax: 620-276-9315 www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

December 14, 2022

SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3 2009 E SPRUCE ST GARDEN CITY KS 67846

> Re: Request for Recommendation Water Right, File Nos. 3351, 4814, 8240, 17102, 22167

Dear Mr. Norquest:

This is to advise you that the Nairn & Nairn Farms filed applications for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use.

We are delaying action on the change applications to allow you time to review and provide a recommendation. Please submit a recommendation within 15 days from the date of this letter.

Thank you and as always feel free to contact this office at any time.

Sincerely,

lutur

Michael A. Meyer Water Commissioner

MAM Enclosures