

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

1. File Number: KE-5	2. Status Change Date:	3. Change Num: C1	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: 3/24/2023
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8a. Applicant(s) Person ID 25348 New to system <input type="checkbox"/> Add Seq# _____ CLETUS PLOEGER FAM TRUST ETAL PO BOX 67 LAKIN, KS 67860	8c. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____
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8b. Landowner(s) Person ID _____ New to system <input type="checkbox"/> Add Seq# _____ 8a	8d. WUC Person ID 13901 New to system <input type="checkbox"/> Add Seq# _____ ERVIN PLOEGER 2063 ROAD Z DEERFIELD, KS 67838-3819
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9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2023</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>3/1/2024</u>	
<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 checked="" type="checkbox"/> Driller Copy <input checked="" type="checkbox"/> H & E Letter	
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____	

10. Use Made of Water From: _____ To: _____

Date Prepared: 3/29/2023 By: AM Date Entered: By:

File No. **KE-5** 11. County: **KE** Basin: **ARKANSAS RIVER** Stream: Formation Code: **211** Special Use:

12. Points of Diversion
 CHK
 MOD
 DEL PDIV
 ENT

Rate and Quantity

Authorized Additional

Qualifier S T R ID 'N 'W Comment (AKA Line) Rate gpm Quantity af Rate gpm Quantity af Overlap PD Files

DEL 54388

ENT NW NW SW 26 23S 35W 2178 5123 1014 320 1014 320 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 36125																									
CHK 38490																									

Base Acres: Year: Minimum Reasonable Quantity:

Comments:

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



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

Mike Beam, Secretary

Laura Kelly, Governor

March 29, 2023

CLETUS PLOEGER FAM TRUST ETAL
PO BOX 67
LAKIN, KS 67860

RE: Filed Office Application for Change
Vested Right, File No. KE-5

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: Ervin Ploeger

CERTIFICATE OF SERVICE

On this 29th day of March, 2023, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Vested Right, File No. KE-5 dated 29th day of March, 2023 was mailed postage prepaid, first class, US mail to the following:

CLETUS PLOEGER FAM TRUST ETAL
PO BOX 67
LAKIN, KS 67860

Pc:

ERVIN PLOEGER
2063 ROAD Z
DEERFIELD, KS 67838-3819



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
 9:24 am
 MAR 24 2023

File No. KE-05

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: TODD PLOGER

2063 RD. Z Deerfield, KS 67838

Phone Number: (620)355-1672

Email address: TPLOEGER@PLD.COM

Name and address of Water Use Correspondent: SAME AS ABOVE

SAME AS ABOVE

Phone Number: ()

Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: _____

ADDRESS: _____

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code _____ Fee \$ 100.00 TR # _____ Receipt Date 3-24-23 Check # 2251

5. **Presently authorized point of diversion:**
 One in the _____ NW _____ Quarter of the _____ NW _____ Quarter of the _____ SW _____ Quarter
 of Section _____ 26 _____, Township _____ 23 _____ South, Range _____ 35 _____ W,
 in KEARNY _____ County, Kansas, _____ 2277 _____ feet North _____ 5174 _____ feet West of Southeast corner of section.
 Authorized Rate _____ 1014 GPM _____ Authorized Quantity _____ 320 AF _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 _____ 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 _____ NW _____ Quarter of the _____ NW _____ Quarter of the _____ SW _____ Quarter
 of Section _____ 26 _____, Township _____ 23 _____ South, Range _____ 35 _____ W,
 in KEARNY _____ County, Kansas, _____ 2178 _____ feet North _____ 5123 _____ feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____ 409' _____
 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) _____

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

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

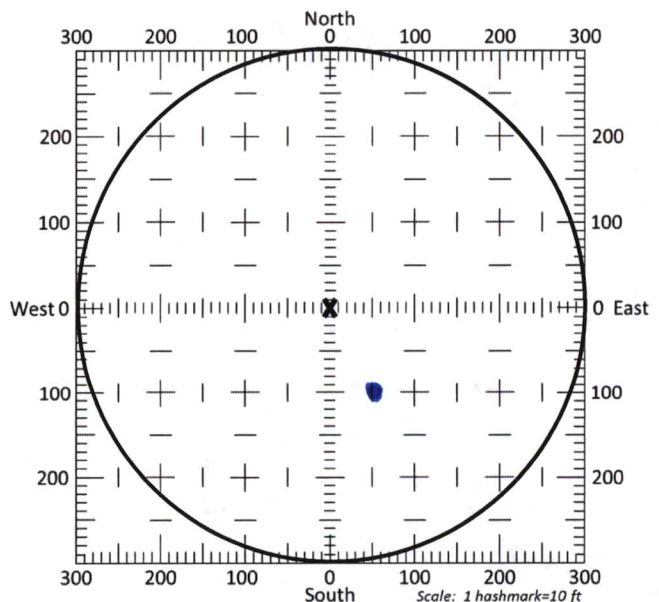
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by JG/GCFO _____

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. **(PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)**

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
 Yes No (If no, all owners must sign this application.)
 - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
 Yes No (If yes, all owners must sign this application.)
 - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
 Yes No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

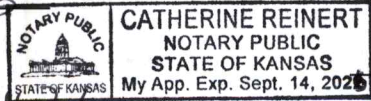
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application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

Dated at Garden City, Kansas, this 24 day of March, 2023.

<p><u>Todd Ploeger</u> _____ (Owner)</p>	<p>_____ (Spouse)</p>
<p><u>Todd Ploeger</u> _____ (Please Print)</p>	<p>_____ (Please Print)</p>
<p>_____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>_____ (Please Print)</p>	<p>_____ (Please Print)</p>
<p>_____ (Owner)</p>	<p>_____ (Spouse)</p>
<p>_____ (Please Print)</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 24th day of MARCH, 2023.



Catherine Reinert
 Notary Public

My Commission Expires 9-14-26.

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	<u>\$100</u>
(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. KE-5.

- 1. A change application was received on March 24, 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 McCulloch
Duly Authorized Designee of the Chief Engineer

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

Date of Issuance: March 29, 2023

State of Kansas)

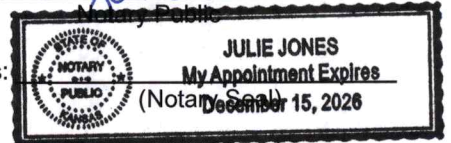
County of Finney) SS

Acknowledged before me on March 29, 2023

by Austin McCulloch

Signature: Julie Jones
Notary Public

My commission expires:





TODD PLOEGER CELL
620-355-1672

HYDRO RESOURCES

KEN RAUHUT
620-260-7356


Kansas Water Wells inc.

Test# 1

Customer	Ervin & Todd Ploeger			Date	3/15/23				
Address	2063 Rd. Z			City/State	Deerfield, Ks. 67838				
County	Kearny	Quarter	SW	Sec.	26	Township	23	Range	35
GPS Format	NAD 83			Lat.	38.02387		Long.	101.13911	
Static Water Level	150'			Proposed Well Depth	409				
From	Pay	To	Description of Strata			20' SUMP			
WELL LOCATION									
0		2	Top soil						
2		26	White & tan clay w/ fine-med sand streaks						
26		47	Grey & tan fine sandy clay						
47		57	Fine-med sand						
57		84	Fine sandy tan clay w/ few fine-med sand streaks						
84		121	Fine sandy tan clay						
121		123	Grey & tan clay (sticky)						
123		145	Fine sandy clay w/ med sand (mix)						
145	50	200	50% fine sand/50% med sand (loose with good chatter)						
200	20	220	40% fine sand/40% med sand/10% coarse sand/10% clay streaks						
220	5	225	50% fine sand/50% med sand (loose, bit dropped couple feet)						
225	5	230	70% fine sand/ 30% med sand						
230	5	235	30% fine sandy tan clay/70% fine-med sand (layered)						
235	5	240	60% fine sandy clay/40% med-coarse sand (mixed)						
240		253	70% fine sandy white clay/30% med sand (mixed)						
253		262	Fine sandy tan & white clay/caliche ledges (tight)						
262		278	Cemented fine sandy yellow clay w/ Gyp layers (sticky)						
278		297	Yellow clay (very sticky, sticks to everything!)						
297	18	315	20% fine sand/80% med-coarse sand & broken white rock (loose)						
315		322	Fine sandy clay & small gravel (mix)						
322	1	323	Med-coarse sand streak						
323		338	Fine sandy yellow clay						
338	7	345	Fine sand						
345	13	358	85% fine-coarse sand/ 15% clay streaks (loose with good chatter)						
358	22	380	20% fine sand/80% med-coarse sand & some broken rock						
Location From Old Hole		113 FT SOUTH & 63 FT EAST OF EXISTING WELL							
Bags Of High Yield	5			Bags Of Hole Plug	1				

Signature [Handwritten Signature]

From	Pay	To	Description of Strata
380	9	389	Cemented fine sand w/ few med-coarse sand streaks
389		392	Yellow & black clay
392		393	Black shale
	160		Total pay
	22		Poor pay
	30		Fair-Good pay
	108		Excellent pay
		Notes	Most of test drilled nice with a lot of loose areas. Areas
			Indicated as sticky are slow drilling and we had to use
			Quite a bit of polymer to keep bit from plugging.
			We used a fair amount of water (1500-2000 gallons)

Signature  _____.

Ervin & Todd Ploeger

Ks Water Well test hole # 1 of 3-15-23.

Replacement Well Location


SW 26-23-35 KE
FILE # KE 5


Legend

-  38.02387 N 101.13911 W
-  Prairie Sky Firearms

17

17

 38.02387 N 101.13911 W

 Prairie Sky Firearms

18

Google Earth

2000 ft

