

Kansas Department of Agriculture
Division of Water Resources
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 12114	2. Status Change Date: 4/22/2024	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 5/22/2023 Application Complete Date:
3. Package File No(s): 5966-D1 5966-D2 12114		
5a. <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq# RANDY MORRIS PO BOX 462 JOHNSON, KS 67855	5b. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 5214 Add Seq# 1 ROBERT & MARY LOU FIGGINS Attn: RANDY MORRIS PO BOX 462 JOHNSON, KS 67855	
5c. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 31480 Add Seq# KELLUM FAMILY TRUST PO BOX 402 CHANDLER, OK 74834	5d. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 53098 Add Seq# 1 RANDY & ANGELA MORRIS LIVING TRUST PO BOX 462 JOHNSON, KS 67855	
6. Change No.: C2 <input type="checkbox"/> PD <input checked="" type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: Not changing MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: Perfection/Expiration Date:	7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR- Irrigation UMW: UMW:	
8. Action Trail GY C2 - CHANGE APP PLACE OF USE APPROVED - Compliance: 12/31/2024 ORDER PD LOCATION		
9. Special Conditions		
10. 5YR Allocation Type: Start Year: 5YR Quantity: Base Acres: Comment:		
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr		
12. Waiver Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Justification: Rule Type: Rule SubType:		
Comments PU COMPLETE OVER LAP OF 5966-D1 5966-D2 12114, WITH EACH PD UPDATED	Processed LI 4/10/2024	Entered 4/24/2024 KAnderson
	Reviewed KAK 4/17/2024	

File No. 12114	13. County: STANTON ST Basin: BEAR CREEK Stream: NA																							
Structures File No:	Aquifer Code:										Special Use Area:													
14. Points of Diversion, Rates & Quantities																								
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Qty Auth	Add	Rate Auth	Add	Storage Qty Auth	Add	Storage Rate Auth/Add	Overlaps								
MOD 18766	NE SW NW	22	28	42W	3	3554	4228	GPS UPDATE	NO	CHG							+							
																	++							
15. Limitations Type: Quantity: AF Rate: gpm combined with file no(s): 1320 AF/YR COM/W 5966-D2 NO CHANGE Type: Other Quantity: Rate: combined with file no(s):																								
16. Metering <input checked="" type="checkbox"/> Metering Required <input type="checkbox"/> Anti-Reverse Required <input type="checkbox"/> Seal Required Compliance Date: 12/31/2024																								
17. Place of Use																								
PDIV	S	T	R	ID	NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
MOD 23953	21	28	42W	1	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320	5b	<input type="checkbox"/>	*
MOD 13328	22	28	42W	1							20.0		40.0	40.0	40.0	40.0					180	5b	<input type="checkbox"/>	*
MOD 29124	27	28	42W	1					40.0	40.0	40.0	40.0									160	5b	<input type="checkbox"/>	*
ENT 55660	21	28	42W	2					30.0	30.0	30.0	30.0	30.0	30.0	30.0	30.0					240	5c	<input type="checkbox"/>	*
																			<input type="checkbox"/>	^				
18. Point of Diversion and Place of Use Overlaps																								
+ NONE										* 5966-D1 5966-D2														
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THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

**APPROVAL OF APPLICATION
FOR
CHANGE IN PLACE OF USE
AND
ORDER BETTER DESCRIBING THE AUTHORIZED POINT OF DIVERSION
WATER RIGHT
FILE NO. 12,114**

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Mary Lou Figgins, as owner and on behalf of Robert Figgins, Post Office Box 462, Johnson, Kansas 67855, along with Mae L. Kellum, on behalf of the Kellum Family Trust, Post Office Box 402, Chandler, Oklahoma 74834, received in this office on May 22, 2023, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the application for permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer, dated September 12, 2003, approving the application to change the place of use, and the Findings and Order of the Chief Engineer, dated April 9, 2015, reducing the authorized place of use, finds that the change is reasonable and will not impair existing rights, that the change relates to the same local source of supply and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

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	
21 - 28S - 42W	40	40	40	40	30	30	30	30	30	30	30	30	40	40	40	40	560
22 - 28S - 42W							20			40	40	40	40				180
27- 28S - 42W					40	40	40	40									160

a total of 900 acres in Sections 21, 22 and 27, Township 28 South, Range 42 West, Stanton County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion shall be better described as:

one (1) well located in the Northeast Quarter of the Southwest Quarter of the Northwest Quarter (NE¼ SW¼ NW¼) of Section 22, more particularly described as being near a point 3,554 feet North and 4,228 feet West of the Southeast corner of said section, in Township 28 South, Range 42 West, Stanton County, Kansas.

1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

April 25, 2024

RANDY MORRIS
PO BOX 462
JOHNSON KS 67855

RE: Water Right
File Nos. 5,966-D1; 5,966-D2 & 12,114

Dear Mr. Morris:

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

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in the approvals for change. A condition of the approvals is that a water flowmeter meeting 5-1-4 through 5-1-12 must be installed on the diversion works authorized under the referenced files. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Please be reminded that Water Right, File No. 12,114, remains limited to an annual quantity of 1,320 acre-feet per year when combined with Water Right, File No. 5,966-D2.

Since these orders modify the original certificates of appropriation for the above referenced file numbers, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions regarding the enclosed documents, please contact us at 785-564-6640. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application and Change Unit Supervisor
Water Appropriation Program

KAB:kak:li
Enclosures

pc: Garden City Field Office
Southwest Kansas GMD No. 3

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then 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. Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this 25 day of April, 2024, I hereby certify that the attached Approval of Applications for Change under Water Right, File Nos 5,966-D1, 5,966-D2 and 12,114, dated April 22, 2024, were mailed postage prepaid, first class, US mail to the following:

RANDY MORRIS
PO BOX 462
JOHNSON KS 67855

With photocopies to:

KDA-DWR Garden City Field Office

Southwest Kansas GMD No. 3



Division of Water Resources