

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

1. File No.: <b>12544-D2</b>	2. Status Change Date:	4. Field Office: <b>04 - Garden City</b> GMD: <b>03 - Southwest</b> Structures File No.: Filing/Priority Date: <b>1/3/2024</b> Application Complete Date: <b>1/29/2024</b>
3. Package File No(s): <b>21503</b>		
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID <b>41118</b> Add Seq#	5b. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID <b>18776</b> Add Seq#	
<b>ROBERT M WALKER TRUST</b> <b>ATTN: ROBERT M WALKER TTEE</b> <b>17450 ROAD 17</b> <b>KISMET, KS 67859-6020</b>	<b>ROBERT M WALKER</b> <b>17450 ROAD 17</b> <b>KISMET, KS 67859-6020</b>	
5c. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID <b>54035</b> Add Seq#	5d. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID <b>57233</b> Add Seq#	
<b>DONNA MARIE WALKER TRUST</b> <b>RR 1 BOX 98</b> <b>KISMET, KS 67859</b>	<b>THERON LEE &amp; DONNA J WALKER</b> <b>16532 ROAD R</b> <b>KISMET, KS 67859-6036</b>	
6. Change No.: <b>C1</b> <input type="checkbox"/> PD <input checked="" type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: <b>80 ac</b> Year:    Min Reasonable Q: Previous UMW: <b>Not changing</b> MDS Gauge:    Active Admin? <input type="checkbox"/> Completion/Start Date: <b>3/1/2025</b> Perfection/Expiration Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: <b>IRR-Irrigation</b> UMW: UMW:
8. Action Trail		
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	Processed <b>1/29/2024</b>	Entered
	Reviewed	

File No. <b>12544-D2</b>	13. County: <b>SW</b> Basin: <b>CIMARRON RIVER</b> Stream:		
Structures File No:	Aquifer Code: <b>211</b>	Special Use Area:	

14. Points of Diversion, Rates & Quantities											Oty	Rate	Storage Qty		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
<b>CHK</b>	<b>63769</b>															

15. Limitations	Type:	Quantity:	Rate:	combined with file no(s):
	Type:	Quantity:	Rate:	combined with file no(s):

16. Metering     Metering Required     Anti-Reverse Required     Seal Required    Compliance Date: 12/31/2024

17. Place of Use						NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps	
PDIV	S	T	R	ID		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
<b>MOD</b>	<b>34506</b>	<b>35</b>	<b>32S</b>	<b>32W</b>	<b>1</b>	40	40	40	31.25	31.25	40	40	40	40	40	31.25	31.25	31.25	40	31.25	31.25	578.75	<b>5a&amp;c</b>	<input type="checkbox"/>	*	
<b>CHK</b>	<b>35519</b>	<b>26</b>	<b>32S</b>	<b>32W</b>	<b>3</b>											40	40					80	<b>5a&amp;c</b>	<input type="checkbox"/>	*	
<b>ENT</b>		<b>26</b>	<b>32S</b>	<b>32W</b>										31.25	31.25							62.5	<b>5d</b>	<input type="checkbox"/>	*	
																								<input type="checkbox"/>		
																									<input type="checkbox"/>	
																									<input type="checkbox"/>	

18. Point of Diversion and Place of Use Overlaps * <b>21503</b> + # ^	** ++ ## ^^
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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

January 29, 2024

ROBERT M WALKER TRUST  
Attn: ROBERT M WALKER TTEE  
17450 ROAD 17  
KISMET, KS 67859-6020

RE: Filed Office Application for Change  
Water Right, File Nos. 12544-D2 & 21503

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.**

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 that reads "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc: Donna Marie Walker Trust  
Theron & Donna Walker  
GMD 3

**CERTIFICATE OF SERVICE**

On this 29<sup>th</sup> day of January, 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 12,544-D2 and 21,503 dated 29<sup>th</sup> day of January, 2024 was mailed postage prepaid, first class, US mail to the following:

ROBERT M WALKER TRUST  
Attn: ROBERT M WALKER TTEE  
17450 ROAD 17  
KISMET, KS 67859-6020

Pc:

DONNA MARIE WALKER TRUST  
RR 1 BOX 98  
KISMET, KS 67859

THERON LEE & DONNA J WALKER  
16532 ROAD R  
KISMET, KS 67859-6036

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.

File No. 12544 D2

RECEIVED  
 3:20 pm  
 JAN 03 2024

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: Theron Walker

16532 Road R, Kismet, KS 67859

Phone Number: (620)482-1575

Email address: theronwalker@yahoo.com

Name and address of Water Use Correspondent: Robert M Walker

17450 Road 17, Kismet, KS 67859

Phone Number: ( )

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

3. The presently authorized place of use is:

Owner of Land ---- NAME: Multiple Owners

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	
35	32s	32w	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
26	32s	32w										40.0	40.0						80.0

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: Multiple Owners

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	
35	32s	32w	40.0	40.0	40.0	31.25	31.25	40.0	40.0	40.0	40.0	40.0	31.25	31.25	31.25	40.0	31.25	31.25	578.75
26	32s	32w										40.0	40.0						80.0

**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 1-3-24 Check # 002078

5. **Presently authorized point of diversion:**  
 One in the CE Quarter of the SE Quarter of the SW Quarter  
 of Section 26, Township 32 South, Range 32 (W),  
 in Seward County, Kansas, 660 feet North 2690 feet West of Southeast corner of section.  
 Authorized Rate 500gpm Authorized Quantity 160AF 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 \_\_\_\_\_

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) Rearrange acres to include  
Ground recently purchased

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

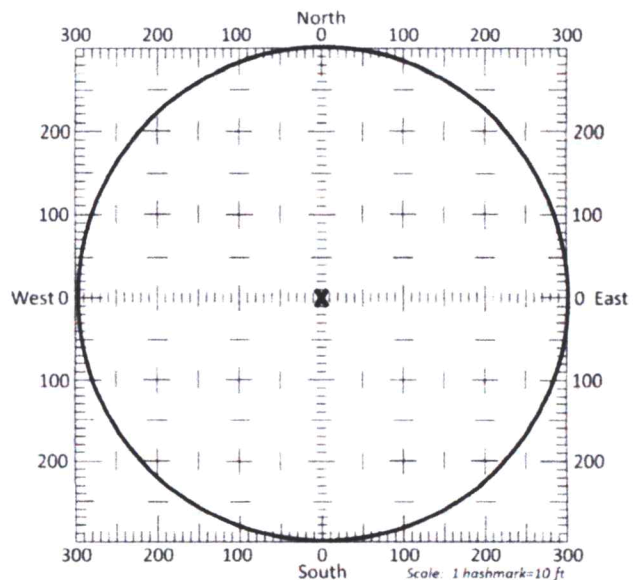
9. The change(s) (was)(will be) completed by?  
As soon as approved

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

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by GMD3/JLN

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.)



APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. 12544 D2  
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: Theron Walker  
ADDRESS: 16532 Road R, Kismet, KS 67859

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						
26	32s	32w									31.25	31.25											62.5	

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							

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 Plains, Kansas, this 3 day of January, 2024.

John Walker  
 \_\_\_\_\_  
 (Owner)

Theron Walker  
 \_\_\_\_\_  
 (Please Print)

Robert M Walker  
 \_\_\_\_\_  
 (Owner)

Robert M Walker  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Owner)

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

Donna J Walker  
 \_\_\_\_\_  
 (Spouse)

Donna J Walker  
 \_\_\_\_\_  
 (Please Print)

Donna Marie Walker  
 \_\_\_\_\_  
 (Spouse)

Donna Marie Walker  
 \_\_\_\_\_  
 (Please Print)

\_\_\_\_\_  
 (Spouse)

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

State of Kansas }  
County of meade } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3 day of January, 2024.

Araceli Alvarado  
 \_\_\_\_\_  
 Notary Public

My Commission Expires 03-15-2025

**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. 12544-D2.

1. A change application was received on January 3, 2024 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, 2024**, 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, 2024**, or within any authorized extension of time. By March 1, 2025 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: January 29, 2024

State of Kansas )

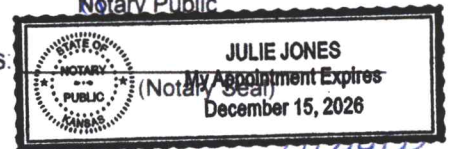
County of Ginney ) SS

Acknowledged before me on January 29, 2024

by Austin McColloch

Signature: Julie Jones  
Notary Public

My commission expires:



S15-T32S-R32W

S14-T32S-R32W

S13-T32S-R32W

S18-T32S

# Change App. PU, File No.

1589 ID 2

13074 ID 4

12544 D2



S22-T32S-R32W

11960 ID 1

S23-T32S-R32W

11714 ID 1

S24-T32S-R32W

S19-T32S

21900 ID 2

*/// Authorized*  
*/// Proposed*

S27-T32S-R32W

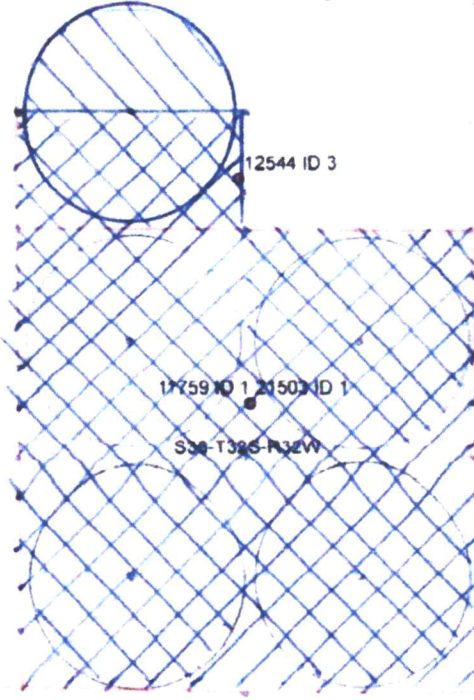
S26-T32S-R32W 12544 ID 1

12527 ID 1

S25-T32S-R32W

15206 ID 2 S30-T32S

24318 ID 2



11777 ID 5 15742 ID 5

12544 ID 3

15400 ID 3

10398 ID 1 44372 ID 2  
2022711

S34-T32S-R32W

17759 ID 1 21503 ID 1

S33-T32S-R32W

S36-T32S-R32W

10398 ID 7

S31-T32S

15401 ID 2

29021 ID 1

20227456 ID 2 21934 ID 2

S3-T33S-R32W

S2-T33S-R32W

S1-T33S-R32W

S6-T33S

Scale: 1"=2000'



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](http://www.agriculture.ks.gov)

Laura Kelly, Governor

January 26, 2024

GROUNDWATER MANAGEMENT DISTRICT #3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Re: Request for Recommendation,  
File Nos. 12544-D2 & 21503

Dear Sir or Madam:

We are enclosing a copy of the referenced applications, which was submitted by Theron Walker and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Austin McColloch".

Austin McColloch  
Assistant Water Commissioner

Enclosure  
pc:



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](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

January 11, 2024

DUANE D & BARBARA BALL  
314 MAIN ST  
KISMET, KS 67859-9611

RE: Application for Change  
Water Right, File Nos. 12544-D2 & 21503

Dear Sir or Madam:

This is to advise you that Theron Walker has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the place of use under the above referenced file numbers.

From: a total of 720 acres in Sections 26 and 35, both in Township 32 South, Range 32 West, Seward County, Kansas,

To: a total of 721.25 acres in Sections 26 and 35, both in Township 32 South, Range 32 West, Seward County, Kansas,

You can find the complete applications posted by water right file number as referenced above at: [www.Agriculture.ks.gov/DWRNotices](http://www.Agriculture.ks.gov/DWRNotices)

You are notified on this proposed change in the place of use so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

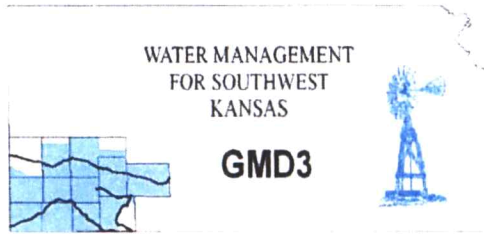
A handwritten signature in black ink, appearing to read "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

pc:

SCANNED



**Southwest Kansas**  
**Groundwater Management District No. 3**  
**2009 E. Spruce Street**  
**Garden City, Kansas 67846**  
(620) 275-7147 phone  
www.gmd3.org

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December 22, 2023

Michael A. Meyer  
Division of Water Resources  
4532 W Jones Ave., Suite B  
Garden City, Kansas 67846

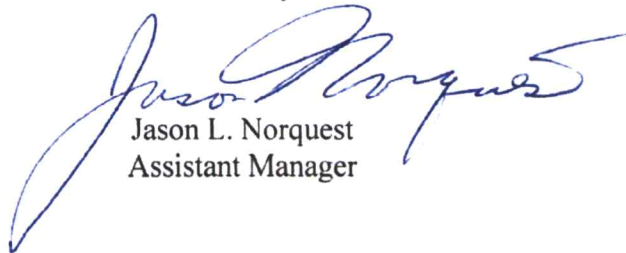
RE: Applications for Change in Place of Use  
Water Right, File Nos. 12544 D2 & 21503

Dear Mike:

We have assisted with 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 No. 3 (GMD3). The proposed change in place of use will rearrange the acres to more accurately describe the wetted acres and bring in a new half pivot while maintaining a complete overlap in authorized place of use in accordance with K.A.R. 5-5-11(b). 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  
Assistant Manager

Entered in Transfer Record in my office  
this 14th day of November 2023  
Stacie D. Long  
County Clerk

STATE OF KANSAS } FEE \$ 17.00/4.00  
SEWARD COUNTY }  
The instrument was filed for record  
Nov. 13 2023  
at 1:40 o'clock P. M. and recorded  
In Vol. 748 at page 109  
KAREN J. WARREN, Register of Deeds  
Karen J. Warren

DEED--GENERAL WARRANTY, JOINT TENANCY

**THIS DEED**, Made this 5<sup>th</sup> day of October, 2023, between\* Mark Alan Branstine, a single man, as first party, and Theron L. Walker and Donna J. Walker, husband and wife, as joint tenants with the right of survivorship and not as tenants in common, as second party,  
\*\*A/K/A Mark A. Branstine

**WITNESSETH**, In consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, first party hereby conveys and warrants unto second party, as joint tenants with the right of survivorship and not as tenants in common, all the following described Seward County, Kansas real estate, to wit:

\*\*\*\*\* The North Half of the Southwest Quarter (N/2 SW/4) of Section Twenty-six (26), Township Thirty-two (32) South, Range Thirty-two (32) West of the 6<sup>th</sup> P.M. \*\*\*\*\*

**TO HAVE AND TO HOLD THE SAME**, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever, as joint tenants, the survivor to take the whole estate.

First party, for himself, his heirs, executors and administrators does hereby covenant, promise and agree to and with second party that at the delivery of these presents he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above described premises together with the appurtenances; that the same are free, clear, discharged and unincumbered of and from all former and other grants, estates, taxes, assessments and incumbrances of what nature or kind soever, except and subject to;

all existing easements, rights of way, oil and gas leases, mineral conveyances, mineral reservations, and other restrictions of record, if any,

and that he will WARRANT AND FOREVER DEFEND the same unto second party, as joint tenants with the right of survivorship and not as tenants in common, and the heirs and assigns of the survivor of them, against first party, his heirs, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, first party has hereunto set his hand the day and year first above written.

Mark Alan Branstine  
MARK ALAN BRANSTINE  
A/K/A Mark A. Branstine

STATE OF KANSAS, MEADE COUNTY, ss:

**BE IT REMEMBERED**, That on this 5<sup>th</sup> day of October, 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Mark Alan Branstine, a single man, who is personally known to me to be the same person who executed the foregoing deed, and duly acknowledged the execution of the same.  
\*\*A/K/A Mark A. Branstine

**IN TESTIMONY WHEREOF**, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

DEBBY REIMER  
Notary Public - State of Kansas  
My appt. expires 1-3-24

Debbi Reimer  
Notary Public Debbi Reimer

3/4  
1:40  
ATLAS