

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

1. File Number: <b>1847</b>	2. Status Change Date: <i>6-28-2024</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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: <b>6/27/2024</b>
8a. Applicant(s) New to system <input type="checkbox"/>  <b>KIRK A &amp; KENT A MADDUX 2243 ROAD 190 DEERFIELD, KS 67838-3816</b>		Person ID <u><b>37776</b></u> Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____	
8b. Landowner(s) New to system <input type="checkbox"/>  Person ID _____ Add Seq# _____		8d. WUC New to system <input type="checkbox"/>  <b>8a</b>  Person ID _____ Add Seq# _____		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u><b>12/31/2024</b></u> <input checked="" type="checkbox"/> N & P Date to Comply: <u><b>3/1/2025</b></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 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: <b>6/28/2024</b> By: <b>MAM</b> Date Entered: _____    By: _____				

File No. **1847**      11. County: **KE**      Basin: **ARKANSAS RIVER**      Stream:      Formation Code: **211**      Special Use:

12. Points of Diversion										Rate and Quantity				
CHK										Authorized		Additional		
MOD										Rate	Quantity	Rate	Quantity	Overlap PD Files
DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	gpm	af	gpm	af	
ENT														

**DEL 25646**

**ENT NESWSW 36 23S 35W 936 4354 940 320 940 320 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				
<b>CHK 16256</b>																									

Base Acres: **160**    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

June 28, 2024

KIRK A & KENT A MADDUX  
2243 ROAD 190  
DEERFIELD, KS 67838-3816

RE: Field Office Application for Change  
Water Right, File No. 1847

Dear Sir:

Enclosed is an 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 these approvals 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, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM:  
Enclosures

### CERTIFICATE OF SERVICE

On this 28<sup>th</sup> day of June 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 1,847 dated 28<sup>th</sup> day of June 2024 was mailed postage prepaid, first class, US mail to the following:

KIRK A & KENT A MADDUX  
2243 ROAD 190  
DEERFIELD, KS 67838-3816

A handwritten signature in blue ink, reading "Julie Jones", is written over a horizontal line.

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  
 9:25  
 JUN 27 2024

File No. 1847

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: Kirk A & Kent A Maddux  
2243 Road 190 Deerfield KS 67838

Phone Number: (     )                                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: 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 CLT Fee \$ 100.00 TR # \_\_\_\_\_ Receipt Date 6-27-24 Check # 4169

5. **Presently authorized point of diversion:**  
 One in the NE Quarter of the SW Quarter of the SW Quarter of Section 36, Township 23 South, Range 35 W, in Kearny County, Kansas, 1220 feet North 4210 feet West of Southeast corner of section. Authorized Rate 940 GPM Authorized Quantity 320 AF Depth of well \_\_\_\_\_ (feet)  
**(DWR use only: Computer ID No. 3 GPS 1199 feet North 4246 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 NE Quarter of the SW Quarter of the SW Quarter of Section 36, Township 23 South, Range 35 W, in Kearny County, Kansas, 936 feet North 4354 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) 427.  
 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 \_\_\_\_\_ (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) \_\_\_\_\_

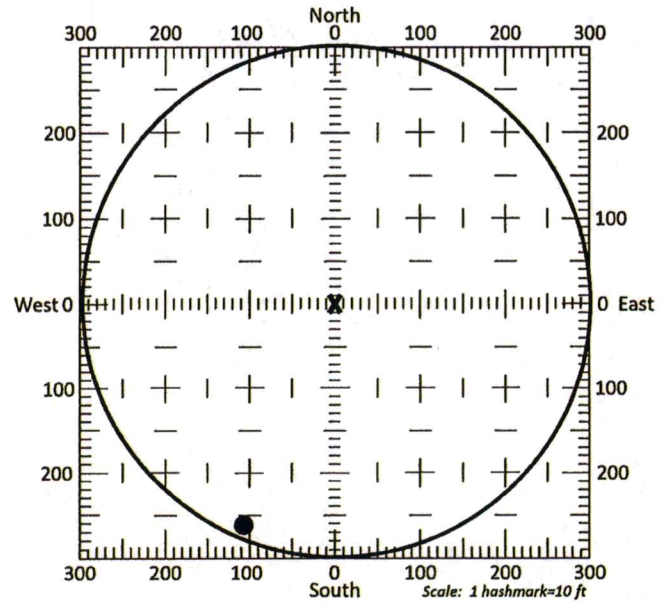
8. If a well, is the test hole log attached?  Yes  No

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

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
Plug/cap  
 (b) When will this be done? As soon as possible

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by PE/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 27TH day of JUNE, 2024.

[Signature]  
(Owner)

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

Kirk Maddux  
(Please Print)

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

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

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

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

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

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

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

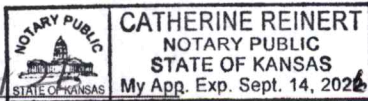
\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(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 27TH day of JUNE, 2024.

My Commission Expires 9-14



[Signature]  
Notary Public

**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. 1847

- A change application was received on June 27, 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.
- 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
- 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
- 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
- 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
- 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
- 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
- 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
- The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
- 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
- Additional Conditions are attached.  Yes  No
- 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.

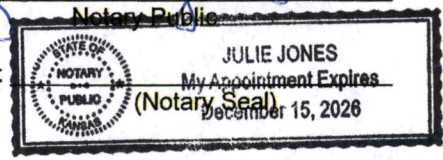
**Administrative Appeal and Effective Date of Order**

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: [Signature]  
Duly Authorized Designee of the Chief Engineer  
(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture  
Date of Issuance: JUNE 28, 2024  
State of Kansas )  
) SS  
County of Finney )  
Acknowledged before me on June 28, 2024  
by Michael A. Meyer  
Signature: [Signature]  
Notary Public  
My commission expires: December 15, 2026





HYDRO RESOURCES  
KEN 620-960-7356



KIRKMAOUX 620-355-9432

**Kansas Water Wells inc.**

Test# 3

Customer	MADUX FARMS	Date	6/20/24
Address	2243 Road 190	City/State	Deerfield, Kansas 67838
County	Kearny	Quarter	SW
		Sec.	36
		Township	23
		Range	35
GPS Format	NAD 83	Lat.	38.00569
		Long.	101.11805
Static Water Level	190'	Well Depth	407' + sump (427')

From	Pay	To	Description of Strata
0		2	Top soil
2		60	Tan sandy clay
60		70	Grey clay (sticky)
70		77	Mushy red & grey clay
77		115	Grey clay (sticky)
115		135	Fine sandy red clay/fine sand streaks
135		192	40% super fine-40% fine sand/20% red clay (mix)
192		208	Fine sandy grey clay
208	6	214	40% fine sand/40% med sand/20% clay
214	19	233	50% fine sand/40% med-coarse sand/10% clay (mix) (loose)
233	10	243	30% super fine sand/70% fine sand (loose) CAUTION
243		256	Fine sandy white clay & gyp/couple streaks of fine sand
256	3	259	50% fine sand/30% med-coarse sand/20% broken lime rock (Trace of super fine) (little firm)
259		263	Cemented fine sand
263	9	272	50% fine sand/20% med sand/30% limestone ledges
272	4	276	Super fine sand-fine sand (loose) CAUTION
276		279	Cemented fine sand
279	5	284	Super fine-fine sand (little loose in spots) CAUTION
284	8	292	60% fine sand/10% med sand/30% clay (mix)
292		317	Fine sandy red clay/streaks of fine sand
317	2	319	40% fine sand/20% med sand/40% coarse sand
319		336	Fine sandy clay (little sticky)
336	6	342	40% fine sand/30% med-coarse sand/30% clay streaks (little loose)
Location From Old Hole			266' SOUTH & 103' WEST OF EXISTING WELL
Bags Of High Yield	4	Polymer	1.5 Gallons

Signature



# Maddux Farms

KS Water Well Test hole # 3 of 6-20-24.

SW 36-23-35 KE

FILE #1847

Replacement well location

## Legend

 38.00569 N 101.11805 W



Google Earth

2000 ft