

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

1. File Number: 19388	2. Status Change Date: 5-7-2024	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: 4/30/2024
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8a. Landowner, Person ID 17439
 New to system Add Seq# _____

DANIEL E STRICKLAND
13510 ROAD H
LIBERAL, KS 67901-6021

8c. Person ID _____
 Add Seq# _____

New to system

8b. Landowner Person ID 68773
 New to system Add Seq# _____

WETTSTEIN FAMILY TRUST
4598 ROAD 9
LIBERAL, KS 67901

8d. WUC Person ID 60833
 New to system Add Seq# _____

RUSTIN P & ASHLEY L WETTSTEIN
3793 ROAD 9
LIBERAL, KS 67901-5381

9. Documents and Enclosure(s): DWR Meter(s) Date to Comply: 12/31/2024 N & P Date to Comply: _____

Anti-Reverse Meter Meter Seal Check Valve N & P Form Water Tube Driller Copy H & E Letter

Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____

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

Date Prepared: **5/7/2024** By: **MAM**
 Date Entered: _____ By: _____

File No. **19388** 11. County: SW Basin: CIMARRON RIVER Stream: Formation Code: Special Use:

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

CHK 27649

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				
ENT	3135	30	33	33W	1	32.5	32.5	32.5	32.5					32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5	390	8a	N	19387, 22447, 28441
ENT	33388	29	33	33W	1					32	32	33	33	33	33	32	32					260	8b	N	19387, 22447, 28441
DEL	19862																								

Base Acres: **130** Year: Minimum Reasonable Quantity:
 Comments:

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

May 7, 2024

RUSTIN P & ASHLEY L WETTSTEIN
3793 ROAD 9
LIBERAL, KS 67901-5381

RE: Field Office Application for Change
Water Right, File Nos. 19387, 19388, 22447, 28441

Dear Sir and Madam:

Enclosed are orders 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.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals 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 documents referred to above, they 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 "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM:
Enclosures

pc: Daniel Strickland
Wettstein Family trust
GMD3

CERTIFICATE OF SERVICE

On this 7th day of May 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File Nos. 19387, 19388, 22447, and 28441 dated 7th day of May 2024 was mailed postage prepaid, first class, US mail to the following:


RUSTIN P & ASHLEY L WETTSTEIN
3793 ROAD 9
LIBERAL, KS 67901-5381

pc:

DANIEL E STRICKLAND
13510 ROAD H
LIBERAL, KS 67901-6021

WETTSTEIN FAMILY TRUST
4598 ROAD 9
LIBERAL, KS 67901

GMD3

A handwritten signature in blue ink that reads "Julie Jones". The signature is written in a cursive style and is positioned above a horizontal line.

Division of Water Resources Staff

APPLICATION FOR APPROVAL TO CHANGE
THE PLACE OF USE AND/OR POINT OF DIVERSION
SUPPLEMENTAL SHEET

FILE NO. 19387, 19388, 22447, 28441

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: WETTSTEIN FAMILY TRUST
ADDRESS: 4598 ROAD 9, LIBERAL, KS 67901

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	
29	33	33W					32	32	33	33	33	33	32	32					260

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	

5. **Presently authorized point of diversion:**
 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.
 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 _____

6. **Presently authorized point of diversion:**
 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.
 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?

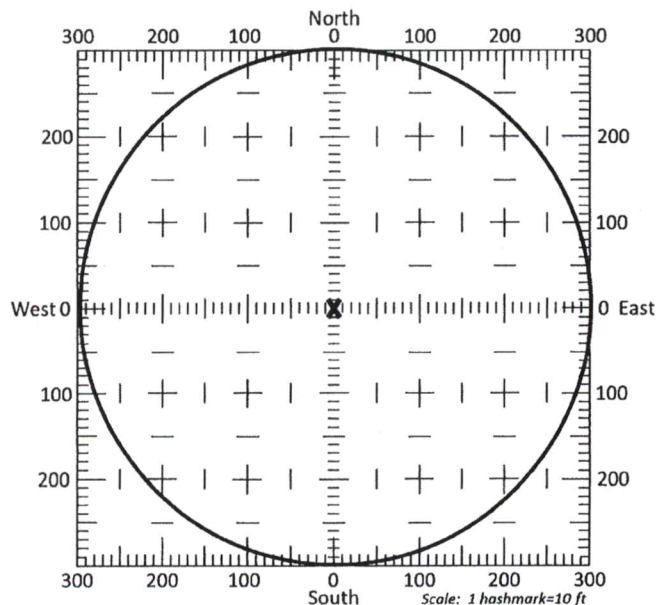
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by mdf/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 Liberal, Kansas, this 22 day of April, 2026.

Rustin Wettstein
 (Owner)

Ashley Wettstein
 (Spouse)

Rustin Wettstein
 (Please Print)

Ashley Wettstein
 (Please Print)

Daniel E. Strickland
 (Owner)

 (Spouse)

Daniel E. Strickland
 (Please Print)

 (Please Print)

 (Owner)

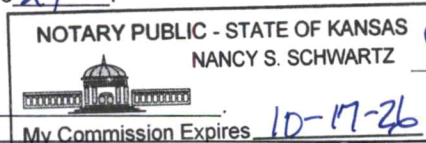
 (Spouse)

 (Please Print)

 (Please Print)

State of Kansas }
 County of Seward } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 22 day of April, 2024.



Nancy S. Schwartz
 Notary Public

My Commission Expires _____

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

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 19388

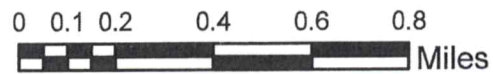
Township 33 South Range 33 West SW County



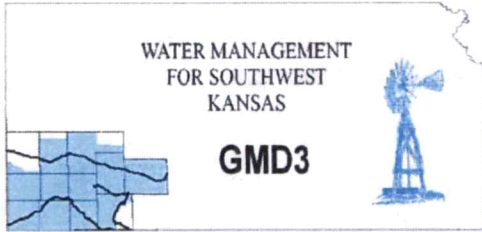
Authorized Place of Use



Proposed Place of Use



All wells of any kind within 1/2 mile of the requested place of use have been plotted.



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

May 2, 2024

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

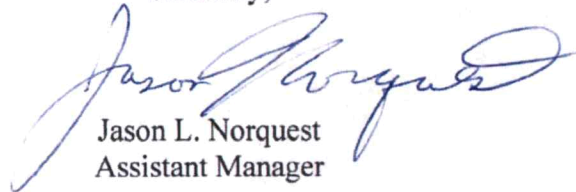
RE: Applications for Change in Place of Use
Water Right, File Nos. 19387, 19388, 22447 & 28441

Dear Mike:

We have completed a review of 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 changes in place of use will make a complete overlap in currently authorized place of use in accordance with K.A.R. 5-5-11(b). No new acres are proposed. 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,

A handwritten signature in blue ink, appearing to read "Jason L. Norquest". The signature is fluid and cursive, written over the printed name and title.

Jason L. Norquest
Assistant Manager

RECEIVED

MAY 02 2024

Garden City Field Office
Division of Water Resources

GMD3 Change Review

File No(s): 19387, 19388, 22447, 28441.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Rustin & Ashley Wettstein.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? ___.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11(b)

Point of diversion ID No(s) ___ being changed.

	ft. North	ft. West	
Authorized PD			
Proposed PD			
Difference	0	0	
a2 + b2 = c2	0	0	0

GPS for proposed PD: Lat: ___ Long: ___.

Is proposed PD stacking on existing WRs? No Changes.

Is Proposed PU overlapping existing WRs? Overlapping all WRs.

Neighboring certified well(s) notified: ___.

Name ___.

Address ___.

Zip ___.

Email: ___. Phone: ___.

Domestic well(s) notified: ___.

Name ___.

Address ___.

Zip ___.

Base Acres: ___.

Perfected Acres: ___.

Irr. Return-Flow ___%

Seward County

19387: 5034N 73W, 30-33-33, 520AF @ 900gpm

260acres S2 Sect 30 (2pivots)

19388: Same PD as WR 19387, 260AF @ 900gpm (Limited on rate only)

130acres NE Sect 30 (1pivot)

22447: 3255N 5237W, 29-33-33, 329AF @ 1120gpm

260acres W2 Sect 29 (2 pivots)

28441: 1520N 50W, 30-33-33, 520AF @ 1295gpm (Limited 520AF w/19387)

260acres, SAME overlap acres w/19387

Proposed acres: Same authorized acres as listed above, making complete overlap.

GMD3 Change Review

Is a waiver needed: No, No new acres proposed, making a complete overlap of currently authorized acres.

Recommendation: After review of available information, it appears current area rules are met. Staff therefore recommends approval of the applications.



RECEIVED

MAY 02 2024

Garden City Field Office
Division of Water Resources

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

April 30, 2024

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

Re: Request for Recommendation
Water Right, File Nos. 19387, 19388, 22447, 28441

Dear Mr. Norquest:

This is to advise you that Rustin Wettstein has 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 application 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,

A handwritten signature in blue ink that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures

Wettstein Farms

4598 Road 9
Liberal, KS 67901

February 27, 2024

Water Point of Diversion Agreement

This agreement is between Daniel E. Strickland "Ed Strickland", Owner of SW/4 & E/2 30-33-33 in Seward County Kansas and Wayne & Rustin Wettstein, Owner's of W/2 29-33-33 Seward County Kansas.

We would like to amend the point of diversion of water for the two wells on 30-33-33 and the one well on 29-33-33 to include all acres involved. ALL parties understand and agree that the total allotments will NOT change.

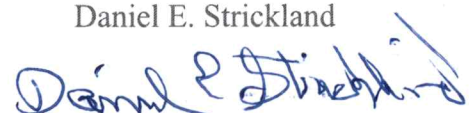
Wayne and Rustin want this point of diversion for management practices. In the event one of the three wells were to stop pumping during peak water use, we would be able to save the crop for that season.

This Agreement is only in effect as long as Wayne & Rustin are renting the property owned by Ed Strickland.


Wayne Wettstein


Rustin Wettstein

Daniel E. Strickland



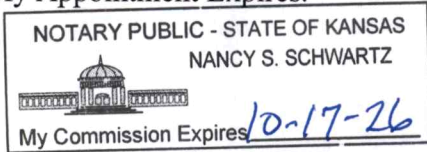
POINT OF DIVERSION AGREEMENT - NOTARY PAGE.

STATE OF KANSAS)
) ss:
COUNTY OF SEWARD)

BEFORE ME, the undersigned, a Notary Public within and for the said County and State aforesaid on this 24 day of March, 2024, personally appeared WAYNE WETTSTEIN, RUSTIN WETTSTEIN and DANIEL E. STRICKLAND personally known to me to be the identical persons who executed the within and foregoing POINT OF DIVERSION AGREEMENT and acknowledged to me that they executed the same as their free and voluntary act and deed for the purposes set forth therein.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

My Appointment Expires:



Nancy S. Schwartz

Notary Public