Kansas Department of Agriculture Division of Water Resources

CHANGE: P/D WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:		
21552	6-3-2024	C1	4	3		
6. Status: ☐ Approved ☐ Deni	ed by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 5/31/2024		
8a. Landowner New to system □	Person ID 34070 Add Seq#	8c. Landowne		PersonAdd Seq#		
MCBRIDE INVESTMENTS I 613 E 11TH ST HUGOTON, KS 67951-2911	LC					
8b. Landowner(s), New to system □	Person IDAdd Seq#	New to sy KENNE PO BO	TH & RITA J FR			
9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Require		⊠ N & P Form	⊠ Water Tube 🛮 🖾 □	Comply: 3/1/2025 Oriller Copy H & E Letter Comply:		
10. Use Made of Water From:		To: _				
			Date Prepared: 6/3/2 Date Entered:	024 ву: МАМ Ву:		

File No. 21552	V*	11. County	y: SV	Ва	sin: CII	MARR	ON R	IVER			St	tream:							Fo	rmation Code: 2	211 Special Us	e:
12. Points of Divers CHK MOD DEL PDIV ENT	sion Qualifier	S	Т	R	ID	r	N	'W		Com	ment	(AKA I	_ine)			Authori	uantity zed Quantit af		Ad Rate gpm		Overlap PD Files	
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13. Storage: Rate _			NF	Quar	ntity					ac/ft	Ad	ddition	al Rat	e				NF	Addi	tional Quantity _		ac/ft
14. Limitation:																						
Limitation:		af/yr	at				gpm (_		_		cfs) wh	nen co	mbine	d with	file nu	umber	(s)					
15. 5YR Allocation:	Allocation	Туре	_ Sta	art Year			5 YR	Amou	nt		Amo	unt Ur	nit	_	Base	Acres		_ Co	omment _	*		
16. Place of Use CHK	of Use			NE¼			NW1/4				SW1/4				SE¼				Total	Owner Chg	g? Overlap Files	
MOD DEL ENT PUSE S	STR	ID	NE 1/4	NW 1/4	SW 1/4	SE ¼	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	a	2		
CHK 27131																						
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Base Acres: 132 Comments:	Year:	Mir	nimum F	Reason	able Q	uantity	<i>/</i> :									D:						

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 3, 2024

MCBRIDE INVESTMENTS LLC 613 E 11TH ST HUGOTON, KS 67951-2911

RE:

Field Office Application for Change

Water Right, File No. 21552

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,

Michael A. Meyer

Water Commissioner

MAM: Enclosures

pc: KENNETH & RITA J FRIESEN

CERTIFICATE OF SERVICE

On this 3rd day of June 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 21,552 dated 3rd day of June 2024 was mailed postage prepaid, first class, US mail to the following:

MCBRIDE INVESTMENTS LLC 613 E 11TH ST HUGOTON, KS 67951-2911

pc:

KENNETH & RITA J FRIESEN PO BOX 285 MOSCOW, KS 67952-0285

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.

				1	File No). <u>215</u>	33	215	52			-			F	-	EIVED
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under the water	er riaht v	which is	s the si	ubiect	of this	applic	ation i	in accc	rdance	e with	the cor	ndition	s desc	ribed			Water Resor
The source of						lwater		_	Surfac								
	Name and address of Applicant: <u>Tony McBride</u> 613 E 11 th St Hugoton KS 67951																

Phone Numbe																	
Name and add				orresp	onden	it: <u>Ker</u>	neth 8	& Rita	J Fries	en							
PO BOX 285 N							F	- 1.1									
Phone Numbe							Email	addres	ss:	5 5 7	5 3 7				7 5 5 5	J 4	
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Owner of Land																	
(If there is more	ADDRI																
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Owner or Land	ADDRI																
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5.	Presently authori	zed point o	f diversion:				
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- 1					Depth of well		
- 1					feet North		
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- 1					2400 feet West of So		
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L	This point is: A	dditional We	ell	her water rig	hts that will use this point _		
7	The charges have:		d for the following reconnection				
7.			d for the following reasons	s r	Manda		
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10.	If the point of divers	ion is a well:		#	사용	_	4
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12.	Assisted by			<u> </u>			لسط
			2.	300	0 200 100 0 South	100 200 Scale: 1 hashmark	300 k=10 ft
13a	.If the proposed point	t of diversion	will be relocated more than 3	800		ما الله	dithin a 20

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	ing point of diversion, complete	the following:
 (a) Does the undersigned represent all owners of the currently authorized place ☐ Yes ☐ No (If no, all owners must sign this application.) 	(s) of use identified in this appli	ication?
 (b) Will the ownership interest of any owner of the currently authorized place(s affected if this application is approved as requested? Yes No (If yes, all owners must sign this application.) 	s) of use identified in this appli	cation be adversely
(c) If this application is not approved expeditiously, will there be substantial dam ☐ Yes ☐ No (If no, all owners must sign this application.)	nage to property, public health o	or safety?
If the application proposes a surface water change in point of diversion, a groundwate or a change in place of use, the application must be signed by all owners of the curre agent (attach notarized statement authorizing representation).		
I hereby verify, being first duly sworn upon my oath or affirmation and age and the owner, the spouse of the owner, or a duly authorized agent their behalf, in regards to the water right(s) to which this application p contained in this application are true, correct and complete.	of the owner(s) to make the tertains. I further verify the	his application on
Dated at Guarison Coloroso 23	day of Maco	, 20_24.
Mc Rride Investments LLC	1	,
Tony Mc Bride - trustle	(Spouse)	
(Please Print)	(Please Print)	
(Owner)	(Spouse)	*
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(Owner)	(Spouse)	
(Please Print) ERIN Y		
State of Kansas (Slorado) STATE OF C	A COLUMN TO THE RESIDENCE OF THE PARTY OF TH	
County of Gunnison SS NOTARY ID #	20184008738	1
I hereby certify that the foregoing application was signed in my present of	ce and sworn to before me	e this <u>23</u> day
	in Unina	
My Commission Expires Feb 23, 2026	Notary Public	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applica accurate information; maps, if necessary, must be included; signatures of all the appropriate own the appropriate fee must be paid.		
Each application to change the place of use or the point of diversion under this section forth in the schedule below: Make checks payable to: Kansas Department of Agric (1) Application to change a point of diversion 300 feet or less	culture	\$100 \$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-31,2024 requesting that the place of use and / or point of A change application was received on 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 Not Applicable the topographic map accompanying the application to change the place of use. ☐ 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 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable
Not Applicable feet from the previously 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, 20_24, 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 authorized extension of time. By March 1, 20 5 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. ☐ Not Applicable Applicable The completed well log shall be submitted with the required notice. ☐ 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 \sum Not Applicable M No Additional Conditions are attached. ☐ Yes 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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 Duly Authorized Designee of the Chief Engineer 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 (Print Name): review must state a basis for review pursuant to K.S.A. 77-527. Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. SS For Use by Register of Deeds County of C Acknowledged before me on Signature: TATE OF **JULIE JONES** My commission expires (Notary Seals, 2028

File No.

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DATE 3/	14184	NO. 2-24	
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		Will Neen 30" conductor Pipe	



