

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

1. File Number: 21552	2. Status Change Date: <i>6-3-2024</i>	3. Change Num: C1	4. Field Office: 4	5. GMD: 3
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: 5/31/2024
8a. Landowner New to system <input type="checkbox"/> MCBRIDE INVESTMENTS LLC 613 E 11TH ST HUGOTON, KS 67951-2911		8c. Landowner(s), New to system <input type="checkbox"/> KENNETH & RITA J FRIESEN PO BOX 285 MOSCOW, KS 67952-0285		
8b. Landowner(s), New to system <input type="checkbox"/> KENNETH & RITA J FRIESEN PO BOX 285 MOSCOW, KS 67952-0285		8d. WUC New to system <input type="checkbox"/> KENNETH & RITA J FRIESEN PO BOX 285 MOSCOW, KS 67952-0285		
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: <u>12/31/2024</u> <input checked="" type="checkbox"/> N & P Date to Comply: <u>3/1/2025</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: 6/3/2024 By: MAM Date Entered: _____ By: _____				

File No. **21552** 11. County: **SV** Basin: CIMARRON RIVER Stream: Formation Code: **211** Special Use:

12. Points of Diversion
 Rate and Quantity
 Authorized Additional
 Rate Quantity Rate Quantity
 gpm af gpm af Overlap PD Files

DEL 38630

ENT	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
	NWNWSE	35	32	36W		2570	2400		795	264	795	264	NONE

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/ 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				
CHK 27131																				

Base Acres: **132** 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 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,

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

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.

File No. ~~21553~~ 21552

RECEIVED
 3:00 pm
 MAY 31 2024

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

Garden City Field Office
 Division of Water Resources

2. Name and address of Applicant: Tony McBride

613 E 11th St Hugoton KS 67951

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: Kenneth & Rita J Friesen

PO BOX 285 Moscow KS 67952

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 5-31-24 Check # 117

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NE Quarter of Section 35, Township 32 South, Range 36 W, in SV County, Kansas, 2670 feet North 2300 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 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 NW Quarter of the NW Quarter of the SE Quarter of Section 35, Township 32 South, Range 36 W, in SV County, Kansas, 2570 feet North 2400 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 540.
 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?

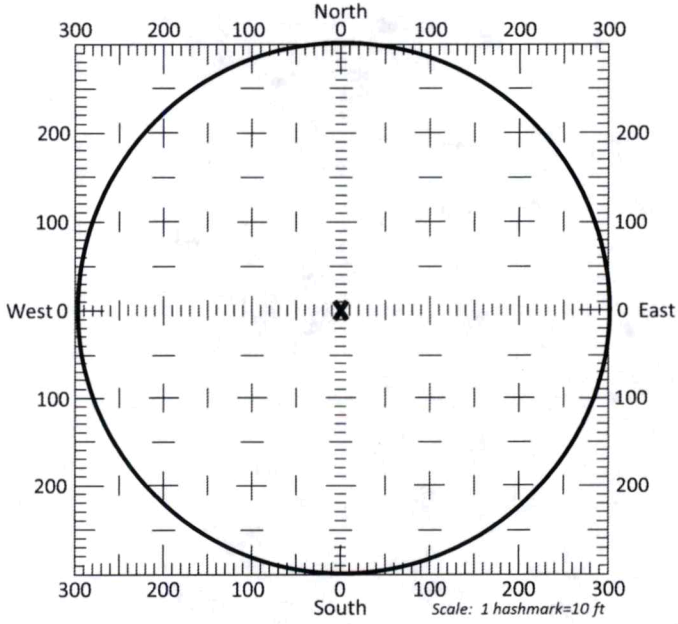
10. If the point of diversion is a well:
 (a) What are you going to do with the old well?

 (b) When will this be done? _____

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by _____

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 Gunnison Colorado, Kansas, this 23 day of May, 2024.

<u>McBride Investments LLC</u> (Owner)	_____	(Spouse)
<u>Tony McBride - trustee</u> (Please Print)	_____	(Please Print)
<u>Tony McBride</u> (Owner)	_____	(Spouse)
_____	_____	(Please Print)
_____	_____	(Please Print)
_____	_____	(Spouse)
_____	_____	(Please Print)

State of ~~Kansas~~ Colorado }
County of Gunnison } SS

ERIN YOUNG (Please Print)
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20184008738
My Commission Expires February 23, 2026.

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 23rd day of May, 2024.

Erin Young
Notary Public

My Commission Expires Feb 23, 2026

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

Sec 35-T32S BTK R36W

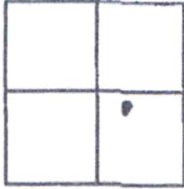
Survey _____ Co. STEVENS

N. 37.22072' W. -101.20225'



No. 31914

P.O. Box 784
Sunray, Texas 79086
(806) 948-4421



25 YARDS south of well

TONY McBRIDE

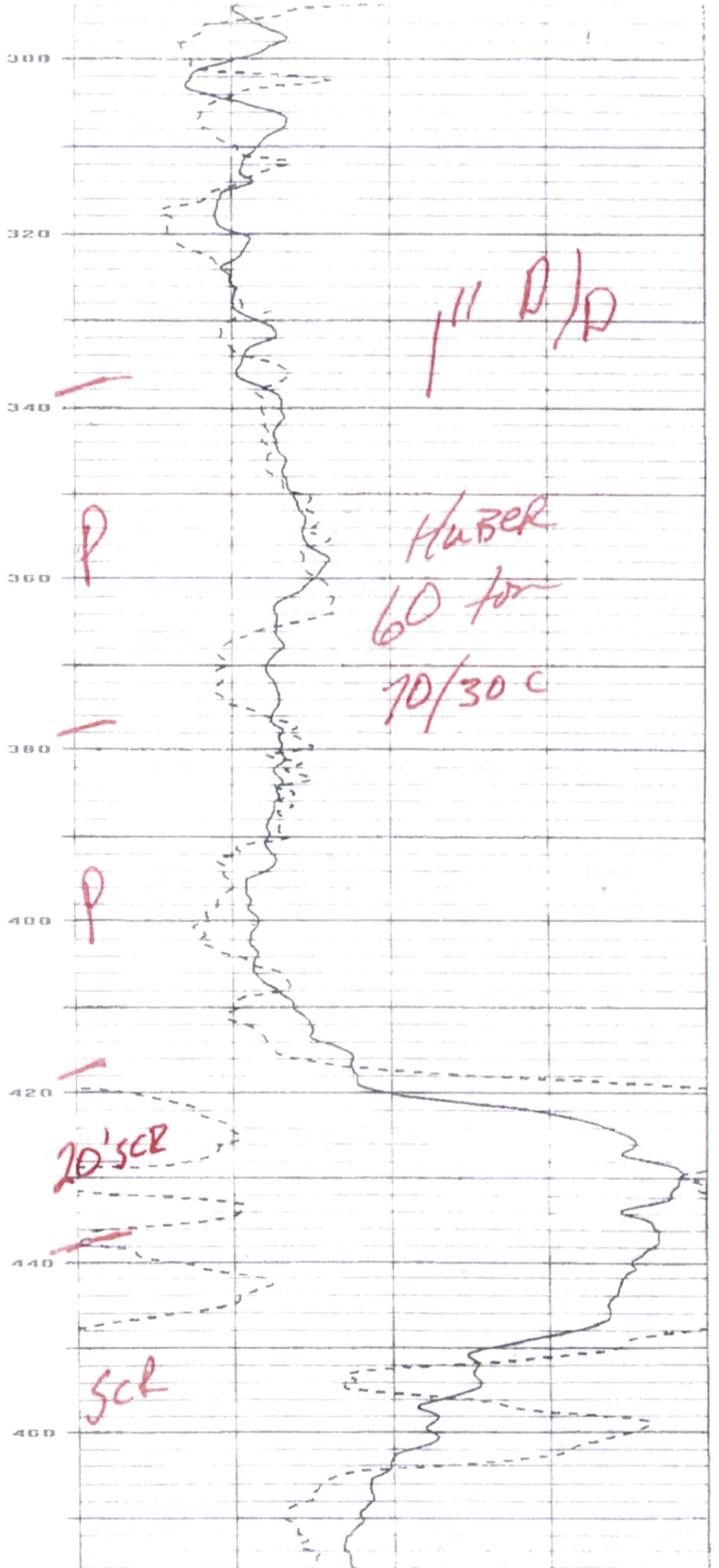
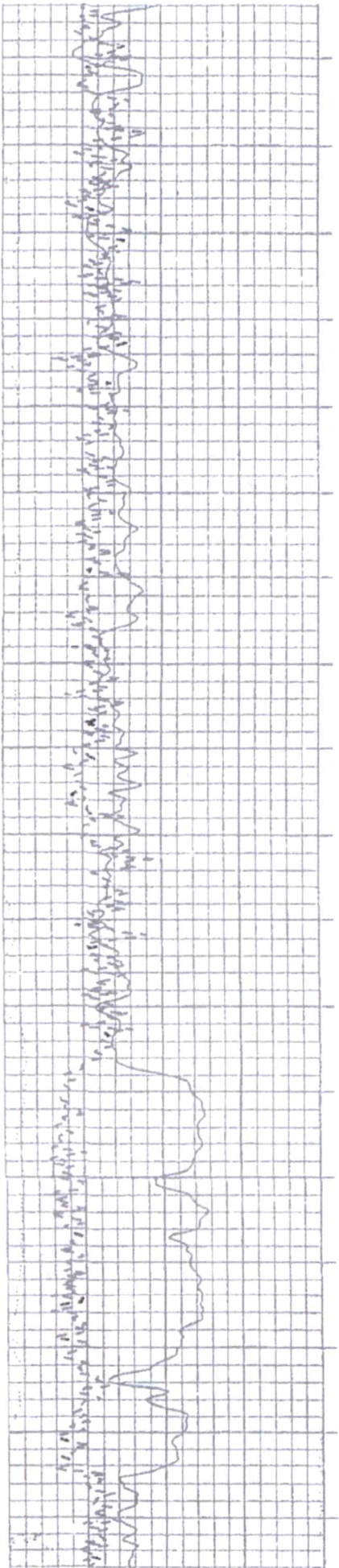
Test Waterwell

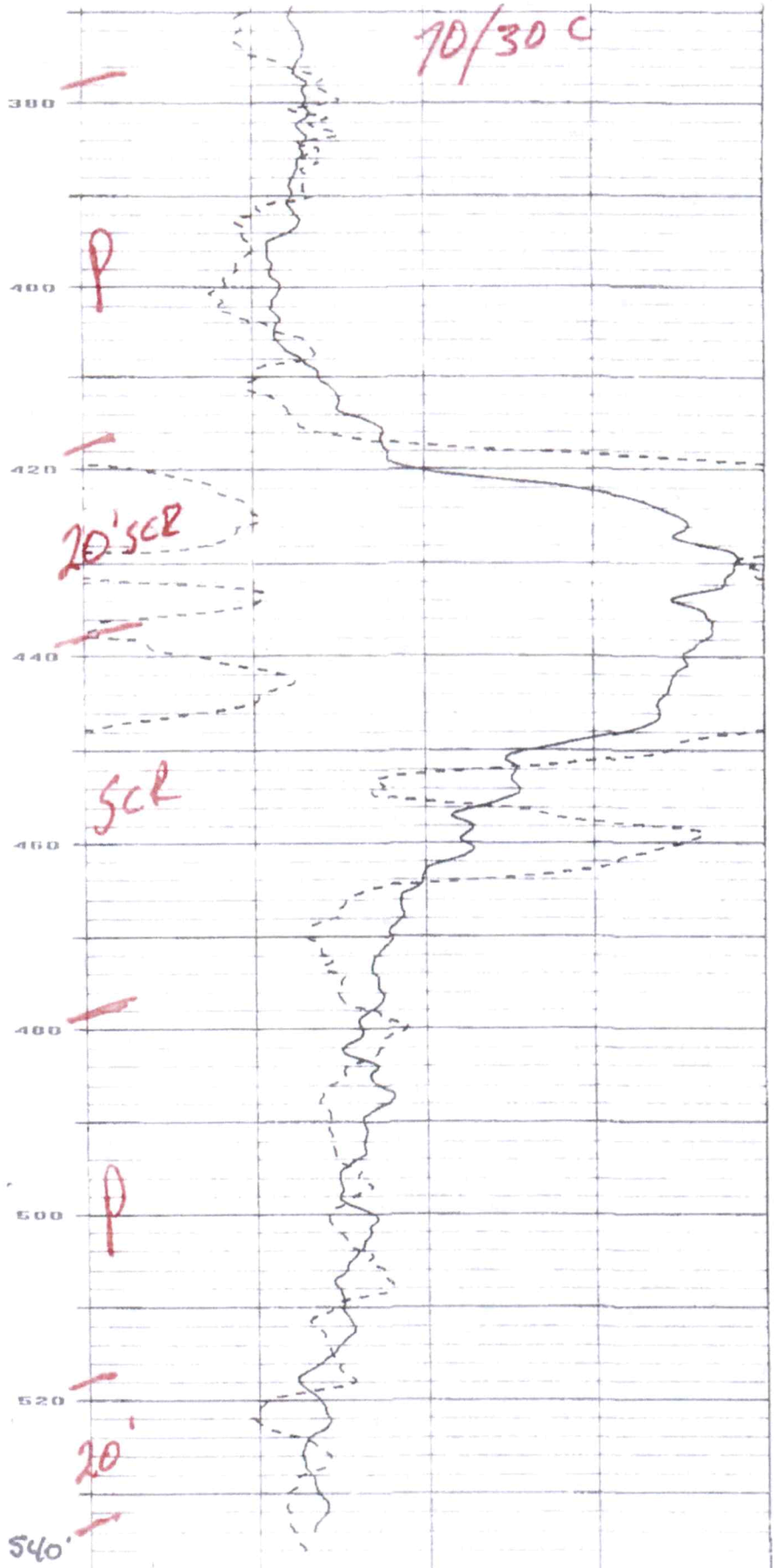
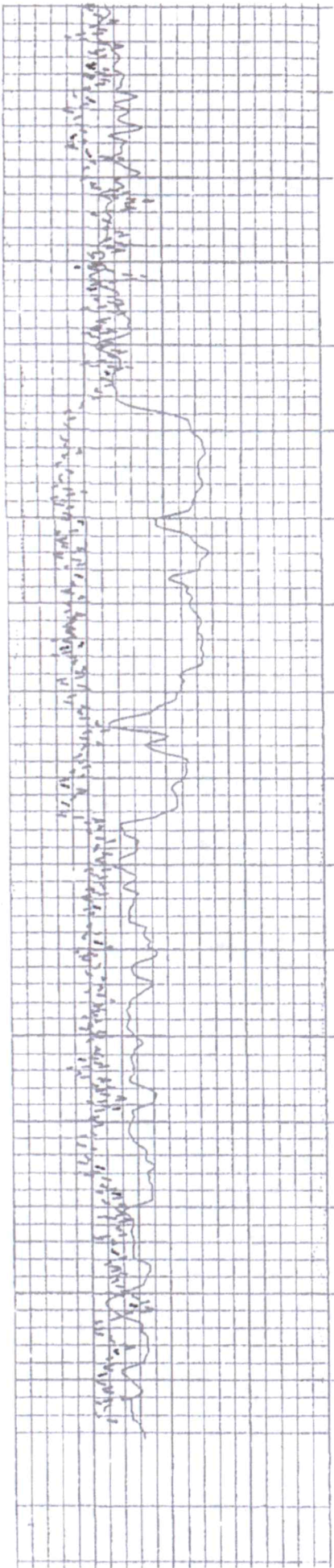
Kelley Koeth

DATE 5/04/24

NO. 2-24

FROM	TO	DESCRIPTION	SAND
0	220	top soil + brown and white clay w/ sand strips	
220	240	sand w/ clay strips	
240	260	fine to med sand w/ clay strips	
260	280	med and coarse sand w/ gravel + clay strips	12
280	300	fine, med and coarse fairly loose sand w/ clay strips	16
300	320	fine to med fairly loose sand w/ clay strips	13
320	340	fine to med fairly loose sand w/ clay strips	9
340	360	fine to med fairly loose sand w/ clay strips	9
360	380	med fine fairly loose sand w/ clay strips	11
380	400	med fine fairly loose sand w/ clay and shale strips	13
400	420	fine to med fairly loose sand w/ clay strips	8
420	440	fine, med and coarse fairly loose sand w/ small Gravel	20
440	460	med and coarse fairly loose sand w/ small Gravel	20
460	480	fine, med and coarse fairly loose sand w/ gravel strips + pink clay strips	10
480	500	fine to med to coarse fairly loose brown to pink sand w/ clay strips	18
500	520	fine to med fairly loose brown to pink sand w/ coarse sand strips + red clay	16
520	540	Red clay w/ shale strips	
		1 dragbit	
		1/4 BKT Drispack plus Regular	
		will need 30" conductor pipe	





TONY McBRIDE Th #2