

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

1. File Number: <b>22447</b>	2. Status Change Date: <b>5-7-2024</b>	3. Change Num: <b>C3</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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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: <b>4/30/2024</b>
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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. **22447**      11. County: SW      Basin: CIMARRON RIVER      Stream:      Formation Code:      Special Use:

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

CHK 89195

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, 19388, 28441	
CHK	33388	29	33	33W	1					32	32	33	33	33	33	32	32					260	8b	N	19387, 19388, 28441	

Base Acres: **260**      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

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,

  
Michael A. Meyer  
Water Commissioner

MAM:  
Enclosures

pc: Daniel Strickland  
Wettstein Family trust  
GMD3

**CERTIFICATE OF SERVICE**

On this 7<sup>th</sup> 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 7<sup>th</sup> 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



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. 22447

**RECEIVED**  
 1:03 pm  
 APR 30 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: RUSTIN P & ASHLEY L WETTSTEIN

3793 ROAD 9, LIBERAL, KS 67901-5381

Phone Number: (     )

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

Name and address of Water Use Correspondent: Same

Phone Number: (     )

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

3. The presently authorized place of use is:

Owner of Land ---- NAME: WETTSTEIN FAMILY TRUST

ADDRESS: 4598 ROAD 9, LIBERAL, KS 67901

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

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: DANIEL E STRICKLAND

ADDRESS: 13510 ROAD H, LIBERAL, KS 67901-6021

(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	
30	33	33W	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
<del>29</del>	<del>33</del>	<del>33W</del>					<del>32</del>	<del>32</del>	<del>33</del>	<del>33</del>	<del>33</del>	<del>33</del>	<del>32</del>	<del>32</del>					<del>260</del>

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 4-30-24 Check # 714

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

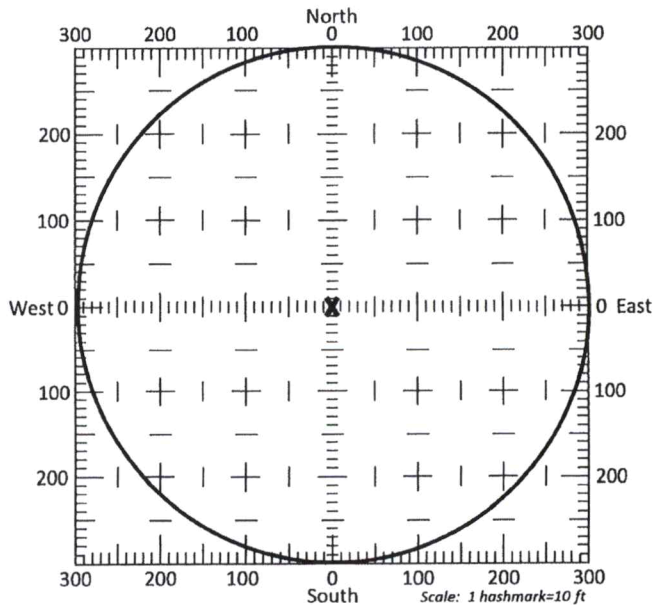
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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.

Rusta Wettstein  
(Owner)

Ashley Wettstein  
(Spouse)

Rusta Wettstein  
(Please Print)

Ashley Wettstein  
(Please Print)

Daniel E. Stankard  
(Owner)

(Spouse)

DANIEL E. STANKARD  
(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, 2026.

NOTARY PUBLIC - STATE OF KANSAS  
NANCY S. SCHWARTZ  
  
My Commission Expires 10-17-26

Nancy 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



**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. 22447.

- 1. A change application was received on April 30, 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, 2024 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: Michael A. Meyer  
Duly Authorized Designee of the Chief Engineer

(Print Name): MICHAEL A. MEYER  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: May 7, 2024

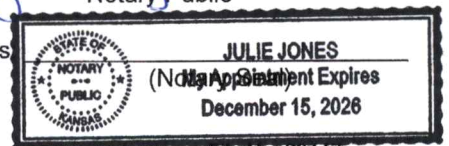
State of Kansas )  
 ) SS

County of Finney )

Acknowledged before me on May 7, 2024  
by Michael A. Meyer

Signature: Julie Jones  
Notary Public

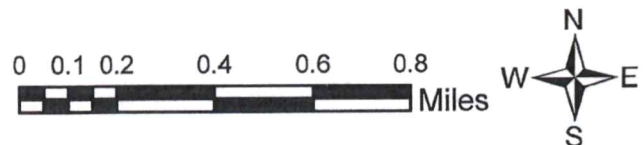
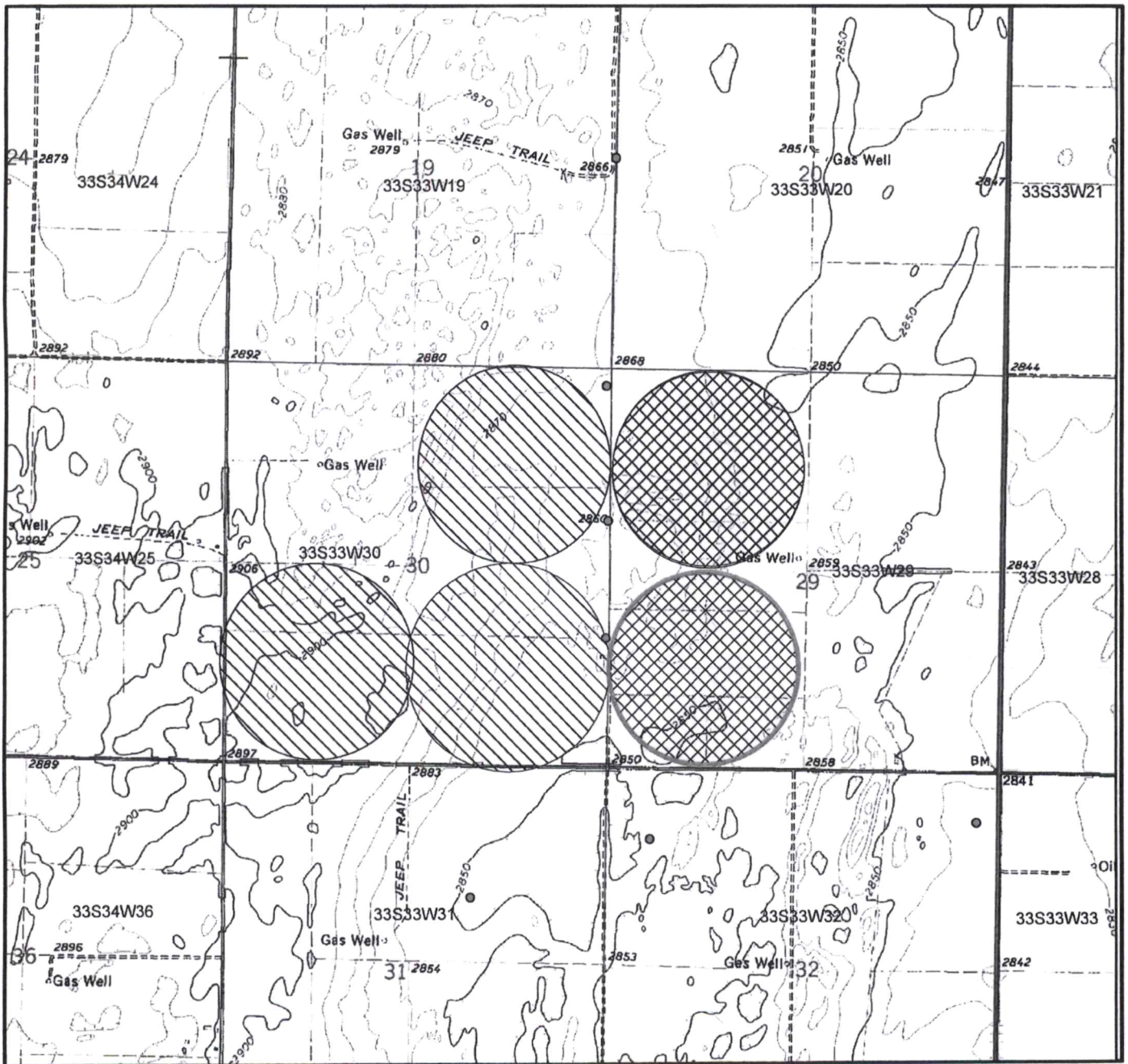
My commission expires \_\_\_\_\_







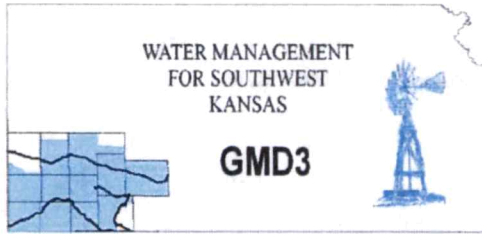
# CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 22447

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,

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

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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](http://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". The signature is fluid and cursive.

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures



# Wettstein Farms

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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.

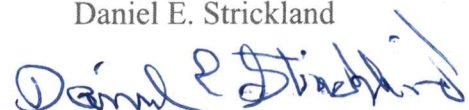
Wayne and Rustin want this point of diversion for management practices. In the event one of the three wells were to stop pumping during peak water use, we would be able to save the crop for that season.

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



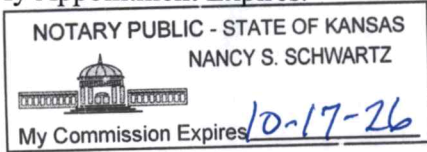
POINT OF DIVERSION AGREEMENT - NOTARY PAGE.

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