

**Kansas Department of Agriculture**  
**Division of Water Resources**  
 APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: <b>23408</b>	2. Status Change Date:	4. Field Office: <b>04 - Garden City</b> GMD: <b>03 - Southwest</b> Structures File No.: Filing/Priority Date: <b>8/13/2024</b> Application Complete Date:
3. Package File No(s): <b>16972</b>		
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change  <b>LOVE AG COMPANY</b> <b>ATTN: GREG LOVE</b> <b>24506 13 RD</b> <b>MONTEZUMA, KS 67867-9073</b>	Person ID <b>41565</b> Add Seq#	5b. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change  Person ID Add Seq#
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change	Person ID Add Seq#	5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change  Person ID Add Seq#
6. Change No.: <b>C1</b> <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres:    Year:    Min Reasonable Q: Previous UMW: <b>Not changing</b> MDS Gauge:    Active Admin? <input type="checkbox"/> Completion/Start Date: <b>3/1/2025</b> Perfection/Expiration Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: <b>IRR-Irrigation</b> UMW: UMW:
8. Action Trail		
9. Special Conditions		
10. 5YR Allocation    Type:    Start Year:    5YR Quantity:    Base Acres: Comment:		
11. Sand & Gravel    Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr		
12. Waiver    Rule ID: <input type="checkbox"/> New    Date Requested: Applies:    Rule No.:    Justification: Rule Type: Rule SubType:		
Comments	Processed <b>8/21/2024 AM</b>	Entered
	Reviewed	



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

August 21, 2024

LOVE AG COMPANY  
Attn: GREG LOVE  
24506 13 RD  
MONTEZUMA, KS 67867-9073

RE: Filed Office Application for Change  
Water Right, File Nos. 16972 & 23408

Dear Sir or Madam:

Enclosed is the 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 this approval 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 "Austin J. McColloch".

Austin J. McColloch  
Assistant Water Commissioner

AM:  
enclosures

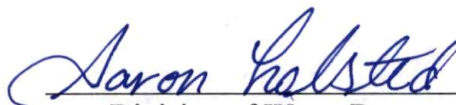
pc:

## CERTIFICATE OF SERVICE

On this 21<sup>st</sup> day of August, 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File Nos. 16,972 and 23,408 dated 21<sup>st</sup> day of August, 2024 was mailed postage prepaid, first class, US mail to the following:

LOVE AG COMPANY  
Attn: GREG LOVE  
24506 13 RD  
MONTEZUMA, KS 67867-9073

Pc:



Division of Water Resources Staff



5. **Presently authorized point of diversion:**  
 One in the NE Quarter of the NE Quarter of the NE Quarter of Section 32, Township 28 South, Range 32 W, in Haskell County, Kansas, 5200 feet North 60 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 NE Quarter of the NE Quarter of the NE Quarter of Section 32, Township 28 South, Range 32 W, in Haskell County, Kansas, 5255 feet North 384 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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

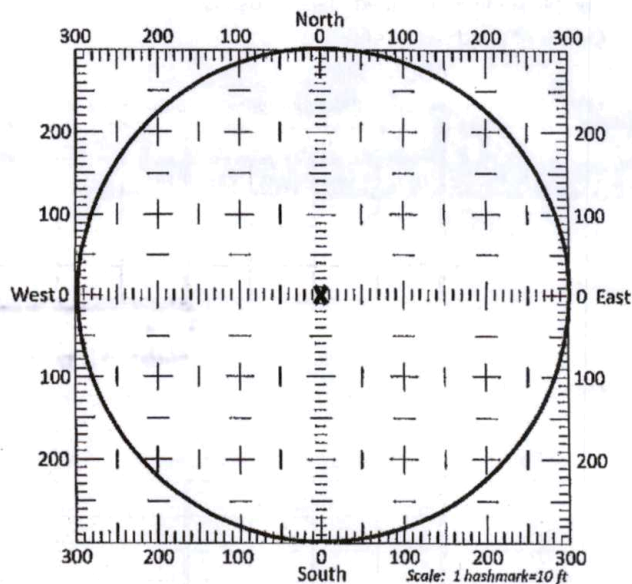
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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 JG/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.)

7/20/24

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 8-9-2024 Montezuma, Kansas, this 8-9-24 day of August, 2024.

[Signature]  
\_\_\_\_\_  
(Owner)

[Signature]  
\_\_\_\_\_  
(Spouse)

Gregory E Love  
\_\_\_\_\_  
(Please Print)

Susan M Love  
\_\_\_\_\_  
(Please Print)

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

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

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

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

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

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

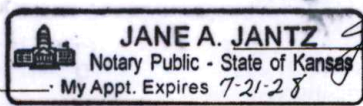
\_\_\_\_\_  
(Please Print)

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

State of Kansas }  
County of Gray } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9th day of August, 2024.

My Commission Expires 7-21-28



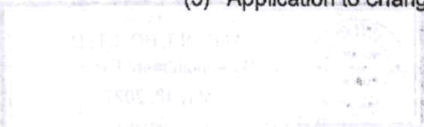
Jane A. Jantz  
\_\_\_\_\_  
Notary Public

**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. 23408

1. A change application was received on August 13, 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 50 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 300 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, 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
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: Austin McColloch TCMP/AM  
 Duly Authorized Designee of the Chief Engineer

(Print Name): Austin McColloch  
 Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: August 21, 2024

State of Kansas )  
 ) SS  
 County of Linney )

Acknowledged before me on August 21, 2024  
 by Austin McColloch

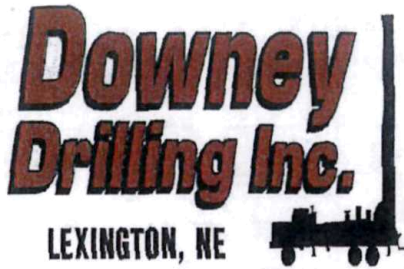
Signature: Aaron Holsted  
 Notary Public

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




# WELL LOG

DATE: 5/25/2016



CUSTOMER NAME: GENEEN LOVE (GREG)

LEGAL: NE/NE 32-28S-32W

COUNTY: HASKELL

GPS: 37 34' 35.9436" N

-100 50' 09.9096" W

37.576651  
- 100.836086

STATIC WATER LEVEL  
APPROX 380 FT

#1 TEST HOLE

FROM	TO	TYPE	HARDNESS	COLOR	OTHER / DRILLING ACTION
0	2	TOP SOIL AND SILT		DARK	
2	8	SANDY CLAY		BROWN	
8	37	SANDY CLAY WITH MAG			
37	64	SANDY CLAY			
64	68	VERY FINE SAND WITH SANDY CLAY STRS			
68	106	VERY VERY COARSE SAND AND FINE GRAVEL			CHATTER
106	109	VERY VERY COARSE SAND AND FINE GRAVEL WITH A FEW VERY THIN SILT LENSES			CHATTER
109	134	FINE-TRACE OF MEDIUM GRAVEL			CHATTER
134	162	FINE-MEDIUM-COARSE GRAVEL			CHATTER
162	191	FINE-MEDIUM GRAVEL			CHATTER
191	200	FINE-MEDIUM WITH COARSE GRAVEL			CHATTER
200	264	FINE-MEDIUM-TRACE OF COARSE GRAVEL			CHATTER
264	266	CEMENTED SAND	FIRM		LT PD - CHOPPY
266	271	FINE-MEDIUM-TRACE OF COARSE GRAVEL			CHATTER
271	272	CEMENTED SAND	FIRM		NO PD - CHOPPY
272	277	FINE-MEDIUM-TRACE OF COARSE GRAVEL			
277	278	MAG	FIRM		LT PD - SLOWER
278	331	FINE-MEDIUM-TRACE OF COARSE GRAVEL			CHATTER
331	342	FINE-MEDIUM GRAVEL WITH THIN SILT LENSES			CHATTER
342	352	SILTY SANDY CLAY WITH MAG			NOT MUCH CHATTER
352	354	COARSE-VERY COARSE SAND AND FINE GRAVEL			CHATTER
354	355	SILT			SMOOTHER
355	359	COARSE-VERY COARSE SAND AND A TRACE OF FINE GRAVEL			CHATTER
359	376	MEDIUM-TRACE OF COARSE SAND AND SILTY SANDY CLAY 50%-50%			FAST, BUT SMOOTHER
376	380	COARSE-VERY COARSE SAND AND A TRACE OF FINE GRAVEL			<del>STATIC WATER LEVEL</del>
380	395	MEDIUM-COARSE-VERY COARSE SAND WITH SILT LAYERS 75%-25% COARSE-VERY COARSE-VERY VERY COARSE SAND AND FINE GRAVEL			SEMI FAST - NOT MUCH CHATTER
395	403	(VERY GOOD) COARSE-VERY COARSE-VERY VERY COARSE SAND WITH A TRACE OF FINE	8		MORE CHATTER
403	412	GRAVEL AND MAG LENSES	9		IN & OUT CHATTER
412	421	COARSE-VERY COARSE-VERY VERY COARSE SAND WITH FINE GRAVEL COARSE-VERY COARSE-VERY VERY COARSE SAND WITH FINE GRAVEL	9		CHATTER
421	432	WITH A THIN CEMENTED LENSE AT 422 AND 424	10		CHATTER

FROM	TO	TYPE	HARDNESS	COLOR	OTHER / DRILLING ACTION	
432	436	SILT, SANDY CLAY, AND MAG				
436	449	COARSE-VERY COARSE-VERY VERY COARSE SAND AND A TRACE OF FINE GRAVEL	13			
449	454	MAG, SILT, AND SANDY CLAY				
454	462	MAG, SILT, SANDY CLAY, AND MEDIUM SAND LENSES	3			
462	468	MAG, SILT, AND SANDY CLAY				
468	473	MAG, SILT, SANDY CLAY, AND FINE SAND LAYERS				
473	481	FINE-MEDIUM-TRACE OF COARSE SAND	8		SOME CHATTER	
481	503	MEDIUM-TRACE OF COARSE SAND	22		FAST - CHATTER	
503	506	SILT AND SANDY CLAY			SMOOTHER - SLOWER	
506	547	MEDIUM-TRACE OF COARSE SAND WITH A FEW VERY THIN SILT LENSES	41		FASTER	
547	547.5	CEMENTED SAND	123		ROUGH	
547.5	551	SOFT SILTSTONE	SOFT	BROWN	SLOWER	
551	557	SILTSTONE WITH A TRACE OF CLAY		YELLOW		
557	561	SILTY CLAY WITH SILTSTONE	SOFT	REDDISH BROWN		
561	571	CLAY (BROWN) WITH A TRACE OF SHALE / CLAY (GRAY)				
		TRIP OUT AND CHANGED TO PDC BIT				
571	582	SHALE		DARK GRAY		
582	642	SHALE WITH THIN LIMESTONE LEDGES AT 637 AND 640		DARK GRAY		
642	650	SHALE		DARK		
650	662	VERY FINE SAND WITH SHALE LAYERS	8		FAST - TW BIG TIME	
662	682	VERY FINE SAND AND SHALE	14		FAST - NOT TAKING AS MUCH H2O	
682	696	SHALE WITH A TRACE OF VERY FINE SAND	4			
696	702	FINE-MEDIUM SAND - GRINDING WITH ROUGH AT TIMES FROM 696-702	6		3:08	
702	716	FINE-MEDIUM SAND (GRAY) WITH SANDSTONE	14		4:36 / CLEAN - GOOD	
716	722	RED SILTSTONE - RED BED?			SLOWER	
722	742	RED SILTSTONE - RED BED	46		5:51	
		USED 6 SACKS OF QUIK GEL, 5# OF SODA ASH, 3 SACKS OF HOLE PLUG, AND 3 SACKS OF CASING SEAL				
		TEST HOLE IS PLUGGED				
		OGALLALA = 123				
		DAKOTA = 46				

BLANK OFF

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