

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

1. File No.: 27994	2. Status Change Date: 7/25/2024	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 08/17/2023 Application Complete Date:
3. Package File No(s): Changes 27993 27994 39993 40961 40979 40992 41004 41491 Permits 51082 51083 51084		
5a. <input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change VYN LAND & CATTLE 1194 RD Y LAKIN, KS 67860	Person ID Add Seq#	5b. <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change VYN LAND & CATTLE 1194 RD Y LAKIN, KS 67860
Person ID Add Seq#	Person ID 67307 Add Seq# 1	
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Name Change	Person ID Add Seq#	5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change
Person ID Add Seq#	Person ID Add Seq#	
6. Change No.: C3 <input checked="" type="checkbox"/> PD <input checked="" type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: Perfection/Expiration Date:		7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR- Irrigation UMW: UMW:
8. Action Trail GY C3 - CHANGE APP PLACE OF USE APPROVED - Compliance: 12/31/2024 GX C2 - CHANGE APP POINT OF DIVERSION APPROVED - Comp Date: 12/31/2024		
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 LI 7/9/2024	Entered 8/12/2024 KAnderson
	Reviewed KAK 7/24/2024	

File No. **27994** 13. County: **SV** Basin: **CIMARRON RIVER** Stream:
 Structures File No: Aquifer Code: **NO CHANGE** Special Use Area: **NA**

14. Points of Diversion, Rates & Quantities										Qty AF		Rate gpm		Storage Qty		Storage Rate	
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)		Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps
MOD	31425 SW SW NW	36	33	38W	1	2692	5191			264	264	1090	1090				+
MOD	41720 NW NW SE	36	33	38W	2	2532	2535			778	778	1700	1700				++

15. Limitations Type: Quantity: **AF** Rate: **gpm** combined with file no(s): **NONE NO CHANGE**
 Type: **Other** Quantity: Rate: combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date: 12/31/2024

17. Place of Use					NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps	
PDIV	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
MOD	6869	35	33	38W	2												31.0	31.0	31.0	31.0	124	5b	<input type="checkbox"/>	*	
MOD	7805	30	33	37W	1	13.0	36.0	40.0	36.0	40.0	L-1 37.08	L-2 37.20	40.0	40.0	L-3 37.32	L-4 37.44	37.0	36.0	40.0	36.0	13.0	556.04	5b	<input type="checkbox"/>	*
MOD	2056	36	33	38W	1	35.0	37.0	39.56	40.0	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	525.96	5b	<input type="checkbox"/>	*	
MOD	12077	24	33	38W	1	13.0	36.0	40.0	36.0	36.0	13.0	36.0	40.0	40.0	36.0	13.0	36.0	31.0	31.0	31.0	31.0	499.0	5b	<input type="checkbox"/>	*
MOD	34179	19	33	37W	2								31.0	L-3 31.0	L-4 31.0	31.0					124	5b	<input type="checkbox"/>	*	
MOD	26240	25	33	38W	3	13.0	36.0	40.0	36.0												125	5b	<input checked="" type="checkbox"/>	*	
MOD	32602	25	33	38W	1				36.0	13.0	36.0	40.0	40.0	36.0	13.0	36.0	28.0	35.0	38.0	36.0	387.0	5b	<input type="checkbox"/>	*	
ENT	8235	19	33	37W	1												33.0	33.0	33.0	33.0	132	5b	<input type="checkbox"/>	*	
ENT	12575	29	33	37W	1				40.0	40.0	33.0	33.0									146	5b	<input type="checkbox"/>	*	
ENT	20654	29	33	37W	2	33.0	33.0	33.0	33.0												132	5b	<input type="checkbox"/>	*	
ENT	12326	6	34	37W	2	L-1 11.50	L-2 36.75	40.00	36.75	L-3 36.75	L-4 11.50	L-5 36.75	40.00	40.00	L-6 36.75	L-7 11.50	36.75	36.75	40.00	36.75	11.50	500	5b	<input type="checkbox"/>	*

18. Point of Diversion and Place of Use Overlaps
+ 40961 * **27993 27994 39993 40961 40979 40992 41004 41491 51082 51083 51084**
++ NONE **
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THE STATE OF KANSAS

KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

APPROVAL OF APPLICATION FOR CHANGE IN PLACE OF USE AND POINT OF DIVERSION WATER RIGHT FILE NO. 27,994

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Justin Vyn, on behalf of Vyn Land & Cattle, 1194 Road Y, Lakin, Kansas 67860, received in this office on August 17, 2023, for approval of a change in the location of the place of use and point of diversion, under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Orders of the Chief Engineer dated April 20, 2005, and May 25, 2017, approving the applications to change the place of use, finds that the changes are reasonable and will not impair existing rights, and that the application should be and are hereby approved.

The effective date of the changes shall be the date this order is executed by the Chief Engineer, after which the authorized location of the irrigation place of use shall be:

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			
19	33S	37W									31.00	Lot 3	Lot 4	31.00	33.00	33.00	33.00	33.00	256.00		
30	33S	37W	13.00	36.00	40.00	36.00	40.00	Lot 1	Lot 2	40.00	40.00	Lot 3	Lot 4	37.32	37.44	37.00	36.00	40.00	36.00	13.00	556.04
24	33S	38W	13.00	36.00	40.00	36.00	36.00	13.00	36.00	40.00	40.00	36.00	13.00	36.00	31.00	31.00	31.00	31.00	499.00		
25	33S	38W	13.00	36.00	40.00	36.00	36.00	13.00	36.00	40.00	40.00	36.00	13.00	36.00	28.00	35.00	38.00	36.00	512.00		
35	33S	38W													31.00	31.00	31.00	31.00	124.00		
36	33S	38W	35.00	37.00	39.56	40.00	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	31.20	525.96		
29	33S	38W	33.00	33.00	33.00	33.00	40.00	40.00	33.00	33.00									278.00		
06	34S	37W	Lot 1	Lot 2			Lot 3	Lot 4	Lot 5		40.00	Lot 6	Lot 7		36.75	40.00	36.75	11.50	500.00		

a total of 3,251 acres in Stevens County, Kansas, and

the authorized location of the authorized points of diversion shall be:

one (1) well located in the Southwest Quarter of Southwest Quarter of the Northwest Quarter (SW¼ SW¼ NW¼) of Section 36, more particularly described as being near a point 2,692 feet North and 5,191 feet West of the Southeast corner of said section, at a diversion rate not in excess of 1,090 gallons per minute (2.42 c.f.s.) and a quantity not to exceed 264 acre-feet of water per calendar year, and

one (1) well located in the Northwest Quarter of Northwest Quarter of the Southeast Quarter (NW¼ NW¼ SE¼) of Section 36, more particularly described as being near a point 2,532 feet North and 2,535 feet West of the Southeast corner of said section, at a diversion rate not in excess of 1,700 gallons per minute (3.79 c.f.s.) and a quantity not to exceed 778 acre-feet of water per calendar year,

both in Township 33 South, Range 38 West, Stevens County, Kansas,

located substantially as shown on the maps accompanying the application to change the place of use and point of diversion.

Installation of the works for diversion of water shall be completed on or before December 31, 2024, or within any authorized extension of time. The water right owner shall notify the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture, when construction of the works for diversion has been completed.

The water right owner shall properly install acceptable water meters on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meters has been completed. The water right owner shall maintain the water meters in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meters and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 27,994, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation, dated February 21, 2001, as modified and amended by the aforementioned orders.

Ordered this 25th day of July, 2024, in Manhattan, Riley County, Kansas.

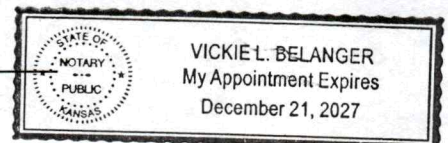
Lane P. Letourneau

Lane P. Letourneau, P.G.
Water Appropriation Program Manager
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 25th day of July, 2024, by Lane P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.

Vickie L. Belanger
Notary Public



1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www. agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

August 2, 2024

JUSTIN VYN
VYN LAND & CATTLE
1194 RD Y
LAKIN KS 67860

RE: Water Right
File Nos. 27,993, 27,994, 39,993, 40,961,
40,979, 40,992, 41,004 and 41,491

Dear Mr. Vyn:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced files.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals. The additional existing limitations on the referenced files remain as detailed in the certificate and previous orders. A condition of the approvals is that acceptable water flowmeters must be installed on the diversion works authorized under the referenced files. Records in this office indicate that meters are installed on the authorized points of diversion. If a meter has been replaced, you must contact our staff at the Garden City Field Office at 620-276-2901.

Since these orders modify the original documents referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your reports online at www.kswaterusereport.org.

If you have any questions, please contact us at 785-564-6640, or our staff at the Garden City Field Office at 620-279-2901. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Application and Change Unit Supervisor
Water Appropriation Program

KAB:kak:li
Enclosures

pc: Garden City Field Office
Groundwater Management District No. 3

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then 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. Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this 2 day August, 2024, I hereby certify that the attached Approval of Applications for Change under Water Right, File Nos. 27,993, 27,994, 39,993, 40,961, 40,979, 40,992, 41,004 and 41,491 dated, July 25, 2024, were mailed postage prepaid, first class, US mail to the following:

VYN LAND & CATTLE
1194 RD Y
LAKIN KS 67860

With photocopies sent to:

KDA-DWR Garden City Field Office

Groundwater Management District No. 3


Staff