

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

1. File Number: <b>4104</b>	2. Status Change Date: <i>5-1-2024</i>	3. Change Num: <b>C1</b>	4. Field Office: <b>4</b>	5. GMD: <b>3</b>
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>3/22/2024</b>
8a. Landowner, New to system <input type="checkbox"/>  <b>SWALAR LLC PO BOX 1009 LIBERAL, KS 67905-1009</b>		8c. Landowner(s) New to system <input type="checkbox"/>  <b>Person ID <u>23530</u> Add Seq# _____</b>		
8b. Landowner(s) New to system <input type="checkbox"/>  <b>Person ID _____ Add Seq# _____</b>		8d. WUC, New to system <input type="checkbox"/>  <b>Person ID <u>23530</u> Add Seq# _____</b>  <b>8a</b>		
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 checked="" type="checkbox"/> H & E Letter <input type="checkbox"/> Conservation Plan    Date Required: _____    Date Approved: _____    Date to Comply: _____				
10. Use Made of Water    From: _____    To: _____				
REMOVE C3 REQUIREMENT			Date Prepared: <b>4/30/2024</b> By: <b>MAM</b> Date Entered: _____    By: _____	

File No. **4104**      11. County: SV      Basin: BEAR CREEK      Stream:      Formation Code: 331      Special Use:

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

CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
DEL		16521														
ENT				NESEW	7	31	38W		2625	2916		915	986	915	986	NONE

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													
CHK	9720																																	
CHK	34193																																	
CHK	35301																																	

Base Acres: **490**      Year:      Minimum Reasonable Quantity:

Comments:

Garden City Field Office  
4532 W. Jones, Suite B  
Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901  
Fax: 620-276-9315  
www.agriculture.ks.gov

Laura Kelly, Governor

May 1, 2024

SWALAR LLC  
PO BOX 1009  
LIBERAL, KS 67905-1009

RE: Field Office Application for Change  
Water Right, File Nos. 4104

Dear Madam or 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 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.

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: Gerald Hull

**CERTIFICATE OF SERVICE**

On this 1<sup>st</sup> day of May 2024, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 4,104 dated 1<sup>st</sup> day of May 2024 was mailed postage prepaid, first class, US mail to the following:

SWALAR LLC  
PO BOX 1009  
LIBERAL, KS 67905-1009

Pc:

GERALD HULL  
902 ROAD S  
HUGOTON KS 67951-5294

A handwritten signature in blue ink that reads "Aaron Halsted". The signature is written in a cursive style and is positioned above a solid 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. 4104

**RECEIVED**  
 1:00 pm  
 MAR 22 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: GERALD D HULL

902 ROAD S, HUGOTON, KS 67951-5294

Phone Number: (    )                      Email address: \_\_\_\_\_

Name and address of Water Use Correspondent: SWALAR LLC

PO BOX 1009, LIBERAL, KS 67905-1009

Phone Number: (    )                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:

Owner of Land ---- NAME: Same

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 \_\_\_\_\_ Fee \$ 200.00 TR # \_\_\_\_\_ Receipt Date 3-22-24 Check # 1177

5. **Presently authorized point of diversion:**  
 One in the SW Quarter of the SE Quarter of the SW Quarter of Section 7, Township 31 South, Range 38 W, in SV County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate No change Authorized Quantity No change Depth of well N/A (feet)  
**(DWR use only: Computer ID No. 1 GPS 721 feet North 3872 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 SW Quarter of Section 7, Township 31 South, Range 38 W, in SV County, Kansas, 2625 feet North 2916 feet West of Southeast corner of section.  
 Proposed Rate No change Proposed Quantity No change Proposed well depth (feet) 600  
 This point is:  Additional Well  Geo Center List other water rights that will use this point N/A

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

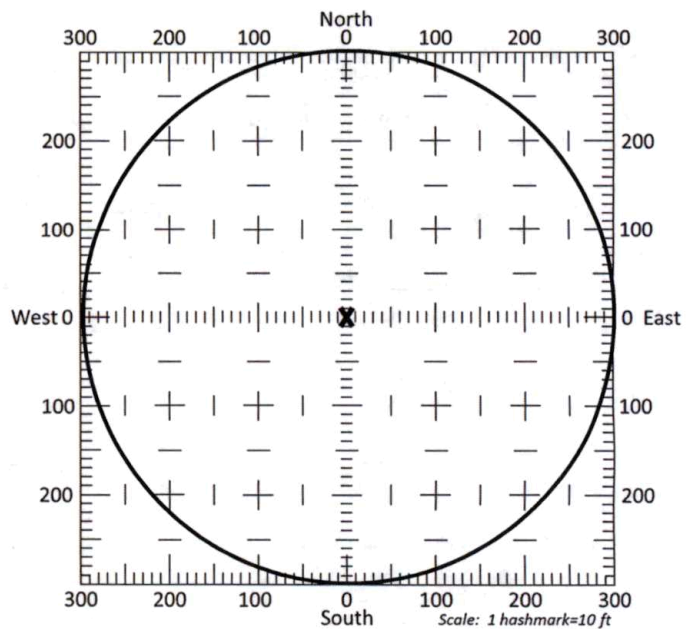
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

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 Georgetown, <sup>Texas</sup> Kansas, this 4<sup>th</sup> day of March, 2024.

Linda Larabee Swafford \_\_\_\_\_  
 (Owner) (Spouse)

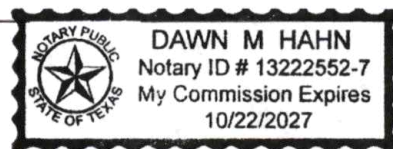
Linda Larabee Swafford \_\_\_\_\_  
 (Please Print) (Please Print)

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

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

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

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



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

State of <sup>Texas</sup> Kansas }  
 County of Williamson } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 4<sup>th</sup> day of March, 2024.

Dawn M. Hahn  
 Notary Public

My Commission Expires 10/22/2027.

**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. 4104

1. A change application was received on March 23, 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 1, 2024

State of Kansas )

) SS

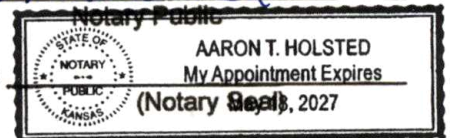
County of Finney )

Acknowledged before me on May 1, 2024

by Michael A Meyer

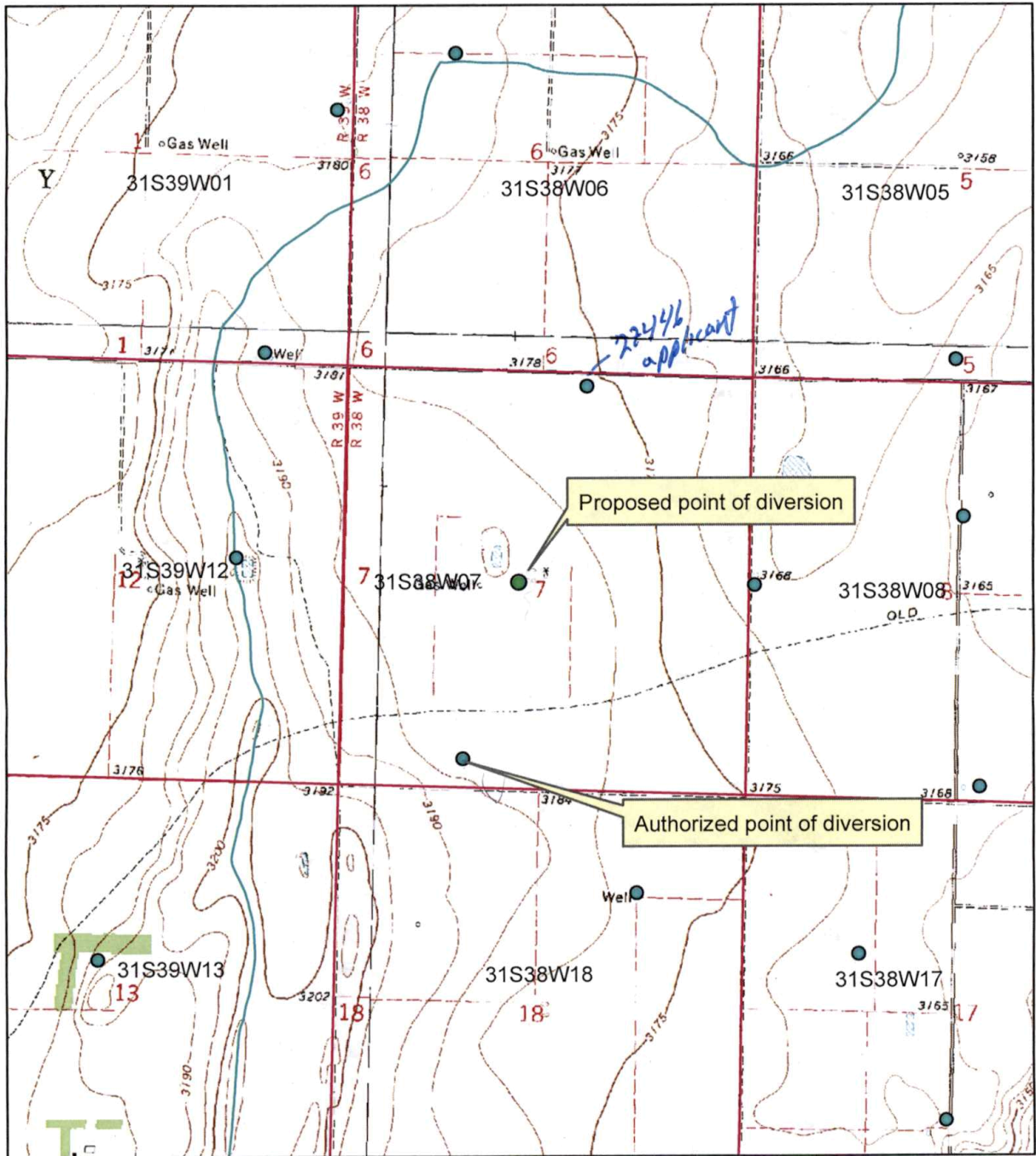
Signature: Aaron Holsted

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



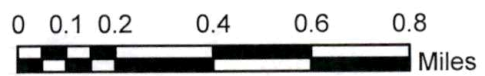


# Change in point of diversion application for water right 4104



● Authorized point of diversion

● Proposed point of diversion



All points of diversion within 1/2 mile are on this map.

Gerald Hull

8 APR

Fest #  
11



1741  
RECEIVED  
APR 12 2024

P.O. Box 1525  
Dalhart, Texas 79022  
(806) 249-4585

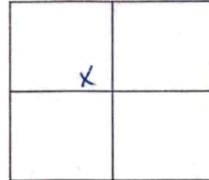
Garden City Field Office  
Division of Water Resources

Date: 9-8-2023  
Customer: GERALD HULL

Crew: ALAN LAYSON  
CELSO  
BRAYAN  
IVAN

County: STEVENS KS

Super Gel: 0  
Bit: 1-6 1/2" POE  
Concrete: 2  
Bran: 0  
Other: 0



Survey: TRIS R38W  
Block: \_\_\_\_\_  
Section: 7

GPS N 37° 21' 59.2"  
W 101° 29' 39.7"  
37.3664944  
101.49436

Test No. 11

From	To	Description	Sand
0	20	TOP SOIL / SAND	10
20	40	SAND / BROWN CLAY / CALICHE SANDWICH	12
40	60	SAND / BROWN CLAY	10
60	80	BROWN CLAY	
80	100	SAND / BROWN CLAY	5
100	120	SAND / BROWN CLAY SANDWICH	18
120	140	SAND / MED SAND	20
140	160	MED SAND / COARSE SAND	20
160	180	MED SAND / COARSE SAND	20
180	200	MED SAND / BROWN CLAY	12
200	220	MED SAND / BROWN CLAY	15
220	240	SAND / BROWN CLAY SANDWICH	17
240	260	BROWN CLAY	
260	280	SAND / MED SAND / BROWN CLAY	15
280	300	MED SAND / BROWN CLAY	10
300	320	BROWN CLAY	
320	340	<del>BROWN CLAY</del> MED SAND / COARSE SAND / BROWN CLAY	11
340	360	MED SAND / COARSE SAND	20
360	380	BROWN CLAY / TANNISH CLAY	
380	400	BROWN CLAY / TANNISH CLAY	
400	420	MED SAND / TANNISH CLAY	5
420	440	MED SAND / COARSE SAND / TANNISH CLAY	8
440	460	MED SAND / TANNISH CLAY	8
460	480	COARSE SAND / BEE GRAVEL / TANNISH CLAY	13
480	500	COARSE SAND / BEE GRAVEL / TANNISH CLAY	5



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 15, 2024

SOUTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT NO. 3  
2009 E SPRUCE ST  
GARDEN CITY KS 67846

Re: Request for Recommendation  
Water Right, File No. 4104

Dear Mr. Norquest:

This is to advise you that Gerald Hull has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion.

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, with a long horizontal flourish extending to the right.

Michael A. Meyer  
Water Commissioner

MAM  
Enclosures

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

March 29, 2024

SWALAR LLC  
PO BOX 1009  
LIBERAL, KS 67905-1009

Re: Request for Additional Information  
Water Right, File No. 4104

Dear Sir:

An *Application for Approval to Change the Point of Diversion* was received in this office March 22, 2024, proposing to relocate an authorized well in the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 7, Township 31 South, Range 38 West in Stevens County Kansas

Before further processing can take place of the request a required test hole log and location is needed to confirm the source of supply and location of the proposal. Also, with the well log of whom will be drilling the well for future notification of a potential approval for drill.

Please provide this required information within the next 15 days to retain the priority of the application. Failure to provide this location may result in the dismissal of the application.

Thank you for your immediate attention to this request and as please contact this office for any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Meyer".

Michael A. Meyer  
Water Commissioner

MAM