Kansas Department of Agriculture Division of Water Resources

APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 43281	2. Status Change Date:		City					
3. Package File No(s): 51081		, dr , 2 -	Structures File No.: Filing/Priority Date: 10/11/2024 Application Complete Date:					
5a.	C Person ID 67307 Add Seq#	5b. ☐ Owner ☐ Addres	son ID I Seq#					
5c. Owner WUC Address Change	Person ID Add Seq#	5d. ☐ Owner ☐ Addres	· □ WUC ss Change		son ID I Seq#			
	□ □ UMW asonable Q: tion/Expiration Date:		7. Use of Wate Groundw UMW: IRF UMW: UMW:		Water			
8. Action Trail	· · · · · · · · · · · · · · · · · · ·				t.			
9. Special Conditions			•					
10. 5YR Allocation Type: Sta Comment:	rt Year: 5YR Quar	ntity: Base	Acres:					
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap	☐ Jr Evap ☐	Other Diversion	☐ Rpt on Sr			
12. Waiver Rule ID: New DApplies: Rule No.: Rule Type: Rule SubType:	Pate Requested:	Justification:						
Comments				Processed 10/21/2024 AM	Entered			
				Reviewed				

File No. 43281		13. County: SV Basin: CIMARRON RIVER Stream:																			
Structures File No:	Aquifer	Aquifer Code: 200 Special Use Area:																			
14. Points of Diversion, Rates & Qua	ntities										Oty			Rate		St	orage Qt	v	Storage	Rate	
PDIV Qualifier	s T		R	ID	'N	'W	Con	nment (AKA Lir	ne)	Aut			Auth	Add			, dd	Auth/Add		Overlaps
CHK 49612																					
										,											
15. Limitations Type: Type:	Quantity:			Rate:					n file no												-
16. Metering Metering F	Required		nti-Re	verse	Require	ed [Sea	I Requ	ired	Comp	liance	Date:	12/31/2	025							
17. Place of Use		NEW			NDA/I/			SW1/4			SE1/4					Owner(s) Chg? O	Overlans				
PUSE S T R ID	NE½ NE NW SW SE		NW1/4 NE NW SW SE			NE NW SW			SE	SE NE				Total	-	owner(s)	Olig :	Overlaps			
MOD 21978 34 32S 38W 2					31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	31.25	375	7	'a		**
		,																7			
							Į.												.*.		
,													4				-				
18. Point of Diversion and Place	of Use C	verlap	S						** ++ ## ^^	51081					**************************************			•			

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

October 21, 2024

VYN LAND & CATTLE 1194 RD Y LAKIN, KS 67860

RE:

Filed Office Application for Change Water Right, File Nos. 43281 and 51081

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 numbers. **Note:** this approval does not allow any single point of diversion to exceed its annual authorized quantity.

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/or 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.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Austin J. McColloch

Assistant Water Commissioner

AM: enclosures

pc:

GMD 3

CERTIFICATE OF SERVICE

On this 21st day of October, 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Water Right, File No. 43,281 and Appropriation of Water, File No. 51,081 dated 21st day of October, 2024 was mailed postage prepaid, first class, US mail to the following:

VYN LAND & CATTLE 1194 RD Y LAKIN, KS 67860

Pc:

GMD 3

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

or uiv	/C151011 6	and/or p	iace of	use.															
						1	File N o	. 5108	17	432	8/			-				2	EIVED 200 pm 1 1 2024
1. /	Applicati	ion is he	ereby n	nade f	or app	roval	of the C	hief E	ingine	er to ch	nange	the (ch	neck o	ne or b	oth):				
						⊠ F	Place o	f Use			Point	of Dive	ersion				Ga Divis	rden Ci	ty Field Office ater Resource
ι	under th	e water	right w	vhich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with	the co	ndition	s desc	ribed b	pelow.	J. 101 VI	ater Resource
	The sou	rce of s	upply is	s:		\boxtimes	Ground	water		\boxtimes	Surfa	ce wat	er						
	Name ar				_	YN LA	MD &	CATT	_E										
-	1194 RD																		
	Phone N																		
	Name ar SAME A			vvater	Use C	orresp	onaen	t:											
_	Phone N)					Fmail										
	The pres								Liliali	addie									
	Owner o						BOVE												
			ADDRI					,											
(If there is							ental sh	eets as	neces	sary.)								
				NE	1/4			NV	N ¹ /4			SV	N ¹ / ₄			SE	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE¼ NW¼ SW¼ SE			SE1/4	NE¼ NW¼ SW¼ SE¼			SE1/4	NE¼ NW¼ SW¼			SE1/4 ACRES	
34	32	38					36	13	36	40	40	36	13	36	36	40	36	13	375
	f this ap				-	7.			ropose	ed that	the pla	ace of	use be	e chan	ged to	:			
(Owner o						BUVE			_									
(If there is								eets as	neces	sarv.)	7							
					1/4				N1/4		, , ,	SV	N ¹ / ₄			SI	=½		TOTAL
Sec.	Twp.	Range	NE1/4			SE1/4	NE1/4			SE1/4	NE1/4			SE1/4	NE1/4	NW1/4		SE1/4	ACRES
34	32	38													31.25				375
											IL								
	Off:	!!	0-1	0-4		-	- 00-							Det-	· · ·	241	01		119.10
	or Offic	ce Use	Only:	Code	PU	Fe	e \$ <u>3.</u>	0,00	_ <i>TR</i>	#		Re	eceipt	Date _	D-11-	24	Cnec	K#	26916

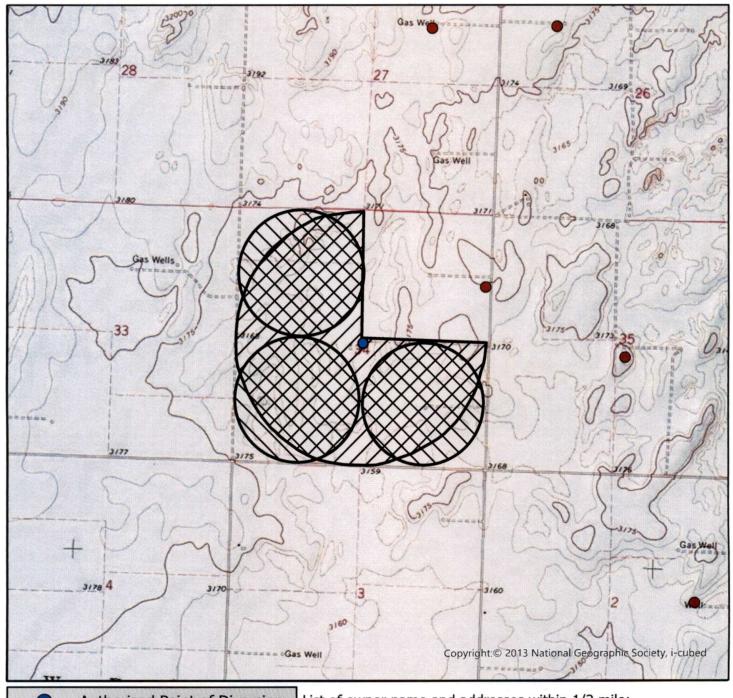
5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of the	Quarter
	of Section, Township	South, Range	(E/W),
	in County, Kansas, fee	et North feet West of Southeast co	orner of section.
- 1	Authorized Rate Authorized Quantity	Depth of well	(feet)
- 1	(DWR use only: Computer ID No GPS _		
	☐This point will not be changed ☐This point will be changed as		
- 1	Proposed point of diversion: Complete only if change is	requested or if existing point is better desc	ribed by GPS)
- 1	One in theQuarter of the	Quarter of the	Quarter
- 1	of Section, Township	South, Range	(E/W),
	in County, Kansas, fee		
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	·
L	This point is: Additional Well Geo Center List other	water rights that will use this point	·
. г	Descentive such seize descript of discovery		
6.	Presently authorized point of diversion:	Quarter of the	Overter
	One in the Quarter of the of Section, Township	Quarter of the	Quarter
	in County Kappan for	st North foot West of Southeast or	(E/VV),
	in County, Kansas, fee Authorized Rate Authorized Quantity	Ponth of well	(fact)
	(DWR use only: Computer ID No GPS		
	☐ This point will not be changed ☐ This point will be changed as		
	Proposed point of diversion: (Complete only if change is		
	One in the Quarter of the		Quarter
	of Section, Township	South Pance	(E/W),
	in County, Kansas, fee		
	Proposed Rate Proposed Quantity		
- 1	This point is: Additional Well Geo Center List other		
-			
7.	The changes herein are desired for the following reasons?		
	(please be specific) CHANGE PLACE OF USE TO COVER	300 300 100 North	200 200
	CURRENT NON AUTHORIZED ACRES BEING IRRIGATED	300 200 100 0 100	200 300 गुगगागा <u>प</u>
			_ =
	If a well, is the test hole log attached? Yes No	200 + + + + = + + +	200
8.	The change(s) (was)(will be) completed by?		1 1 1 200
	ASAP	[/	_ /=
9.	If the point of diversion is a well:	100 - + + + + - + + + + + + + + + + + + +	+ 100
9.	·	↓ <u>=</u> -	- 4
	(a) What are you going to do with the old well?	West 0 ##	Ullili
	N/A		1
	(b) When will this be done? N/A		
	(b) When will this be done: IWA	100	十 月100
10	Groundwater Management District recommendation attached?	₽ \	- / ∃
	Yes No	200 + + + + + + + + + + + + + + + + + +	200
11.	Assisted by AARON HESS	Ē	
13a	. If the proposed point of diversion will be relocated more than 300		200 300
	feet but within 2,640 feet of the existing point of diversion, attach		ashmark=10 ft
	a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile	Tobili the proposed point of diversion tim se ren	ocated within a 300
	of the proposed point of diversion and the names and mailing	foot radius of the existing point of diversion, on the diagram shown above in relation to t	he existing point of
	addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile	diversion. The proposed point of diversion	n must be located
	downstream and one-half mile upstream from your property	within the circle shown above. (PLEASE N center of diagram above represent	

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.)

lines

CHANGE IN PLACE OF USE WATER RIGHT, FILE NO. 43281

SE 1/4 of Section 34 Township 32 South Range 38 West Stevens County



Authorized Point of Diversion

Permitted Water Right

Domestic Well within 1/2 mile



Authorized Place of Use



Proposed Place of Use

List of owner name and addresses within 1/2 mile:



By signing below I agree that all wells, including domestic, and owners names and addresses within 1/2 mile of the proposed point of diversion have been shown on the map

14. 11 (1)	le proposed groundwater point of diversion is 500 to	or lewer leet from	I tile exis	ung pont	of diversion, complete	trie following.				
(a)	Does the undersigned represent all owners of the ☐ Yes ☐ No (If no, all owners must			e(s) of us	e identified in this appli	cation?				
(b)	(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, w ☐ Yes ☐ No (If no, all owners must			nage to p	roperty, public health o	or safety?				
or a cha	plication proposes a surface water change in point nge in place of use, the application must be signed ttach notarized statement authorizing representation	d by all owners o								
age and	y verify, being first duly sworn upon my o d the owner, the spouse of the owner, or a ehalf, in regards to the water right(s) to w ned in this application are true, correct and	duly authoriz hich this appl complete.	ed agen	t of the	owner(s) to make th	his application on				
Dated at	Dumas	Kansas, this	3rd	day of	October	, 20 2 4 .				
	(Owner)		1		(Spouse)					
	(Please Print)			,	(Please Print)					
	(Owner)			- 7	(Spouse)					
	(Please Print)		- 4		(Please Print)					
	(Owner)				(Spouse)					
	(Please Print)		~~~	LISA UN	RUH (Please Print)					
	Kansas Texas of Moore SS	FOFTE	MY C	TARY P TATE OF DMM. EX	UBLIC 5					
I here	eby certify that the foregoing application was 2024	signed in my	presen	de and	sworn to before me	this <u>3rd</u> day				
		_		L	Notary Public					
	mission Expires \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\									
accurate	OMPLETE APPLICATIONS WILL BE PROCESSED. To information; maps, if necessary, must be included; signal priate fee must be paid.	be complete, all of tures of all the app	the application appriate ow	able portio ners' mus	ns of the application form t be affixed to the applicat	must be completed with ion and notarized; and				
		FEE SCHEDUL	<u>E</u>							
forth in ti ((plication to change the place of use or the point of the schedule below: Make checks payable to: Kar 1) Application to change a point of diversion 300 2) Application to change a point of diversion more 3) Application to change the place of use	nsas Department feet or less e than 300 feet .	t of Agric	culture		\$100 \$200				

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov Witl	visions of the Kansas Water Appropriation Law, K.S.A. 82a-7	Bb, as amended, and K.A.R. 5-5-1, <i>et seq.</i> and other applicable <i>'01 et. seq.</i> , and rules and regulations promulgated thereunder, , this Summary Order does not change the terms, conditions and					
1.	A change application was received on October 100 diversion authorized under the above-referenced file number	requesting that the place of use and / or point of er be changed as described in the application.					
2.	On and after the effective date of this summary order, the auth the topographic map accompanying the application to char	norized place(s) of use shall be located substantially as shown on age the place of use. Applicable \(\Boxed{\square}\) Not Applicable					
3.	The change in point of diversion shall not impair existing right previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion. Applicable	ts and shall be limited to the same source or sources of water as a this summary order shall be located within a foot e Not Applicable					
4.	The point(s) of diversion described herein is administrative Positioning System (GPS), as described in the application.	ly corrected to be more accurately described using the Global ☐ Applicable ☒ Not Applicable					
5.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion.	pe located more than feet from the previously of Applicable					
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a woor other device suitable for making water level measuremer K.A.R. 5-6-13. ⚠ Applicable ☐ Not Applicable	ell with a diversion rate of 100 gallons per minute or more, a tube ats shall be installed, operated and maintained in accordance with					
7.	December 31, 20 , or before the first use of water, operated and maintained in accordance with K.A.R. 5-1-4 to	perly install an acceptable water flow meter on or before whichever occurs first. The water flow meter shall be installed, hrough 5-1-12. As required by K.S.A. 82a-732, as amended, and the reading of the water flow meter and the total quantity of water ag the end of each calendar year.					
8.	Installation of the works for diversion of water shall be a authorized extension of time. By March 1, 20 <u>▶</u> the a works for diversion has been completed, on the form provided Applicable Not Applicable	completed on or before December 31, 20 <u>5</u> , or within any applicant shall notify the Chief Engineer that construction of the ded by the Chief Engineer, as required by K.A.R. 5-8-4e.					
9.	The completed well log shall be submitted with the requir	red notice. Applicable Not Applicable					
10.	with an in-line, automatic, quick-closing check valve capab	oreign substance will be injected into the water shall be equipped ole of preventing pollution of the source of the water supply. The n accordance with K.A.R. 5-3-5c. ☒ Applicable ☐ Not Applicable					
11.	Additional Conditions are attached. Yes No						
12.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Sum Appropriation Law and the Rules and Regulations promule.	R. 5-5-14, all of the owners of the authorized place(s) of use of er are responsible for compliance with its terms, conditions and mary Order, and with applicable provisions of the <i>Kansas Water</i> gated thereunder. Failure to comply with these provisions may ended, and/or the suspension or revocation and dismissal of the ns authorized by law.					
4	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY					
you Eng Agri filed adm day revie File Leg 665	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901, may request an evidentiary hearing before the Chief ineer or request administrative review by the Secretary of culture. A request for hearing by the Chief Engineer must be within 15 days of service of this Order and a request for hinistrative review by the Secretary must be filed within 30 so pursuant to K.S.A. 77-531. Any request for administrative lew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, al Division, 1320 Research Park Drive, Manhattan, KS 102. Failure to timely request a hearing or review may be clude review under the Kansas Judicial Review Act. For Use by Register of Deeds	By: Application Approved AND SUMMARY ORDER ISSUED By: And Duly Authorized Designee of the Chief Engineer (Print Name): Australia Million Division of Water Resources - Kansas Department of Agriculture Date of Issuance: October 20 2024 State of Kansas) SS					
	For ose by Register or Deeds	County of Linney)					
		Acknowledged before me on October 21, 2024					
		by Mustin McColloch					
		Signature: Notary Public					
		My commission expires: My ARON T. HOLSTED My Appointment Expires Notary Select 18, 2027					



Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street Garden City, Kansas 67846

(620) 275-7147 phone www.gmd3.org

October 21, 2024

Austin McColloch 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. 43281 & 51081

OCT 21 2024

Garden City Field Office
Divison of Water Resources

Dear Austin:

We have reviewed the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). In accordance with K.A.R. 5-5-11(b), the proposed acres are within the allowance of the base acres for the water right and will maintain a complete overlap for both water rights. 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

GMD3 Change Review

File No(s).: <u>43281, 5</u>	<u>1081</u> .		DWR office	: <u>GC</u> .	
App filed to change:	<u>PU</u> .				
Is Landowner(s) corre	ect in WRIS:	Vyn Land &	Cattle.		
If NO, is docu	mentation inc	cluded?			
Is Water Use Corresp	ondent correc	et in WRIS?			
If NO, is docu			-		
Regulation(s) Review					
Point of diversion ID					
ft	. North ft	t. West			
Authorized PD					
Proposed PD					
Difference	0	0			
a2 + b2 = c2	0	0	0		
GPS for proposed PD		Long:	×.		
Is proposed PD stack		_	The state of the s		
Is Proposed PU overl	apping existir	ng WRs? Rea	rranging with c	omplete o	verlap.
Neighboring certified	well(s) notifi	ied:			
Name					
Address					
Zip					
Email: Phone	:				
Base Acres: 375.					
Perfected Acres:					
Irr. Return-Flow	V ₀				
Stevens County					
43281 authorized: 7	00AF @ 183	0gpm			
375acres 34-3	32-38. Half n	nile pivot cove	ring 3 quarter	s NW, SV	V & SE
51081 authorized: 7	00AF @ 210	5gpm. LIMI	TED to 700AF	@ 2105gr	om w/43281
Same acres a	s 43281				
Proposed acres:					
375acres 34-3	32-38. Now v	vanting 3 125a	cres quarter n	nile pivots	s on NW, SW
& SE quarters.				-	
Is a waiver needed: _	No, proposed	d acres do bring	in new acres,	out within	the base acres
allowed.					
Recommendation: _/	After review o	of available inf	ormation, it app	ears curre	nt area rules
are met. Staff therefo			Acres Co. P. Chicago et al. (1985)		
		7.5 /			

for

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

October 14, 2024

GROUNDWATER MANAGEMENT DISTRICT #3 2009 E SPRUCE ST GARDEN CITY KS 67846

Re.

Request for Recommendation,

File No. 43281 and 51081

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Vyn Land & Cattle and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

Austin McColloch

Assistant Water Commissioner

Enclosure

pc: