Kansas Department of Agriculture Division of Water Resources

APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: KE-005	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.:							
3. Package File No(s): 2340 & 18274		Filing/Priority Date: 7/26/2024 Application Complete Date:						
5a. ⊠ Applicant ⊠ Owner ⊠ WU	C Person ID 13901 Add Seq#	☐ Addres	WUC ss Change	Ado	son ID 25015 I Seq#			
ERVIN PLOEGER 2063 ROAD Z DEERFIELD, KS 67838-3819		KERRY T & GAYLE ENSLOW TACKETT PO BOX 46 DEERFIELD, KS 67838						
5c. ⊠ Owner □ WUC	Person ID 25348		□ WUC		son ID 9135			
☐ Address Change	Add Seq#		ss Change		Seq#			
CLETUS PLOEGER FAM TR PO BOX 67 LAKIN, KS 67860	UST ETAL	KEARNY CO FARMERS IRRIGATION ASSN 2123 HIGHWAY 50 DEERFIELD, KS 67838						
	☐ UMW Reasonable Q: ion/Expiration Date:		7. Use of Wate Groundw UMW: IRF UMW: UMW:		Water			
8. Action Trail				11				
9. Special Conditions					, As			
10. 5YR Allocation Type: Star Comment:	t Year: 5YR Quan	tity: Base	Acres:		_			
11. Sand & Gravel Proj ID:	☐ Active ☐ Dredge	☐ IND Evap ☐] Jr Evap □	Other Diversion	☐ Rpt on Sr			
12. Waiver Rule ID: New D Applies: Rule No.: Rule Type: Rule SubType:	ate Requested:	Justification:						
Comments				Processed 8/21/2024 AM	Entered			
				Reviewed				

File No. KE-005 Structures File No:		13. Cou	-		in: ARI	KANSA	AS RIV	/ER S	tream:	ji K			Speci	al Use	Area:						
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14. Points of Diversion,	Rates & Qua	ntities										Oty			Rate		St	orage Qty	Storag		
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18. Point of Diversio	n and Place	of Use (Overlap	S						**	2240 9	k 1827	4								
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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

ERVIN PLOEGER 2063 ROAD Z DEERFIELD, KS 67838-3819

RE:

Filed Office Application for Change

Vested Right, File No. KE-005

Water Right, File Nos. 2340 and 18274

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:

Kerry & Gayle Tackett

Cletus Ploeger Family Trust Etal.

GMD 3

CERTIFICATE OF SERVICE

On this 21st day of August, 2024, I hereby certify that the foregoing Approval of Application for Change in Place of Use, Vested Right, File No. KE-005 and Water Right, File Nos. 2,340 and 18,274 dated 21st day of August, 2024 was mailed postage prepaid, first class, US mail to the following:

ERVIN PLOEGER 2063 ROAD Z DEERFIELD, KS 67838-3819

Pc:

KERRY T & GAYLE ENSLOW TACKETT PO BOX 46 DEERFIELD, KS 67838

CLETUS PLOEGER FAM TRUST ETAL PO BOX 67 LAKIN, KS 67860

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.

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						F	File No	. <u>KE-0</u>	05									26 2	
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Proposed Rate	Proposed Quantity	Proposed well depth (fe	et)
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The changes herein ar	e desired for the following reasons?		
(please be specific)		North	
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If a well, is the test hole	log attached? ⊠ Yes ☐ No	200 + + + + = +	+ + 200
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If the point of diversion (a) What are you going		West 0 + + + =	0 East 100
If the point of diversion (a) What are you going	to do with the old well?		
(a) What are you going (b) When will this be do	to do with the old well?		

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.)

0 South

200

100

12. Assisted by mdf/GCFO

00 200 30 Scale: 1 hashmark=10 ft

APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION

SUPPLEMENTAL SHEET
FILE NO. 2349
MAKE ADDITIONAL COPIES AS NECESSARY

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14. If the	e proposed groundwater point of diversion is 300 or f	fewer feet fro	om the existing point of diversion, complete the f	ollowing:
	Does the undersigned represent all owners of the cu ☐ Yes ☐ No (If no, all owners must sign			n?
	Will the ownership interest of any owner of the curraffected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must see the currage of the cur	?		n be adversely
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or a char	plication proposes a surface water change in point of nge in place of use, the application must be signed b ttach notarized statement authorizing representation)	y all owners		
age and their be	y verify, being first duly sworn upon my oat d the owner, the spouse of the owner, or a d ehalf, in regards to the water right(s) to whice led in this application are true, correct and c	uly author ch this ap	ized agent of the owner(s) to make this a	application on
Dated at	LAKEN .K	Kansas, this	364 day of July	_, 20 34.
110	Pulmer FOR KCB BANK / TRISTEE	R		
	(Owner) CLENS		(Spouse)	And the second s
JOHN	(Please Print)	TRISTEL	(Please Print)	
-	(Owner)		(Spouse)	
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	(Owner)		(Spouse)	
	(Please Print)		(Please Print)	
State of F		ALF.JANI	IC - State of Kansas DRA RAMOS pires 4/19/27	
	eby certify that the foregoing application was :	signed in	my presence and sworn to before me this	s deth day
My Comr	mission Expires April 18, 2027.	-	Notary Public	
accurate in	MPLETE APPLICATIONS WILL BE PROCESSED. To be nformation; maps, if necessary, must be included; signature priate fee must be paid.	complete, all es of all the a	of the applicable portions of the application form must opropriate owners' must be affixed to the application a	be completed with nd notarized; and
	<u>F</u> I	EE SCHEDU	<u>JLE</u>	
forth in th	plication to change the place of use or the point of div ne schedule below: Make checks payable to: Kansa 1) Application to change a point of diversion 300 fee 2) Application to change a point of diversion more to 3) Application to change the place of use	as Departmet or less han 300 feet	ent of Agriculture	\$100

14. If the proposed groundwater point of diversion is 300 or fewer feet fi	rom the existing point of diversion, complete the following:
(a) Does the undersigned represent all owners of the currently auti ☐ Yes ☐ No (If no, all owners must sign this appl	
 (b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved in the currently authoral a	
(c) If this application is not approved expeditiously, will there be su Yes No (If no, all owners must sign this appl	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owner agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirn age and the owner, the spouse of the owner, or a duly autho their behalf, in regards to the water right(s) to which this ap contained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on
Dated at Deen 4:010 , Kansas, this	s 9 day of A , 20 24.
Korry 7Ac/(14) (Owner) Korry Please Print)	Muyle Austher Sackett Gayk Enslow Tackett (Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of Kearny SS	
I hereby certify that the foregoing application was signed in of August, 20_24	my presence and sworn to before me this 2^{th} day
My Commission Expires <u>05/03/2028</u> .	Yassmin Barro Notary Public State of My Appt Expires (25/03
<u>ONLY COMPLETE APPLICATIONS WILL BE PROCESSED</u> . To be complete, all accurate information; maps, if necessary, must be included; signatures of all the at the appropriate fee must be paid.	Il of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
FEE SCHED	ULE
Each application to change the place of use or the point of diversion und forth in the schedule below: Make checks payable to: Kansas Departn (1) Application to change a point of diversion 300 feet or less. (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	nent of Agriculture

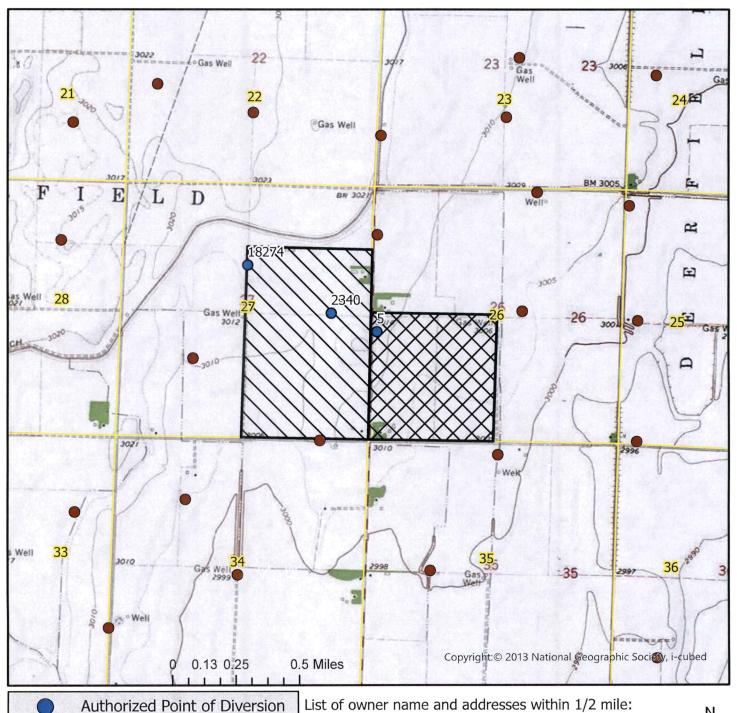
14. If the proposed ground	dwater point of diversion is 3	00 or fewer feet fron	n the existing point of	diversion, complete the	ne following:
(a) Does the undersig ☐ Yes ☐ N	gned represent all owners of No (If no, all owners n	f the currently author nust sign this applica		dentified in this applica	ation?
	p interest of any owner of the plication is approved as requise (If yes, all owners)			dentified in this applica	ition be adversely
(c) If this application ☐ Yes ☐ N	is not approved expeditiousl	y, will there be subst nust sign this applica		perty, public health or	safety?
	fi i i i, i			in point of diversion or	actor than 200 fact
or a change in place of use	a surface water change in pe, the application must be signification must be significant authorizing represer	gned by all owners o			
age and the owner, the their behalf, in regards	first duly sworn upon me e spouse of the owner, o s to the water right(s) to cation are true, correct	or a duly authoriz o which this appl	ed agent of the ov	wner(s) to make thi	s application or
Dated at Garden		-	2 day of	Toly	, 20 2 4
		, Kansas, this <u>_</u>	2 C day of	3119	
Ervin Place	180				
04	(Owner)			(Spouse)	
Ervin Plan	Pare				
((Please Print)			(Please Print)	4
	<u> </u>			(0)	
	(Owner)			(Spouse)	
	(Please Print)			(Please Print)	
	(Owner)			(Spouse)	7 ()
	(Please Print)			(Please Print)	- 7
State of Kansas	, 10000 1 11119				
<i>V</i>	ss				
County of Jenney	,			warm to before me	this 25th day
of	the foregoing application , 20 24	was signed in my	y presence and sv	worn to before me	this day
80	AARON T. HOL	STED	Various	Lite	
	My Appointment I	Expires (—	Navon	Notary Public	<u> </u>
My Commission Expires	May 18, 202	27			
ONLY COMPLETE APPLICAT accurate information; maps, if the appropriate fee must be pa	TIONS WILL BE PROCESSED. necessary, must be included; s aid.	To be complete, all of ignatures of all the app	the applicable portions ropriate owners' must b	of the application form me affixed to the application	nust be completed wit on and notarized; and
		FEE SCHEDUL	.E		
	e the place of use or the poir	nt of diversion under	this section shall be	accompanied by the a	pplication fee set
forth in the schedule below	Make checks payable to: change a point of diversion	Kansas Departmer	nt of Agriculture		\$100
(2) Application to	change a point of diversion	more than 300 feet.			\$200
	change the place of use				
JULIE JONES	YNATON)				
My Appointment Expires December 15, 2026	Thomas A				

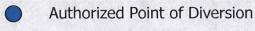
SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

prov With	s 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 visions of the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, in the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and tations of File No. KE-005
1.	A change application was received on 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
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
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, 20 , 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, 20 , or within any authorized extension of time. By March 1, 20 , 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 <i>Kansas Water Appropriation Law</i> and the <i>Rules and Regulations</i> 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.
If you Eng Agrifiled adm revieus File Leg 665	Administrative Appeal and Effective Date of Order 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 I within 15 days of service of this Order and a request for administrative review by the Secretary must be filled within 30 s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527. any request with Kansas Department of Agriculture, and Division, 1320 Research Park Drive, Manhattan, KS 02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act. For Use by Register of Deeds FOR OFFICE USE ONLY APPLICATION APPROVED AND SUMMARY ORDER ISSUED Duly Authorized Designee of the Chief Engineer Orinistrative Resources - Kansas Department of Agriculture Division of Water Resources - Kansas Department of Agriculture Date of Issuance: State of Kansas County of Acknowledged before me on August 2 20 24 Notary Public My commission expires
	PUBLIC (NY Appointment Expires December 15, 2026

CHANGE IN PLACE OF USE VR, FILE NO. KE-005

Section 26 & 27 Township 23 South Range 35 West Kearny County





Permitted Water Right

Domestic Well within 1/2 mile



Authorized Place of Use



Proposed Place of Use



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



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

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

August 16, 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

Vested Right, File No. KE 005

Water Right, File Nos. 2340 & 18274

RECEIVED

AUG 19 2024

Garden City Field Office Divison of Water Resources

Dear Austin:

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). In accordance with K.A.R. 5-5-11(b), the applicant is proposing to make a complete overlap in current acres. No new unauthorized acres are proposed. It is therefore recommended that the application 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).: KE 05, 2340, 18274.	DWR office: GC.
App filed to change: <u>PU</u> .	
Is Landowner(s) correct in WRIS: _Todd Ploeger .	
If NO, is documentation included?	
Is Water Use Correspondent correct in WRIS?	
If NO, is documentation included?	
Regulation(s) Reviewed: KAR 5-5-11	
Point of diversion ID No(s) being changed.	
GPS for proposed PD: Lat: Long:	
Is proposed PD stacking on existing WRs? No Change .	
Is Proposed PU overlapping existing 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%	
Kearny County	
KE05: 320AF @ 1014gpm	
160acres SW of 26-23-35	
2340: 320AF @ 1300gpm	
160acres SE of 27-23-35	
80acres S2 NE of 27-23-35	
18274: 160AF @ 1300gpm	
Same acres as 2340	
Proposing to make a complete overlap in acres. No nev	w acres that are not currently
authorized by the water rights.	

Is a waiver needed: No. Making a complete overlap in currently authorized acres.

Recommendation: After review of available information, it appears current area rules

are met. Staff recommends approval of the applications.

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 12, 2024

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

Re:

Request for Recommendation, File No. KE-005; 2340 & 18274

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Todd Ploeger 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: