

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

1. File No.: 2656-D2		2. Status Change Date:		4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 01/10/2025 Application Complete Date: 01/14/2025		
3. Package File No(s):						
5a. <input type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 64070 Add Seq# MCBRIDE INVESTMENTS LLC 613 E 11TH ST HUGOTON, KS 67951-2911		5b. <input type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID 24009 Add Seq# TOM L LAHEY 2711 ROAD Z MOSCOW, KS 67952-5246				
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.: 1 <input checked="" type="checkbox"/> PD <input 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: 3/01/2026 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						
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 auth quantity needs corrected to 312 acre feet based on F&O dated june 11, 1990 <i>(attached)</i>				Processed 01/14/2025 MAM		Entered
				Reviewed		

File No. **2656-D2** 13. County: **GT** Basin: **CIMARRON RIVER** Stream:
 Structures File No: Aquifer Code: **211 331** Special Use Area:

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
DEL	13970																
ENT	SWSWSE	8	30	36W	293	2481				312	312	1532	1532				

15. Limitations Type: Quantity: Rate: combined with file no(s):
 Type: Quantity: Rate: combined with file no(s):

16. Metering Metering Required Anti-Reverse Required Seal Required Compliance Date: 12/31/2025

17. Place of Use										NE¼		NW¼		SW¼		SE¼		Total	Owner(s)	Chg?	Overlaps
PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
CHK	38921																				<input type="checkbox"/>
																					<input type="checkbox"/>
																					<input type="checkbox"/>
																					<input type="checkbox"/>
																					<input type="checkbox"/>
																					<input type="checkbox"/>

18. Point of Diversion and Place of Use Overlaps

<p>* + # ^</p>	<p>** ++ ## ^^</p>
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THE STATE



OF KANSAS

STATE BOARD OF AGRICULTURE

Sam Brownback, *Secretary*

DIVISION OF WATER RESOURCES

David L. Pope, *Chief Engineer*

IN THE MATTER OF
WATER RIGHT
FILE NO. 2,656

DUPLICATE COPY

After due consideration, the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture, (hereinafter referred to as the "Chief Engineer"), makes the following findings and conclusion:

F I N D I N G S

1. That on April 30, 1959, the Chief Engineer issued a certificate of appropriation pursuant to Appropriation of Water, File No. 2,656, which set forth the extent to which the water right had been perfected within the terms, conditions and limitations for the beneficial use of groundwater in the drainage basin of the Cimarron River.
2. That on August 12, 1988, the office of the Chief Engineer received a written and signed request from the landowners of Water Right, File No. 2,656 dated May 17, 1988, that a determination of interest be recognized and that each landowner be issued a separate identification number for their interest in the water right; that each landowner is to report annual water use under their determined interest; and that each landowner's determined interest is to be equal in priority.
3. That Wilda and LaVerne Haggard retain an interest in Water Right, File No. 2,656, to the extent of a quantity not to exceed 469.2 acre-feet per calendar year to be withdrawn at a maximum rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) from one (1) well located near the center of the South side of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, more particularly described as being located near a point 2,694 feet North and 1,320 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas for irrigation use on:

80 acres in the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$),
40 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
a total of 120 acres in Section 16,

80 acres in the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$),

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Division of Water Resources
GARDEN CITY

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20 acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
20 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
a total of 120 acres in Section 17,

all in Township 30 South, Range 36 West, Grant County, Kansas.

4. That Ewing E. Lyle retain an interest in Water Right, File No. 2,656 to the extent of a quantity not to exceed 312 acre-feet per calendar year to be withdrawn at a maximum rate not in excess of 1,532 gallons per minute (3.41 c.f.s.) from one (1) well located in the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 8, more particularly described as being located near a point 80 feet North and 2,600 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas for irrigation use on:

160 acres in the Southeast Quarter (SE $\frac{1}{4}$),

all in Section 8, Township 30 South, Range 36 West, Grant County, Kansas.

5. That Kan-Tex Feeders, Inc. retain an interest in Water Right, File No. 2,656 to the extent of 312.8 acre-feet per calendar year to be withdrawn at a maximum rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) from one (1) well located near the center of the South Side of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, more particularly described as being located near a point 2,694 feet North and 1,320 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas, for irrigation use on:

160 acres in the Northeast Quarter (NE $\frac{1}{4}$),

all in Section 16, Township 30 South, Range 36 West, Grant County, Kansas;

and

Kan-Tex Feeders, Inc. retain an interest in Water Right, File No. 2,656 to the extent of 484.6 acre-feet (157.9 million gallons) per calendar year to be withdrawn at a maximum rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) from a well located near the center of the South side of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, more particularly described as being located near a point 2,694 feet North and 1,320 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas for stockwatering use at the following locations:

stockwatering in the Southwest Quarter (SW $\frac{1}{4}$), the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 16,

the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),
20 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and 20 acres in the Southeast Quarter of the

Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 21, and

the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22,

all in Township 30 South, Range 36 West, Grant County, Kansas.

CONCLUSION

NOW, THEREFORE, it is the conclusion of the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture, that a determination of interest has been made in reference to Water Right, File No. 2,656 and such determination of interest will be entered into the record for administrative purposes as set forth below:

1. That Wilda and LaVerne Haggard retain an interest in Water Right, File No. 2,656, to the extent of a quantity not to exceed 469.2 acre-feet per calendar year to be withdrawn at a maximum rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) from one (1) well located near the center of the South side of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, more particularly described as being located near a point 2,694 feet North and 1,320 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas for irrigation use on:

80 acres in the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$),
40 acres in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
a total of 120 acres in Section 16,

80 acres in the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$),
20 acres in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
20 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
a total of 120 acres in Section 17,

all in Township 30 South, Range 36 West, Grant County, Kansas.

2. That Ewing E. Lyle retain an interest in Water Right, File No. 2,656 to the extent of a quantity not to exceed 312 acre-feet per calendar year to be withdrawn at a maximum rate not in excess of 1,532 gallons per minute (3.41 c.f.s.) from one (1) well located in the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 8, more particularly described as being located near a point 80 feet North and 2,600 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas for irrigation use on:

160 acres in the Southeast Quarter (SE $\frac{1}{4}$),

all in Section 8, Township 30 South, Range 36 West, Grant County, Kansas.

3. That Kan-Tex Feeders, Inc. retain an interest in Water Right, File No. 2,656 to the extent of 312.8 acre-feet per calendar year to be withdrawn

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at a maximum rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) from one (1) well located near the center of the South Side of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, more particularly described as being near a point 2,694 feet North and 1,320 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas, for irrigation use on:

160 acres in the Northeast Quarter (NE $\frac{1}{4}$),

all in Section 16, Township 30 South, Range 36 West, Grant County, Kansas;

and

Kan-Tex Feeders, Inc. retain an interest in Water Right, File No. 2,656 to the extent of 484.6 acre-feet (157.9 million gallons) per calendar year to be withdrawn at a maximum rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) from a well located near the center of the South side of the Northeast Quarter (NE $\frac{1}{4}$) of Section 16, more particularly described as being near a point 2,694 feet North and 1,320 feet West of the Southeast corner of said section, Township 30 South, Range 36 West, Grant County, Kansas for stockwatering use at the following locations:

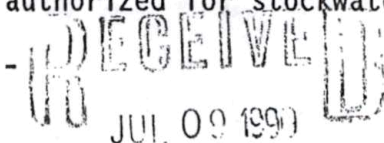
stockwatering in the Southwest Quarter (SW $\frac{1}{4}$), the East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) and the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 16,

the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), 20 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and 20 acres in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 21, and

the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22,

all in Township 30 South, Range 36 West, Grant County, Kansas.

4. That henceforth that portion of the interest in Water Right, File No. 2,656, owned by Wilda and LaVerne Haggard will be identified as "Water Right, File No. 2,656-D1."
5. That henceforth that portion of the interest in Water Right, File No. 2,656, owned by Ewing E. Lyle will be identified as "Water Right, File No. 2,656-D2."
6. That henceforth that portion of the interest in Water Right, File No. 2,656 owned by Kan-Tex Feeders, Inc. and authorized for irrigation use will be identified as "Water Right, File No. 2,656-I3."
7. That henceforth that portion of the interest in Water Right, File No. 2,656 owned by Kan-Tex Feeders, Inc. and authorized for stockwatering use will



be identified as "Water Right, File No. 2,656-S3."

- 8. That the authorized rate of diversion authorized under "Water Right, File No. 2,656-D1", "Water Right, File No. 2,656-I3" and "Water Right, File No. 2,656-S3" shall be further limited to a rate not in excess of 1,385 gallons per minute (3.09 c.f.s.) during simultaneous use of the rights in any combination.
- 9. That the interests designated "Water Right, File No. 2,656-D1" "Water Right, File No. 2,656-D2", "Water Right, File No. 2,656-I3" and "Water Right, File No. 2,656-S3" shall be afforded identical priorities in time within the overall priority established under Water Right, File No. 2,656.

Dated at Topeka, Kansas, this 11th day of June, 1990.

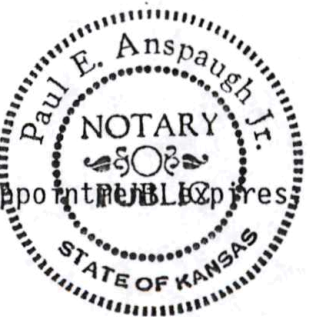
Wayland J. Anderson
 Wayland J. Anderson, P.E.
 Assistant Chief Engineer
 Division of Water Resources
 Kansas State Board of Agriculture

State of Kansas)
) SS
 County of Shawnee)

The foregoing instrument was acknowledged before me this 11th day of June, 1990, by Wayland J. Anderson, P.E., Assistant Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture.

Paul E. Anspaugh Jr.
 Notary Public

My appointment expires 9-1-91



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Division of Water Resources
 GARDEN CITY

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

January 14, 2025

TOM L LAHEY
2711 ROAD Z
MOSCOW, KS 67952-5246

RE: Filed Office Application for Change
Water Right, File No. 2656-D2

Dear Sir:

Enclosed are orders 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 this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced files number and meet current specifications.

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 that reads "Michael A. Meyer".

Michael A. Meyer
Water Commissioner

MAM
Enclosures

pc: MCBRIDE INVESTMENTS LLC (w/encl)

CERTIFICATE OF SERVICE

On this 14th day of January 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 2656-D2 dated 14th day of January 2025 was mailed postage prepaid, first class, US mail to the following:

TOM L LAHEY
2711 ROAD Z
MOSCOW, KS 67952-5246

pc:

MCBRIDE INVESTMENTS LLC
613 E 11TH ST
HUGOTON, KS 67951-2911


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. 2656-D2

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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: TOM L LAHEY

2711 ROAD Z MOSCOW KS 67952 - 5246

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: TOM L LAHEY

2711 ROAD Z MOSCOW KS 67952 - 5246

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: MCBRIDE INVESTMENTS LLC

ADDRESS: 613 E 11TH ST HUGOTON KS 67951 - 2911

(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 CGC Fee \$100.00 TR # _____ Receipt Date 1-10-25 Check # 1569

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the CR Quarter of the SE Quarter
 of Section 8, Township 30 South, Range 36 (W),
 in GRANT County, Kansas, 80 feet North 2500 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 01 GPS 45 feet North 2464 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 SW Quarter of the SW Quarter of the SE Quarter
 of Section 8, Township 30 South, Range 36 (W),
 in GRANT County, Kansas, 293 feet North 2481 feet West of Southeast corner of section.
 Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 600'
 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) LOSS OF PRODUCTION

8. If a well, is the test hole log attached? Yes No

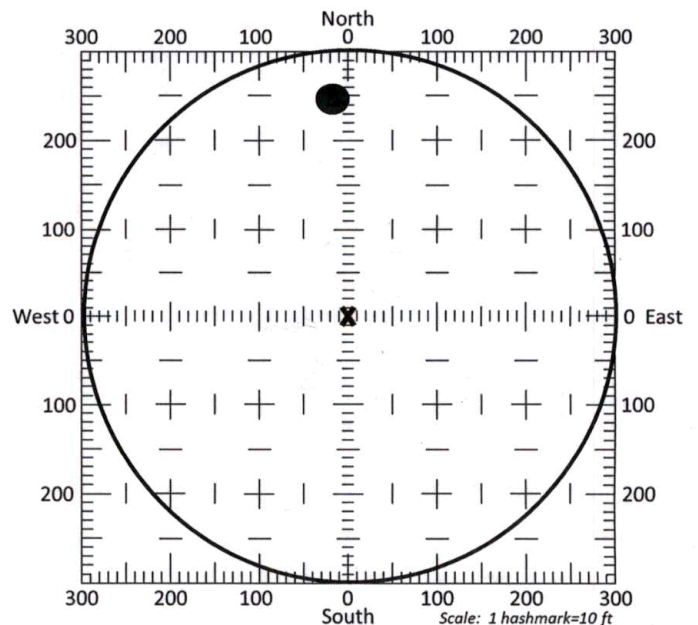
9. The change(s) (was)(will be) completed by?
UPON APPROVAL

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
PLUG / CAP
 (b) When will this be done? UPON APPROVAL

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by AM / 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).

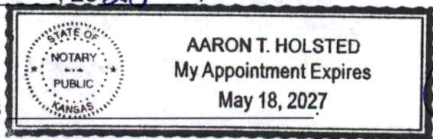
I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, Kansas, this 10th day of January, 2025.

<u>Thomas J Lahey</u> (Owner)	_____	(Spouse)
<u>Thomas L. Lahey</u> (Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)
_____	_____	(Spouse)
(Please Print)	_____	(Please Print)

State of Kansas }
County of Linn } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 10th day of January, 2025.



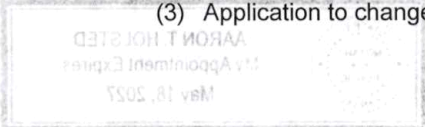
Aaron Holsted
Notary Public

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. 2656-D2

1. A change application was received on January 10, 2025 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, 2025**, 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, 2025**, or within any authorized extension of time. By March 1, 2026 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.

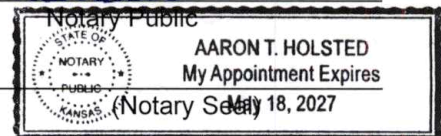
Administrative Appeal and Effective Date of Order

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 Designer of the Chief Engineer
(Print Name): MICHAEL A. MEYER
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: January 14, 2025
State of Kansas)
County of Linney) SS
Acknowledged before me on January 14, 2025
by Michael A Meyer
Signature: Aaron Holsted



My commission expires: _____
(Notary Seal)

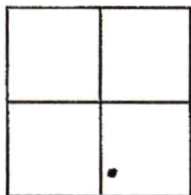
File # 2656-DZ

Sec. 8-T30S Blk R-36W
 Survey _____ Co. Grant
 N. 37.44669' W. -101.27959'



No. 32694

P.O. Box 784
 Sunray, Texas 79086
 (806) 948-4421



TONY MCBRIDE
 INVESTMENTS
 TOMMY LAHEY

Test Waterwell

DATE 1/03/25

NO. 1-25

FROM	TO	DESCRIPTION	SAND
0	200	top soil + Brown clay	
200	260	Sand w/ clay strips	
260	280	med and coarse sand w/ clay strips	
280	300	fine, med and coarse fairly loose sand w/ Gravel	20
300	320	fine, med and coarse fairly loose sand w/ clay strips	16
320	340	fine, med and coarse fairly loose sand w/ clay strips	15
340	360	med fine fairly loose sand w/ clay strips	9
360	380	med fine fairly loose sand w/ clay strips	13
380	400	fine to med fairly loose sand w/ clay strips	11
400	420	fine to med to coarse fairly loose sand w/ clay strips	8
420	440	fine, med and coarse fairly loose sand w/ clay strips	14
440	460	med and coarse fairly tight sand w/ gravel to med fine little tight sand.	20
460	480	fine to med fine little tight sand w/ sandy clay strips	14
480	500	fine fairly tight sand w/ sandy clay strips	15
500	520	fine to med fine little tight sand w/ clay strips	18
520	540	fine to med fine little tight sand	20
540	560	fine little tight sand w/ sandy clay strips	17
560	580	fine to med fine little tight sand to bed clay	17
580	600	Red CLAY	
1/2 SK HILLS. 1/4 BKT DRISPACK plus Regular			

- used some water