

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

WATER METER REQUIRED

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. 13,732

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9:45 am
APR 23 2018

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

Place of Use Point of Diversion

Stafford Field Office
 Division of Water Resources

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: Hamilton Land LLC

PO Box 484, Minneola, KS 67865-0484

Phone Number: (620)873-9422 Email address: roundtoprodshop@hotmail.com

Name and address of Water Use Correspondent: Hamilton Land LLC

PO Box 484, Minneola, KS 67865-0484

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: Hamilton Land LLC

ADDRESS: PO Box 484, Minneola, KS 67865-0484

(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					
28	27S	24W									19				15				40	40	40	28	182

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: NO CHANGE

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- TR # _____ Receipt Date _____ Check # 7435

5. **Presently authorized point of diversion:**
 One in the NE Quarter of the NE Quarter of the SE Quarter of Section 28, Township 27 South, Range 24 (W), in Ford County, Kansas, -- feet North -- feet West of Southeast corner of section.
 Authorized Rate 1,110 GPM Authorized Quantity 308 acre-feet Depth of well 185 (feet)
 (DWR use only: Computer ID No. 1 -footages scaled from aerial photo as follows- 2,625 feet North 190 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 SE Quarter of the SE Quarter of the SE Quarter of Section 28, Township 27 South, Range 24 (W), in Ford County, Kansas, 515 feet North 90 feet West of Southeast corner of section.
 Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) 205-220*
 This point is: Additional Well Geo Center List other water rights that will use this point none

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) old well has declined in production, hoping to find more/better water at proposed location

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

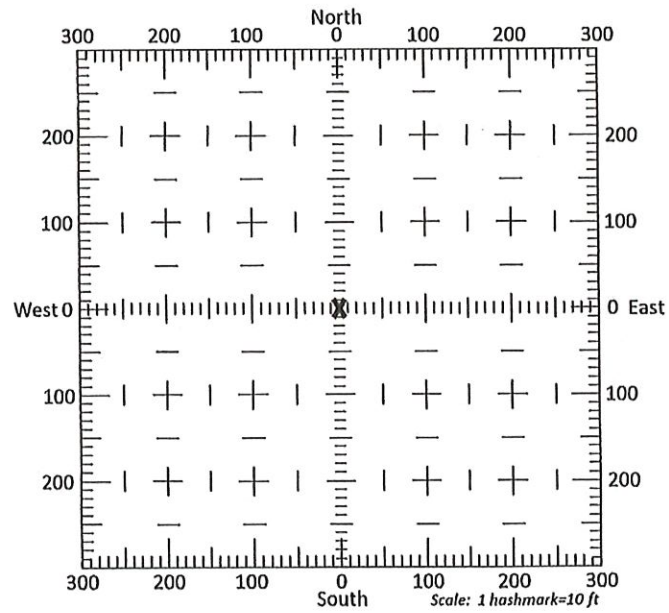
9. The change(s) (was)(will be) completed by?
as soon as possible

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug it
 (b) When will this be done? when new well is complete

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by CRC-SFFO

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
*GIS-SFFO, Per test log.



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

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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 Ensign, Kansas, this 20th day of April, 2018.

<u>James Hamilton</u> (Owner)	
<u>James Hamilton</u> (Please Print)	
<u>Jeff Hamilton</u> (Owner)	
<u>Jeff Hamilton</u> (Please Print)	

State of Kansas
 County of Gray



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 20th day of April, 2018.

Linda Leann Sobba
Notary Public

My Commission Expires May 25th 2020

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

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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. 13,732.

1. A change application was received on 4/23/2018 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 300 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 2,413 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, 2018**, 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, 2018**, or within any authorized extension of time. By March 1, 2019 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

*TJS-JFFO

FOR OFFICE USE ONLY
**APPLICATION APPROVED AND
SUMMARY ORDER ISSUED**

By: _____
Duly Authorized Designee of the Chief Engineer

(Print Name): _____
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: _____

State of Kansas)
County of _____) SS

Acknowledged before me on _____
by _____.

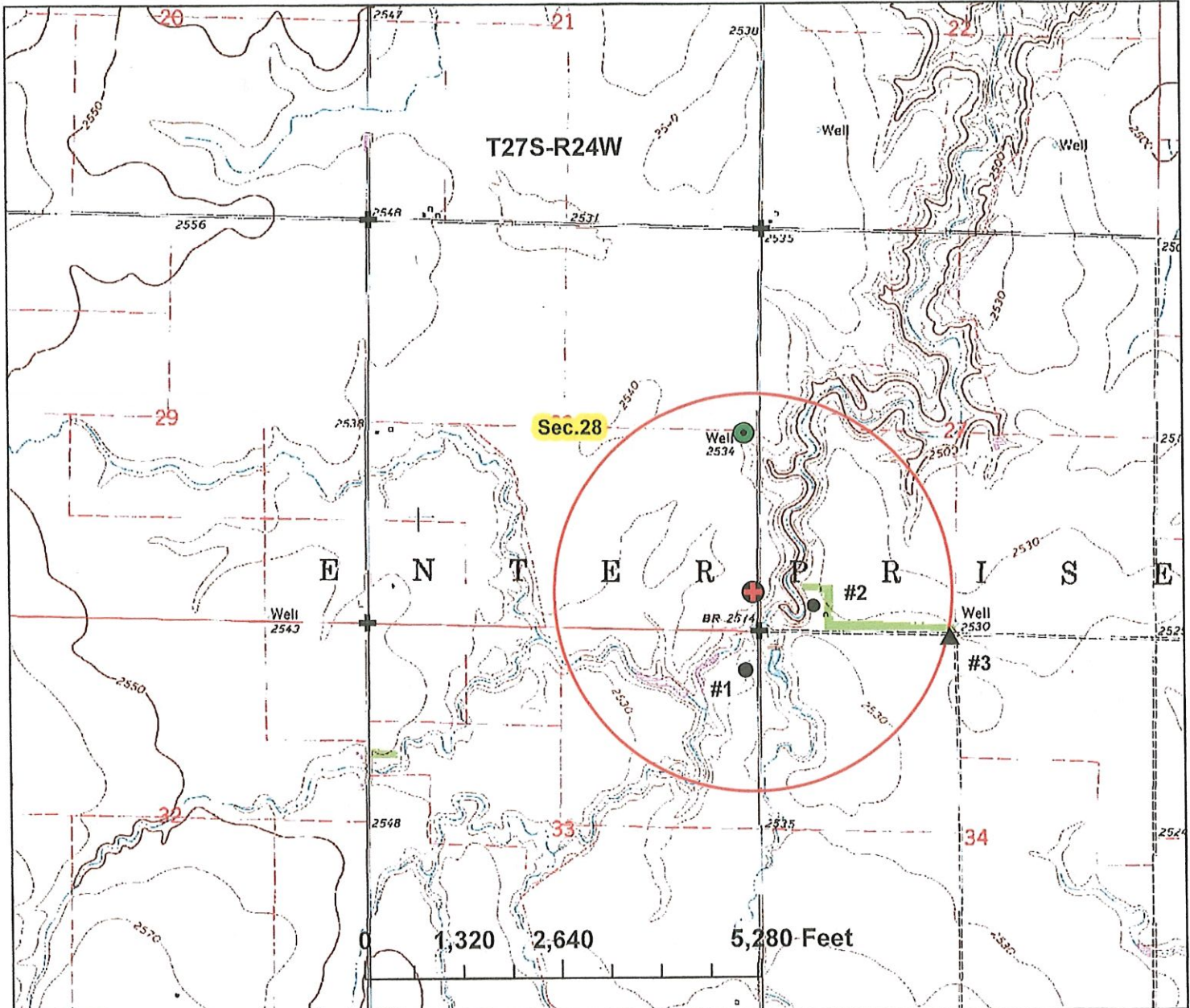
Signature: _____
Notary Public

My commission expires: _____
(Notary Seal)

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APR 23 2018

P/D Change Application map, File No. 13,732
Sec.28-T27S-R24W in Ford County



- authorized point of diversion for 13,732 (scaled @ 2625' N & 190' W of SE corner)
- proposed point of diversion for 13,732 (515' N & 90' W of SE corner)
- nearby domestic wells
- nearby permitted irrigation well
- section corners
- 1/2 mile circle around proposed well

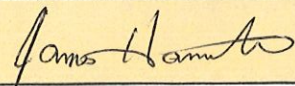
#1- domestic well
 Frank Anderson Jr. & Leona Anderson Trust
 11711 115 RD
 Dodge City, KS 67801

#2- domestic well
 Kevin Blew
 11514 Ridge RD
 Dodge City, KS 67801

#3- Irrigation well, File No. 4796
 Frank Anderson Jr.
 11711 115 RD
 Dodge City, KS 67801



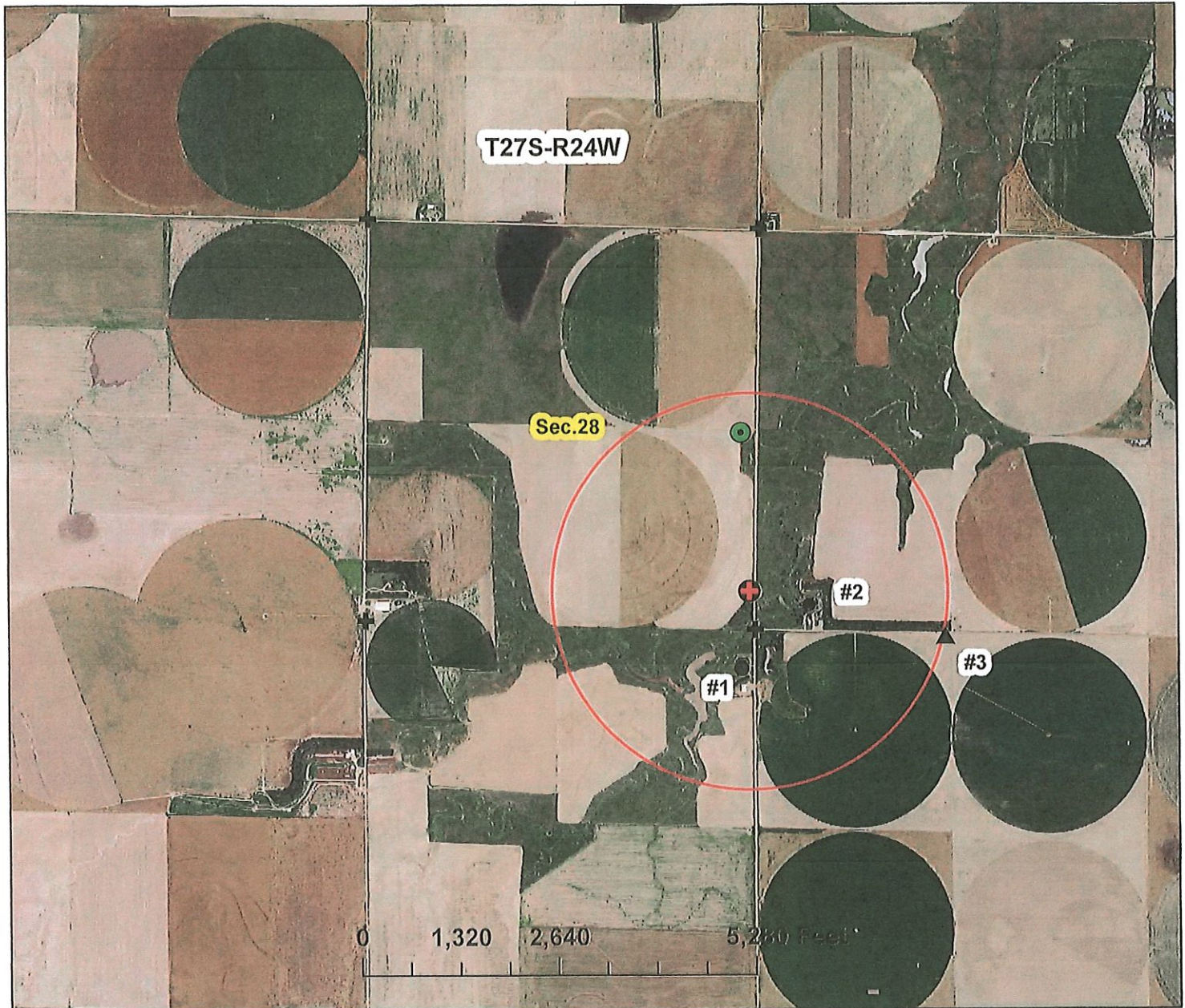
By signing below, I agree that all wells, including domestic wells, within 1/2 mile of the proposed point of diversion have been shown on the map.








 signature

4-20-18
 date

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 APR 23 2018
 1 inch = 2,000 feet
 map created on 4/10/18 scale 1:24,000
 Stafford Field Office
 Division of Water Resources

P/D Change Application map, File No. 13,732
Sec.28-T27S-R24W in Ford County



-  authorized point of diversion for 13,732 (scaled @ 2625' N & 190' W of SE corner)
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-  nearby domestic wells
-  nearby permitted irrigation well
-  section corners
-  1/2 mile circle around proposed well

- #1- domestic well
Frank Anderson Jr. & Leona Anderson Trust
11711 115 RD
Dodge City, KS 67801
- #2- domestic well
Kevin Blew
11514 Ridge RD
Dodge City, KS 67801
- #3-Irrigation well, File No. 4796
Frank Anderson Jr.
11711 115 RD
Dodge City, KS 67801



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

James Hamble 4-20-18
 signature date

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1 inch = 2,000 feet
 map created on 4/10/18 scale 1:24,000
 Stafford Field Office
 Division of Water Resources



Fax 620-234-6900

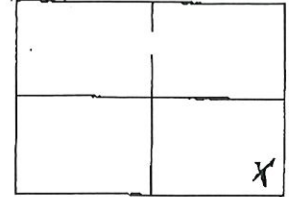
GSPF IRRIGATION SERVICE

710 W Taylor Jones Rd

Holcomb, KS 67851

Phone: 620-277-2503

Fax: 620-277-2581



Customer Name: Hamilton

Date: 4/3/18

Address: _____ Test # 2

E Log

City & state _____ Driller: Dana Vogts

County Ford Quarter SE Section: 28 Township: 27 Range: 24

Location: GB N 37.66708 W 99.94672 Elev: _____

Rig# 1 WO# _____

				Static Water Level <u>130</u>	
				Proposed Well Depth <u>220</u>	
%	From	Pay	To	Description of Strata	
	0		2	Top soil	
	2		23	Silty clay	
	23		83	Sandy clay	
	83		91	Fine sand	
	91		97	Sand M-C sm-L gravel	5 - Bentonite
	97		118	Sand M-C sm gravel	1/2 Soda Ash
	118		130	Gravel S-L	1 Perms Plug
	130		131	Line rock	8 hole plug
	131	11	142	Sand M-C gravel S-L	
	142		145	Sandy clay	
	145	5	150	Sand M-C	
	150		153	Sandy clay	
	153	5	158	Sand coarse, white rock	
	158		159	Cemented sand	
	159		162	Sandy clay	
	162	6	168	Sand M-C	
	168	8	176	Sand M-C Brown-Tan rock	
	176		183	Sandy clay	
	183	13	196	Sand coarse Brown-Tan rock	
	196		205	Sandy clay	
	205	6	211	Sand M-C few rock	
	211		220	Black clay	

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CL4