

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

1. File Number: <b>46944</b>	2. Status Change Date: <b>9/19/2019</b>	3. Change Num: <b>4-2*</b>	4. Field Office: <b>02</b>	5. GMD: <b>05</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>8/30/19</b>
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____	8c. Landowner(s) New to system <input type="checkbox"/> Person ID _____ Add Seq# _____
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID <b>7744</b> Add Seq# <b>1</b>  <b>HIRT FARMS INC</b> <b>ATTN: VERNON HIRT PRES</b> <b>100082 SE 40TH AVE</b> <b>SAWYER, KS 67134-9560</b>	8d. WUC New to system <input type="checkbox"/> Person ID <b>7744</b> Add Seq# <b>1</b>  <b>NO CHANGE</b>
--	--

9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/19**     N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: **9/19/19**    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **9/18/19**    By: **TJS**

Date Entered: **9/23/2019** By: **LMoody**

\* TJS - SFFO



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.

**RECEIVED**  
 1:20 PM  
 AUG 30 2019

File No. 46944

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: Vernon Hirt

100082 SE 40<sup>th</sup> Ave, Sawyer KS 67134-9560

Phone Number: (620)770-0553      Email address: vdhirt@yahoo.com

Name and address of Water Use Correspondent: Hirt Farms Inc, Vernon Hirt Pres

100082 SE 40th Ave, Sawyer KS 67134-9560

Phone Number: (620)770-0553      Email address: vdhirt@yahoo.com

3. The presently authorized place of use is:

Owner of Land --- NAME: Hirt Farms Inc, Vernon Hirt Pres

ADDRESS: 100082 SE 40th Ave, Sawyer KS 67134-9560

(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	
15	29S	15W									2.5					4	4.5		11

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: Hirt Farms Inc, Vernon Hirt Pres

ADDRESS: 100082 SE 40th Ave, Sawyer KS 67134-9560

(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	
15	29S	15W									3.5			5.6		2.7	0.2		12

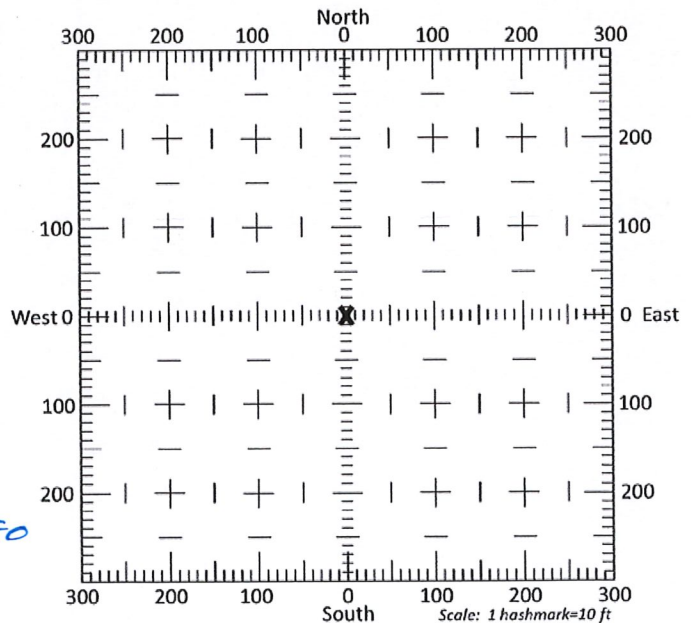
**For Office Use Only:** Code \_\_\_\_\_ Fee \$ 200- TR # \_\_\_\_\_ Receipt Date \_\_\_\_\_ Check # 1489

5. **Presently authorized point of diversion:**  
 One in the NE Quarter of the SW Quarter of the SE Quarter  
 of Section 15, Township 29 South, Range 15 W,  
 in Pratt County, Kansas, 1254 feet North 1966 feet West of Southeast corner of section.  
 Authorized Rate 200 GPM Authorized Quantity 15 AF Depth of well 100 (feet)  
**(DWR use only: Computer ID No. 2 GPS 1241 feet North 1971 feet West)**  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the NE Quarter of the SW Quarter of the SE Quarter  
 of Section 15, Township 29 South, Range 15 W,  
 in Pratt County, Kansas, 1241 feet North 1971 feet West of Southeast corner of section.  
 Proposed Rate No Change Proposed Quantity No Change Proposed well depth (feet) NA  
 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) Modifying place of use to accommodate  
a new pivot configuration. Do the old oil well located  
in first place of use

8. If a well, is the test hole log attached?  Yes  No
9. The change(s) (was)(will be) completed by?  
ASAP
10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
NA  
 (b) When will this be done? NA
11. Groundwater Management District recommendation  
 attached?  Yes  No 9/17/2019 TJS-SFFO
12. Assisted by TJS - 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

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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 Division of Water Resources

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 Savage, Kan., Kansas, this 30 day of Aug, 2019.

Verona Hunt  
 \_\_\_\_\_  
 (Owner)

Donna Hunt  
 \_\_\_\_\_  
 (Spouse)

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

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

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

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

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

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

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

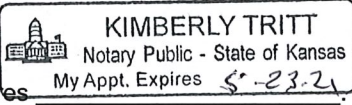
\_\_\_\_\_  
 (Spouse)

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

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

State of Kansas }  
 County of Pratt } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 30 day of August, 2019.

 KIMBERLY TRITT  
 Notary Public - State of Kansas  
 My Appt. Expires 5-23-21

K Tritt  
 \_\_\_\_\_  
 Notary Public

My Commission Expires \_\_\_\_\_

**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. 46944.

1. A change application was received on August 30 2019 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use.  Applicable  Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a \_\_\_\_\_ foot radius of the authorized point(s) of diversion.  Applicable  Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than \_\_\_\_\_ feet from the previously authorized point(s) of diversion.  Applicable  Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13.  Applicable  Not Applicable
7. **The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2019**, 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 *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*

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AUG 30 2019

Stafford Field Office  
Division of Water Resources

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

By: Cameron R. Conant  
Duly Authorized Designee of the Chief Engineer

(Print Name): Cameron R. Conant  
Division of Water Resources - Kansas Department of Agriculture

Date of Issuance: September 19, 2019

State of Kansas \_\_\_\_\_ )

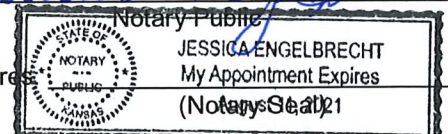
County of Stafford ) SS

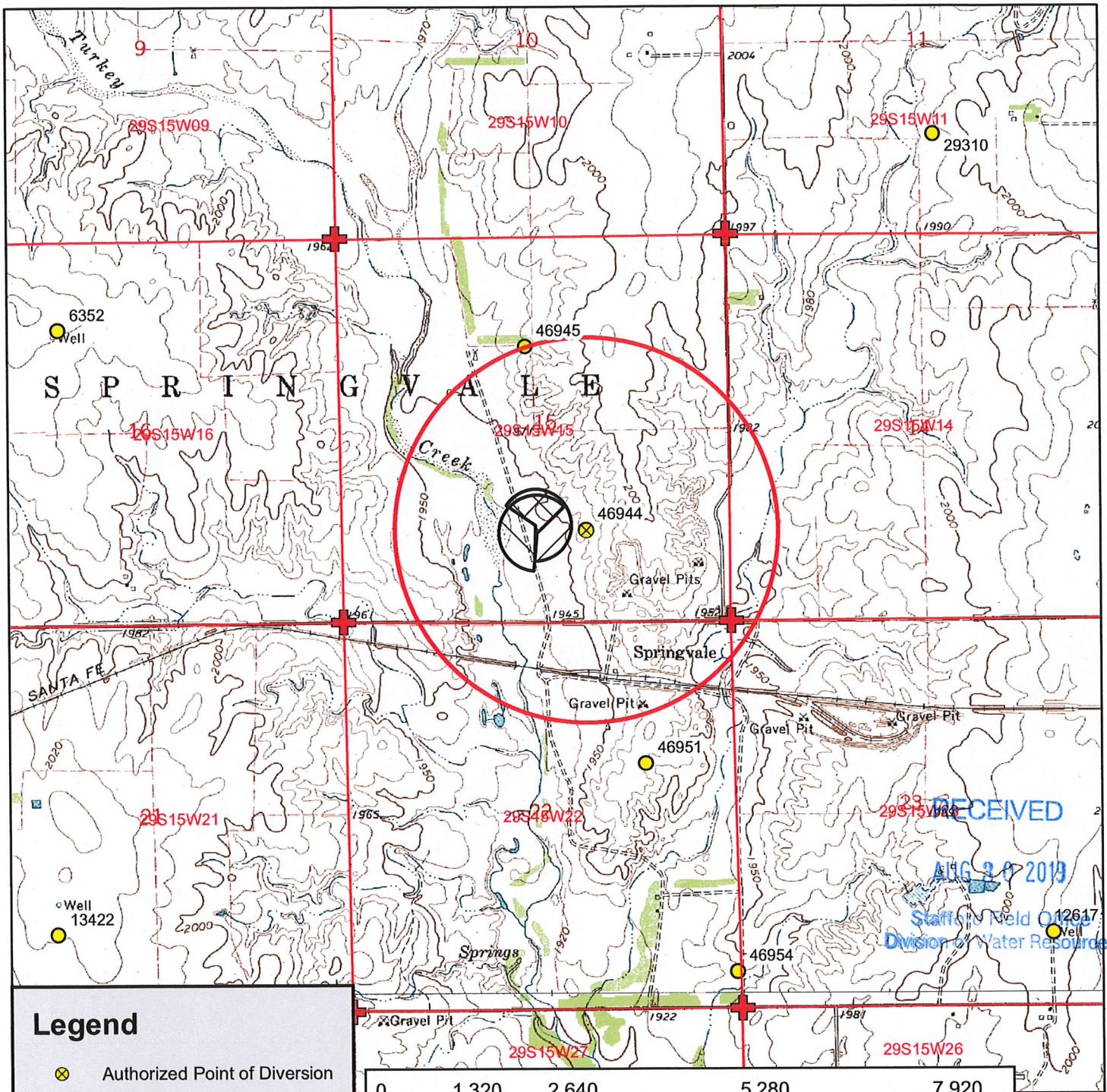
Acknowledged before me on 09/19/19

by Cameron Conant









Signature: Jessica Engelbrecht

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





**Legend**

-  Authorized Point of Diversion
-  Water Appropriations
-  1/2 Mile Buffer
-  Domestic Well
-  Section Line
-  Section Corner
- Place of Use**
-  Authorized
-  Proposed



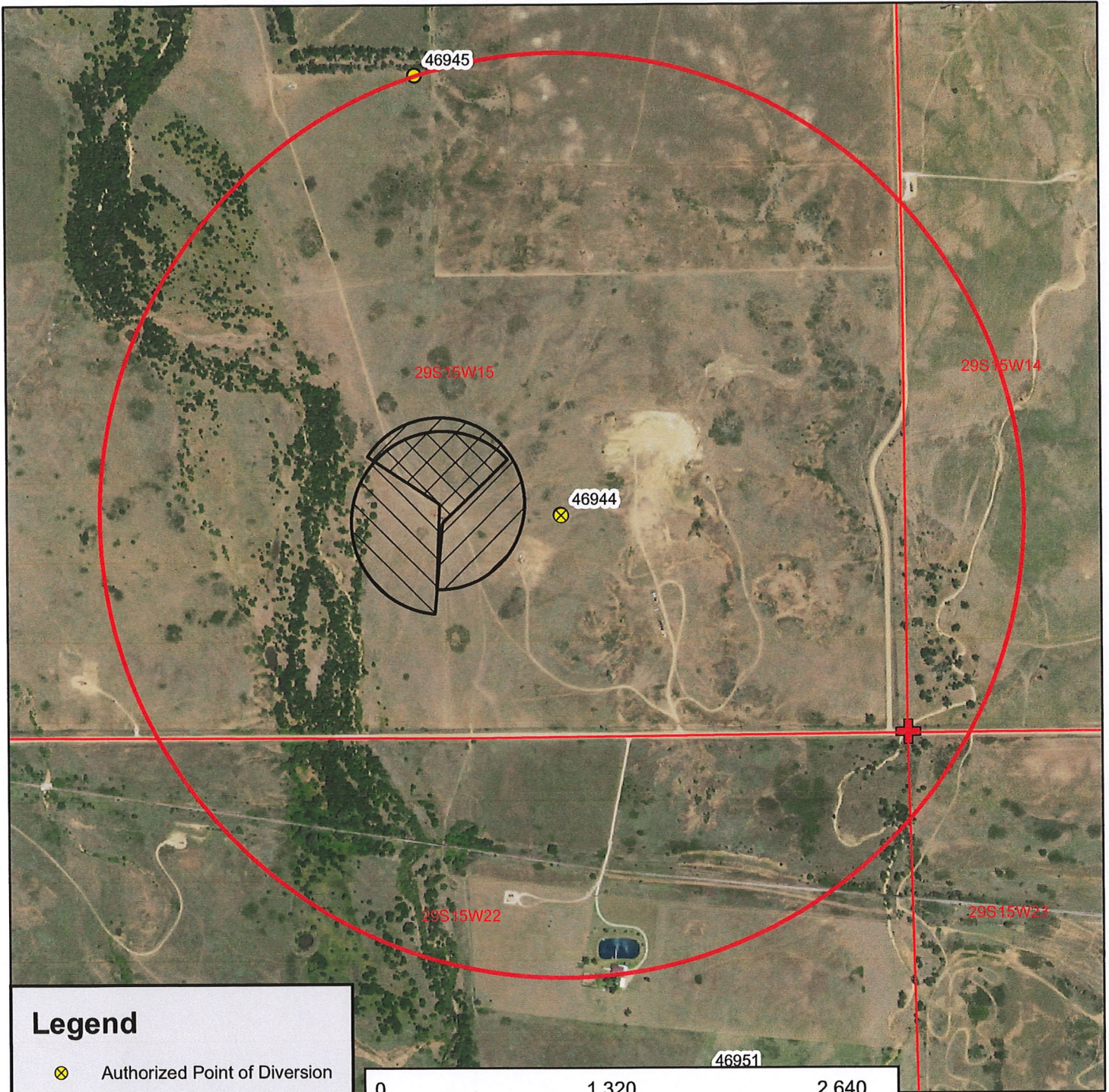
**Water Appropriation, File No. 46,944**  
 Change in Place of Use, Application Map  
 15-29S-15W // Pratt County



To the best of my knowledge, all water wells including domestic, within 1/2 mile of the authorized point of diversion have been shown.

*Vernon Hill*

Signature

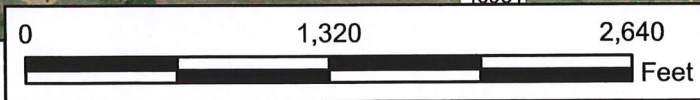


**Legend**

- Authorized Point of Diversion
- Water Appropriations
- 1/2 Mile Buffer
- Domestic Well
- Section Line
- Section Corner

**Place of Use**

- Authorized
- Proposed



**Water Appropriation, File No. 46,944**

Change in Place of Use, Aerial Map  
 15-29S-15W // Pratt County

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AUG 30 2019

Stafford Field Office  
 Division of Water Resources





Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

September 20, 2019

Hirt Farms Inc  
Attn: Vernon Hirt Pres  
100082 SE 40<sup>th</sup> Ave  
Sawyer KS 67134-9560

Re: Water Right, File No(s). 46944

Dear Water Right Owner:

Enclosed is an order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the referenced file number(s).

Your attention is directed to the enclosures and to the terms, conditions and limitations specified in this approval for change. An acceptable water flow meter must be installed on your well before any water is applied as authorized under this change approval. A copy of the approved list of Certified Water Flowmeters as well as <http://agriculture.ks.gov/divisions-programs/dwr/water-appropriation/water-flowmeters>. If you do not have access to the internet, please contact this office and we will send you a paper copy of the referenced information.

Since this 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 to contact this office. If you wish to refer to a specific file, please reference it when you contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lanterman".

Jeff Lanterman  
Water Commissioner

Enclosures

pc: Water Rights Section  
Groundwater Management District No. 5

## CERTIFICATE OF SERVICE

On this **20th** day of **September, 2019**, I hereby certify that the attached Change in Place of Use for Water Right, File No. **46944**, dated **September 19, 2019** was mailed via Certified U.S. mail to the following:

Hirt Farms Inc  
Attn: Vernon Hirt Pres  
100082 SE 40<sup>th</sup> Ave  
Sawyer KS 67134-9560

A copy of the letter was sent to the following:

GMD 5

  
-----  
Staff



# KANSAS DEPARTMENT OF AGRICULTURE

## Division of Water Resources

### Stafford Field Office

## MEMORANDUM

---

**TO:** File

**DATE:** 9/3/2019

**FROM:** Tyler Saryerwinnie

**RE:** File No. 46,944

This is a memorandum regarding surrounding well owner notification on irrigation field office PU changes and pertains to decisions made during the Water Commissioner meeting which took place on 11/16/2016 with directive from Lane Letourneau Program Manager.

This is applicable to field office changes to increase the place of use by 10 acres or 10% (whichever is less) or a change in place of use to create a complete overlap in which no new acres are being irrigated.

During that meeting it was determined that no surrounding well owner notification will be sent under this type of Place of Use change. All well rates and quantities will remain unchanged and the referenced change will not cause impairment or impact surrounding well owners.

The change in place of use filed on **8/30/2019** for the above referenced file meets this criteria and surrounding well owners will not be notified.

## Saryerwinnie, Tyler [KDA]

---

**From:** Saryerwinnie, Tyler [KDA]  
**Sent:** Tuesday, September 03, 2019 11:19 AM  
**To:** Orrin Feril (oferil@gmd5.org)  
**Cc:** Conant, Cameron [KDA]  
**Subject:** GMD Recommendation Request - File Nos. 46944 & 46945  
**Attachments:** 46944.Change App Packet.pdf; 46945.Change App Packet.pdf

Orrin,

I have attached copies of two (2) place of use change applications for GMD recommendation. Please provide the GMD recommendation by no later than September 23, 2019.

Please let me know if you are needing anything else, or have any questions.

Thank you,  
Tyler

**Tyler Saryerwinnie**, Environmental Scientist  
Kansas Department of Agriculture  
Division of Water Resources  
Stafford Field Office  
Phone: (620)234-5311

Stafford Field Office  
300 S. Main Street  
Stafford, KS 67578-1521



Phone: 620-234-5311  
Fax: 620-234-6900  
[www.agriculture.ks.gov](http://www.agriculture.ks.gov)

Mike Beam, Secretary

Laura Kelly, Governor

September 3, 2019

Orrin Feril  
Big Bend – GMD No. 5  
125 S Main St.  
Stafford, KS 67578

RE: Place of Use Change Application, File No. 46,944

Dear Mr. Feril,

We are enclosing a copy of the application, as referenced above, for your review and recommendation. At this time the application appears to be in proper form.

This office will delay any further action on this file for a period of 15 business days from the date of this letter to allow you time to submit your recommendation concerning the application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please feel free to contact the office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tyler Saryerwinnie".

Tyler Saryerwinnie  
Environmental Scientist  
Stafford Field Office  
[tyler.saryerwinnie@ks.gov](mailto:tyler.saryerwinnie@ks.gov)

Enclosure

## Saryerwinnie, Tyler [KDA]

---

**From:** Orrin Feril <oferil@gmd5.org>  
**Sent:** Tuesday, September 17, 2019 12:49 PM  
**To:** Saryerwinnie, Tyler [KDA]  
**Subject:** Application for Change, Water Right, File No. 46944  
**Attachments:** 46944 2019-09-17 Rec.pdf

**EXTERNAL:** This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Tyler,  
I'm attaching the recommendation requested by your office in a letter dated September 03, 2019. Please let me know if you have any questions.

Thank you for your consideration in this matter,

Orrin

--

*Orrin Feril*

Manager

Big Bend GMD#5

Email: [oferil@gmd5.org](mailto:oferil@gmd5.org)

Phone: (620) 234-5352

Mobile: (620) 388-0172

Fax: (620) 234-5718

[www.gmd5.org](http://www.gmd5.org)

Facebook/Twitter: @BigBendGMD5

Darrell Wood - Edwards (Pres.)  
Fred Grunder - Pratt (V Pres.)  
John Janssen - Kiowa (Treas.)  
Jerry Cullop - Rice (Sec.)  
Justin Gatz - Reno  
Marlyn Spare - Stafford  
Phil Martin - Barton  
Kerry Froetschner - Pawnee  
Tom Taylor - At-Large



Orrin Feril, Manager  
125 South Main Street  
Stafford, Kansas 67578  
ph: (620) 234-5352  
fx: (620) 234-5718  
gmd5@gmd5.org  
www.gmd5.org

September 17, 2019

Tyler Saryerwinnie  
Division of Water Resources  
Kansas Department of Agriculture  
300 S. Main Street  
Stafford, Kansas 67578-1342

RE: Water Right File No. 46,944  
Change in the Place of Use

Dear Mr. Saryerwinnie,

Big Bend Groundwater Management District #5 has reviewed the above referenced application. The applicant is requesting to modify the place of use accommodate the current center pivot system. Based on the information received in the office, the application appears to be consistent with K.A.R. 5-25-20(b) and is recommended for approval.

The application to change is subject to the District's well equipment regulation K.A.R. 5-25-5 for a required flow meter.

Please feel free to give me a call if you have any questions.

Sincerely,

Orrin Feril  
Manager

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SEP 17 2019

Stafford Field Office  
Division of Water Resources