

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

1. File Number: 50145	2. Status Change Date: 1/10/23	3. Change Num: C1	4. Field Office: 02	5. GMD:	
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: 1/3/23	
8a. Applicant(s) New to system <input type="checkbox"/>		Person ID _____ Add Seq# _____		8c. Landowner(s) New to system <input type="checkbox"/>	
8b. Landowner(s) New to system <input type="checkbox"/>		Person ID 65912 Add Seq# 1		8d. WUC New to system <input type="checkbox"/>	
CALVIN E & CARLA J BOYD REV TRUST 12001 NW SPRING CREEK RD MEDICINE LODGE KS 67104		CHRIS BOYD 12001 NW SPRING CREEK RD MEDICINE LODGE KS 67104			
9. Documents and Enclosure(s): <input checked="" type="checkbox"/> DWR Meter(s) Date to Comply: 12/31/23 <input type="checkbox"/> N & P Date to Comply: _____					
<input type="checkbox"/> Anti-Reverse Meter <input type="checkbox"/> Meter Seal <input checked="" type="checkbox"/> Check Valve <input type="checkbox"/> N & P Form <input type="checkbox"/> Water Tube <input type="checkbox"/> Driller Copy <input type="checkbox"/> H & E Letter					
<input type="checkbox"/> Conservation Plan Date Required: _____ Date Approved: _____ Date to Comply: _____					
10. Use Made of Water From: --- To: ---					
Date Prepared: 1/9/23 By: TMA Date Entered: 1/11/2023 By: LMoody					

File No. **50145** 11. County: **BA** Basin: **MEDICINE LODGE RIVER** Stream: --- Formation Code: **100** Special Use: ---

12. Points of Diversion										Rate and Quantity						
CHK	MOD	DEL	PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Rate gpm	Quantity af	Rate gpm	Quantity af	Overlap PD Files
MOD	87108			SW SW NW	12	30S	12W	1	2876	4640		1000	170.8	1000	170.8	NO

13. Storage: Rate _____ NF Quantity _____ ac/ft Additional Rate _____ NF Additional Quantity _____ ac/ft

14. Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____
 Limitation: _____ af/yr at _____ gpm (_____ cfs) when combined with file number(s) _____

15. 5YR Allocation: Allocation Type _____ Start Year _____ 5 YR Amount _____ Amount Unit _____ Base Acres _____ Comment _____

16. Place of Use										NE¼								NW¼				SW¼				SE¼				Total	Owner	Chg?	Overlap Files
CHK	MOD	DEL	ENT	PUSE	S	T	R	ID		NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼								
MOD	69147			12 30S 12W 1										31	26	31.5	35.5										124	8B	NO	NO			

Base Acres: **122** Year: **2020** Minimum Reasonable Quantity: **1.24**

Comments:

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
 9:30am
 JAN 03 2023

File No. 50145

Stafford 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: Chris Boyd

12001 NW Spring Creek Rd, Medicine Lodge KS 67104

Phone Number: (620)243-2584 Email address: chris@cboydfarms.com

Name and address of Water Use Correspondent: Calvin E & Carla J Boyd Rev Trust

12001 NW Spring Creek Rd, Medicine Lodge KS 67104

Phone Number: (620)243-2584 Email address: chris@cboydfarms.com

3. The presently authorized place of use is:

Owner of Land ---- NAME: Calvin E & Carla J Boyd Rev Trust

ADDRESS: 12001 NW Spring Creek Rd, Medicine Lodge KS 67104

(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	
12	30S	12W					33	26	28.5	34.5									122

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: Calvin E & Carla J Boyd Rev Trust

ADDRESS: 12001 NW Spring Creek Rd, Medicine Lodge KS 67104

(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	
12	30S	12W					31	26	31.5	35.5									124

For Office Use Only: Code cpu Fee \$ 2000 TR # _____ Receipt Date _____ Check # 2391

5. **Presently authorized point of diversion:**
 One in the SW Quarter of the SW Quarter of the NW Quarter of Section 12, Township 30 South, Range 12 W, in Barber County, Kansas, 2,980 feet North 4,682 feet West of Southeast corner of section. Authorized Rate 1,000 gpm Authorized Quantity 170.8 AF Depth of well 172 (feet)
(DWR use only: Computer ID No. 1 GPS 2,876 feet North 4,640 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 NW Quarter of Section 12, Township 30 South, Range 12 W, in Barber County, Kansas, 2,876 feet North 4,640 feet West of Southeast corner of section. Proposed Rate no change Proposed Quantity no change Proposed well depth (feet) no change.
 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) to modify place of use to cover land irrigated by center pivot as install

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

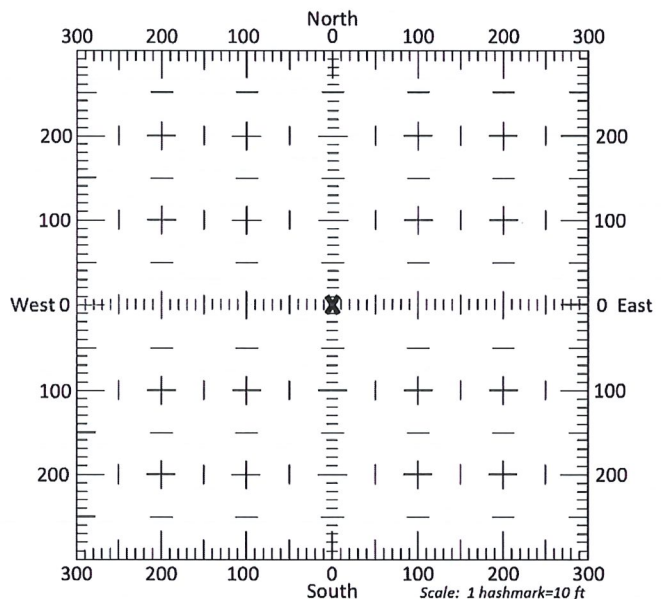
9. The change(s) (was)(will be) completed by?
upon approval of change application

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

11. Groundwater Management District recommendation attached?
 Yes No

12. Assisted by EKF/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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JAN 03 2022

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 Pratt, Kansas, this 23 day of December, 2022.

Carla E. Boyd
 (Owner)

 (Spouse)

Calvin E. Boyd
 (Please Print)

 (Please Print)

Carla J. Boyd
 (Owner)

 (Spouse)

Carla J. Boyd
 (Please Print)

 (Please Print)

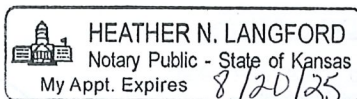
 (Owner)

 (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 23 day of December, 2022.

Heather Langford
 Notary Public

My Commission Expires 8/20/25.

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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JAN 03 2023

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. 50145.

- 1. A change application was received on January 3, 2023 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, 2022**, 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

RECEIVED

JAN 03 2023

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: January 10, 2023

State of Kansas)

) SS

County of Stafford)

Acknowledged before me on 1/10/2023

by Faith Curtis

Signature: Faith Curtis

Notary Public

My commission expires: _____



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

January 10th, 2022

Calvin E & Carla J Boyd Rev Trust
12001 NW Spring Creek Rd
Medicine Lodge, KS 67104

Re: Water Right, File No(s). 50145

Dear Water Right Owner:

Enclosed is the order executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above 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 the regulations regarding the installation of flowmeters, measurement tubes and check valves can be found at <https://www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/new-applications-and-permits>. 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.

CERTIFICATE OF SERVICE

On this **10th** day of **January 10th, 2023**, I hereby certify that the attached DWR Field Office Application for Change in Place of Use for Water Right, File No. **50145**, dated **January 10th, 2023** was mailed via First Class U.S. mail to the following:

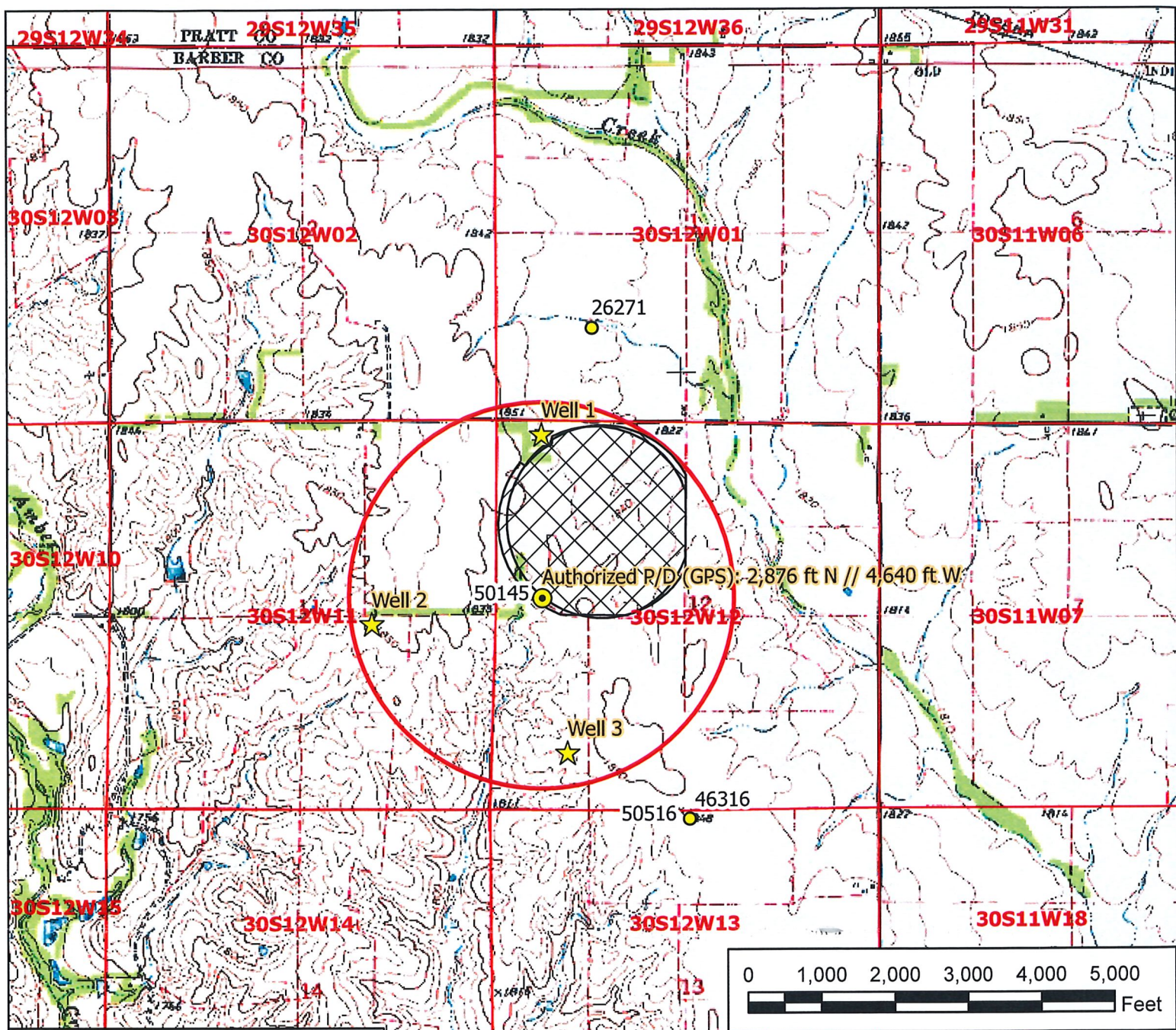
Calvin E & Carla J Boyd Rev Trust
12001 NW Spring Creek Rd
Medicine Lodge, KS 67104

A copy of the letter was sent via First Class U.S. Mail to the following:

PC: Water Rights Section

Faith Curtis

Staff



Legend

- Water Appropriations
- ⊗ Proposed Point of Diversion
- Authorized Point of Diversion
- ★ Domestic Well
- ⊕ Section Corner
- Half Mile Circle
- ▭ Section Line
- ▭ Authorized Place of Use
- ▭ Proposed Place of Use

Water Appropriation, File No. 50145

**Change in Place of Use Map
12-30S-12W // Barber County**

To the best of my knowledge, all known wells within one-half mile of the authorized point(s) of diversion have been shown.

Chris confirmed via phone call that all wells were shown. CRC 1/5/23

JAN 03 2023

Stafford Field Office
Division of Water Resources



Signature / Date

12/21/2022 EKF/DWR 1:24,000 scale

KANSAS DEPARTMENT OF AGRICULTURE
Division of Water Resources

M E M O R A N D U M

TO: Files

DATE: January 9, 2023

FROM: Taylor Arrowood

RE: Water Right, File No. 50145

On January 3, 2023, a change application was received in the Stafford Field Office from applicant Chris Boyd for the referenced file number. It was received with a N&P form. The change is a place of use change.

The referenced file is in compliance with 82a-732. A review of the application finds that it complies with K.A.R. 5-5-1, *Filing an application for change*. The referenced file does not appear abandoned as per K.S.A 82a-718.

The presently authorized point of diversion for the file is as follows:

One well located in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12, Township 30 South, Range 12 West in Barber County, KS, that is authorized a yearly quantity of 170.8 AF and a rate of 1000 GPM. The well is located at 2,980' N and 4,682' W of the SE corner of the section. The point of diversion will not change with this change application other than to be modified for more accurate GPS.

The place of use change application proposes to authorize all acres as they are currently being irrigated. The file is authorized 122 acres in the NW $\frac{1}{4}$ of Section 12. The change proposes to utilize K.A.R. 5-5-11 to increase the total acres irrigated to include all 124 acres currently irrigated. Base acres on file is 122 acres, the total acres authorized on the permit.

This approval would comply with K.A. R. 5-5-3, *Change in consumptive use*, since there is no proposed change in rate or overall quantity. The quantity in terms of AF/acre is 1.377 AF/acre. This is above the minimum reasonable AF/acre of 1.24 in Barber County, and below the maximum AF/acre of 1.4 AF/acre for post-1999 irrigation files in Barber County.

The application was received in the Stafford Field Office on January 3, 2023 with all correct payment and signatures present.

There were no nearby letters sent out for this change because it is a change in the place of use only. No GMD recommendation request was sent out because there is no GMD in Barber County.

A water flowmeter is required. A check valve is required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion that the change is reasonable, that impairment to existing water rights is unlikely, and that no change in local source of supply will occur, it has been recommended that the application be approved.

Taylor M. Arrowood
Environmental Scientist
Stafford Field Office



KANSAS DEPARTMENT OF AGRICULTURE

Division of Water Resources

Stafford Field Office

MEMORANDUM

TO: File

DATE: 1/9/2023

FROM: Taylor M Arrowood

RE: File No. 50145

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 1/3/2023 for the above referenced file meets this criteria and surrounding well owners will not be notified.