

Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

December 22, 2016

VALETTA ROBERTS TTEE 30 THOUSAND OAKS DR CARTWRIGHT OK 74731-2919

RE: Change in Point of Diversion Water Right, File No 4822

Dear Mr. Roberts:

Enclosed you will find a *Summary Order Approving Application for Change in Point of Diversion* for the above referenced file. This order modifies the authorized well location under the referenced file. This order modifies the original document; it should be recorded at the County Register of Deeds.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this order. The diversion works should be completed and reported to the Division of Water Resources by December 31, 2017. Enclosed is a form for this purpose, along with other information for reference.

A condition of this order is that an acceptable flow meter must be properly installed on the diversion works authorized under the referenced file number in accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12. This water flow meter shall be used to provide information required on the annual water use report.

This order shall become final if a request for a hearing is not filed with the Chief Engineer within 15 days of the date of service of this order. The date of service is the date listed on the enclosed *Certificate of Service*.

Should you have any questions, please feel free to call this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures GMD#3

### CERTIFICATE OF SERVICE

On this 23 day of December 2016, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 4822 dated December 22, 2016 was mailed postage prepaid, first class, US mail to the following:

VALETTA ROBERTS TTEE 30 THOUSAND OAKS DR CARTWRIGHT OK 74731-2919

Copy provided to GMD#3

Division of Water Resources

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.

tha	ragraph Nos. 1, n 100 feet, or if nt(s) of diversion	place	of use	will b	e cha	eted. nged,	Comp include	l <b>ete al</b> e a top	I othe oograp	r appl hic ma	icable ap or o	portio detaile	ons. I d plat	f chan showi	ge in p ng the	oint of autho	rized	and proposed EVED
																		:45 A.m
					1	File No	. 4822										UE (	0 5 2016
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	under the water	right v	vhich i	s the s	ubject	of this	applic	ation i	n acco	ordance	e with t	the co	ndition	s desc	ribed l	elow.		
	The source of s	upply i	s:		$\boxtimes$ G	round	water			Surfa	ce wat	er						
2.	Name and addr 33902 10 RD Phone Number Name and addr 33902 10 RD	MONTI : ( ess of	EZUM. ) Water	Vse C	67867 Forresp	onder		Email	addre	ss:					,			
	Phone Number							Email	addre									
3.	The presently a		,			<del></del>		Lilian	addio	·								
۷.	Owner of Land		•			OBER	TS TT	ΕE										
		ADDR							RTWF	RIGHT								
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5.	Presently authorized point of diversion:				
	One in the Quarter of the	sw	Quarter of the	nw	Quarter
	of Section, Township				
	in Gray County, Kansas, 3810 f	eet Nor	th 5200 feet West	of Southeast corner	of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet	)
ı	(DWR use only: Computer ID No. 3 GPS		feet North	feet Wes	st)
	☐ This point will not be changed ☐ This point will be	e chang	jed as follows:		,
	Proposed point of diversion: (Complete only if change i	is requ	ested)		
	One in the Quarter of the			sw	Quarter
	of Section 22 , Township	29	South, Range	30	W.
	in Gray County, Kansas, 1959 fe				
ĺ	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List other	er water	rights that will use this po	oint	
_					
6.	Presently authorized point of diversion:				
- 1	One in the Quarter of the		Quarter of the _		Quarter
	of Section Annual Township				
	in County, Kansas, fe	eet Norl	h feet West o	of Southeast corner	of section.
	Authorized Rate Authorized Quantity		Depth of well	(feet)	)
	(DWR use only: Computer ID No GPS _		feet North	feet Wes	st)
	☐ This point will not be changed ☐ This point will be	e chang	ed as follows:		·
ŀ	Proposed point of diversion: (Complete only if change i	is reque	ested)		
1	One in the Quarter of the		Quarter of the _		Quarter
1	of Section, Township		South, Range _	TO THE TAXABLE LAND	(E/W),
	in County, Kansas, fe	eet Nort	h feet West o	of Southeast corner	of section.
	Proposed Rate Proposed Quantity				
L	This point is: Additional Well Geo Center List othe	r water	rights that will use this poi	int	·
		40			
7.	Why do you need a new point of diversion?	13a.	If the proposed point of div feet of the existing point of	rersion will be relocated in the relocat	ted within 100
	old well needs to be replaced	1	the diagram below in relatio	on to the existing poin	nt of diversion.
			(PLEAŠE NOTE: The "X represents presently auth	X" in center of dia	agram below
			•	Vorth	
Я	If a well, is the test hole log attached?   Yes   No		100 50		П
o.	in a well, is the test hole log attached: \( \infty \) res \( \infty \) No			<u>,†,,,,,,,,,,,,</u>	5
9.	When do you propose to complete the new point of		<u> </u>	<u>'</u>	
	diversion?		50 - +	_ , ]	FO.
	December 15 2016		50 - +	= + = = '	50
40			F		
10.	If the point of diversion is a well:		West 0 - 111   1111	ι⊼ιιιΙιιι⊼ι	D East
	(a) What are you going to do with the old well?		<u> </u>	_ ' _	
	pluq				
	<u> </u>		50 — +	_ + _	50
	(b) When will this be done? 2016		-	- 7	
	(w) Then the de delie.		Fi 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	. <del></del>	
11	Groundwater Management District recommendation		100 50	0 50 100	ר
	attached? Yes No		S	South	•
		405 (		¥ 1" = 100"	
12.	Assisted by tpm	13b. j	f the proposed point of div 100 feet but within 1320	ersion will be relocate feet from the exis	ed more than
		(	diversion, attach a topogra or groundwater sources, s	aphic map or aerial	photograph.
		ŀ	-or groundwater sources, s vithin one-half mile of the p	anow all wells (include) proposed point of dive	ing domestic) ersion and the
		7	names and mailing addres	sses of the owners.	For surface
		\ !	vater sources, show the andowner(s) one-half mile	names and addre	esses of the
		i	instream from your propert	v lines.	CHO HOLL THIS

14. If the proposed groundwater point of diversion is 300 or fewer feet fro	
<ul><li>(a) Does the undersigned represent all owners of the currently author</li><li>☐ Yes</li><li>☐ No</li><li>(If no, all owners must sign this application)</li></ul>	ation.)
<ul> <li>(b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	
(c) If this application is not approved expeditiously, will there be sub ☐ Yes ☐ No (If no, all owners must sign this applic	stantial damage to property, public health or safety? ation.)
If the application proposes a surface water change in point of diversion, a or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 300 fee of the currently authorized place of use, or their duly authorize
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly authoritheir behalf, in regard to the water right(s) to which this appropriation are true, correct and complete.	zed agent of the owner(s) to make this application of
Dated at, Kansas, this	day of /XIVEMBISC , 2016.
* Waluto Roberts	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas  County of SS	
I hereby certify that the foregoing application was signed in m	y presence and sworn to before me this $207$ day of
NOV 120 16 HOTARY PUBLIC • S	tate of Kansas I Albahaa Polnor
My Commission Expires 9-14-18 My Appt. Exp. 2	9-14-18 Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate Information; maps, if necessary, must be included; signatures of all the a the appropriate fee must be paid.	of the applicable portions of the application form must be completed w ppropriate owners' must be affixed to the application and notarized; an
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet (3) Application to change the place of use	er this section shall be accompanied by the application fee set tent of Agriculture \$100

# SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

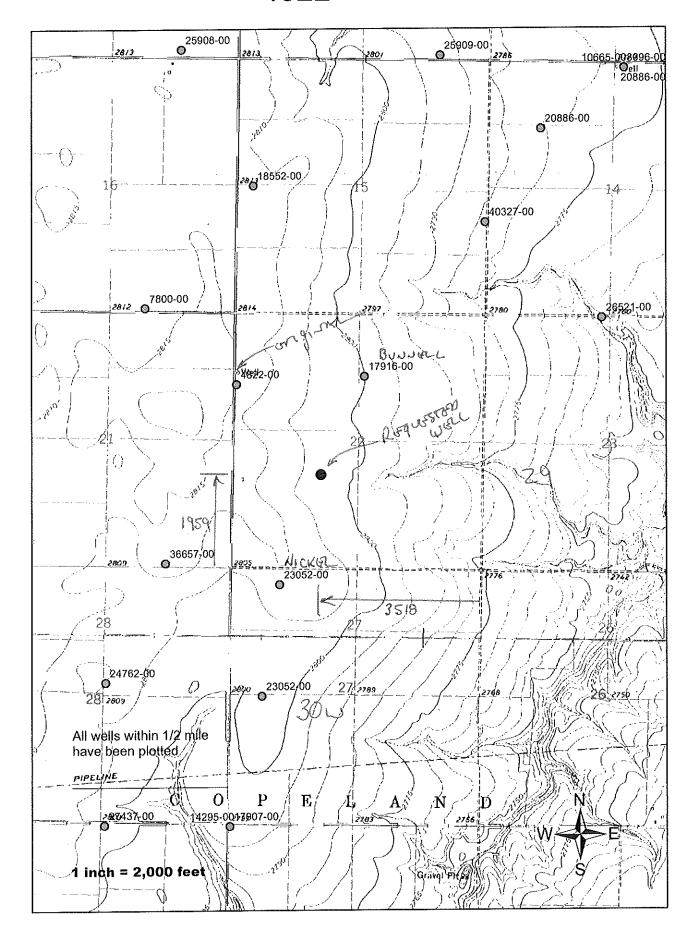
This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A.* 82a-701 et. seq., and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 4822 A change application was received on December 5, 2016 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. 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 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 3. The point(s) of diversion authorized herein shall not actually be located more than 2640 feet from the previously authorized point(s) of diversion. Applicable ☐ Not Applicable 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 The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2017, 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. 5-5-5, 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 | Installation of the works for diversion of water shall be completed on or before December 31, 2017, or within any authorized extension of time. By March 1, 2018 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. ☐ Not Applicable The completed well log shall be submitted with the required notice. Applicable ☐ Not Applicable 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 10. Additional Conditions are attached. ☐ Yes No Kil 11. 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. Fallure 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 FOR OFFICE USE ONLY APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown Duly Authorized Designee of the Chief Engineer (Print Name): THOMAS WAKEN Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: DECEMBER 22. For Use by Register of Deeds State of Kansas SS County of Acknowledged before me on James Signature: Notary Public il Eő JULIE JONES NOTARY . My Appointment Expires Public . December 15, 2018 14.63 My commission expires: (Notary Seal)

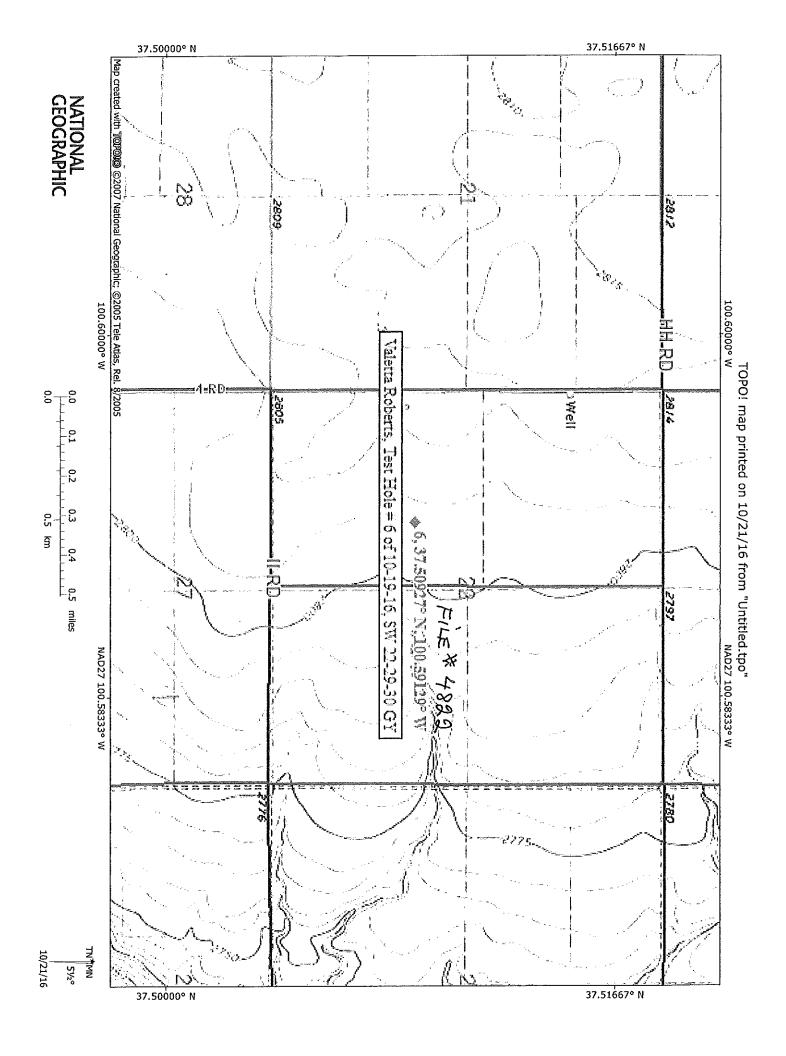
DWR 1-121 (Revised 06/16/2014)

Page 4

File No.



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3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

		Valetta Bober		WO#: 090	602 Da	ate: <u>  / 0 - / 9 - / 6</u>
Street Addr	ess:	AZNUHT OF	NO OAK DRIVE	Test #: 6	E L(	
City, State:			NT. OKLAHUMA 74731	Driller: D./	Guina	Amount of the second of the se
County: (	pray	Quarter: SW	Section: 22	Township: 2 6	n Ran	ge: 30
Location: _	/		GPS: /	W100.59129 N3	7,50927	
Rig #:	10002	ζ	Elevation: <u>28061</u> \$	Static WL: <i>284・</i>	' Estimated	
			<u> </u>	Proposed Well De	pth 455	· .
				SBICWELL LUC	NTION	,
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			•	POSSIBLEWELL LUCINTION
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	54		75	Brown Clay
	<u> 75</u>		96	Brown Clay Sand fine to med
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	/3/		139	Brown Sandy clay
	139		180	Sand fine to med course small grave w/ course clay stained
	180		212	Fight Dlux +15 rown Clay W/ couple Sand hads
	212		228	Sand five to mad course w/ comple clay ledges
	228		259	Blue Clay w/ Conple Send hado
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Garden City Field Office 2508 Johns Street Garden City, Kansas 67846-2804

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Michael A. Meyer, Water Commissioner Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

December 21, 2016

Southwest Kansas Groundwater Management District No 3 409 Campus Drive, Suite 106 Garden City KS 67846

Re: Water Right file number 4822

Dear Mr. Norquest;

Valetta Roberts has applied to relocate the well authorized by the above water right number. There are 2 neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm enc

# **CHECK SHEET Short Change**

(To be completed and attached to each application)

F	ile No. <u>48</u>	22		_	Fie	ld Office	∍ No. <u>4</u>		GMD No. <u>3</u>		
1.	Plugging	agreemen	t obtained fe	or GMD?	Yes 🗌	No		Non App	icable ⊠		
			ct as curren e of Use Ove	•			es 🗵	No [		Address	s Change? <u>NC</u>
									No 🗌		s Change? <u>NO</u>
		*	on compute								
	b. Show	feet distar	nces from th	16	SE	coı	rner of th	e section	for the new	point(s) c	of diversion:
	Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	w	Coun	ty	Qualifiers
	ENT			22	29	30w	1959	3518	Gray	/	SW NE SW
	DEL	52004									
								į,			
	Old P	DIV ID	Authorized	Rategpm _gpm/cfs _gpm/cfs	Additi	onal Rat	e / gpm _ m/cfs _ m/cfs _	Authorize	af/mgy af/mgy	Addition	nal Quantity af af/mgy af/mgy ⊠ Yes □ No
	e. Form	ation Name	e & No. 211 e	oglala			Specia	l Use Are	a na		
			original p/d:							, ,	=
6.	WATER R	RIGHT ACT	ION TRAIL (	COMMENT	<u>'S</u>						
	<u>12/05/16</u>				Change	Applicat	tion Rece	ived (date	accepted for	priority)	
	/	<u>/16</u>				Approve	ed f by <u>12/31</u>	<u>l/17</u>			
		/			Comple	tion Req	uirement	Removed	(Change No.	C)	
7.	METER A	CTION TRA	AIL COMME	NTS							
		/ <u>16</u>			DWR M	eter Req	uired by	<u>12/31/17</u>			
8.	Base Acre	:s		Yea	r		Mini	mum Rea	isonable Quai	ntity	
							D	ate Creat	ed <b>12/21/16</b>	by <b>tpm</b>	
							D	ate Enter	ed	by	

# CHECK SHEET ATTACHMENT

File Number 4822

9. Changes to the place of use will be:

			Г	F	Г	F			
TOTAL	ACRES								arstelli krosnic
	SE14								
1/4	SW%								
SE14	NW%								
	NEX NWX SWX SEX								
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	NE%	•							
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NW74	NW%					7000			
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Sec. Twp. Range									
200	# 0								
	Person ID								
••••	Action		5						

Person ID# က် Person ID# Ь Person ID# Names and Address:

# GENERAL INSTRUCTIONS

- Send to headquarters:
- a. Good, microfilmable copy of application and/or approval and this check sheet
- b. Original check and copy of receipt

b. Original receipt (one for each application)

a. Original application/approval

Give to Applicant:

c. Information packet containing:

 Water Meter Specifications Notice and Proof form

Acceptable Meter list

- c. Test hole log
- d. GMD recommendation, if any
- e. Map or aerial photograph, if any
- Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. က်

Water level measurement tube specifications

Pink Sheet - K.S.A. 82a-728 letter

Check Valve specifications

# CONDITIONS

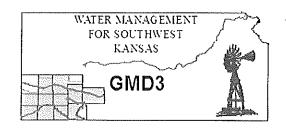
- Insert notice and proof date. Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
- Type or print applicant's/owner's name on line. ડાં છ
  - Complete notary statement.

<ol><li>Date stamp received and applications</li></ol>	pproved.
Date stamp received a	da
Date stamp rec	eda
Date st	Ö
Date	ب
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	4

Complete ownership and WUC change information. ς,

# ADDITIONAL PHOTOCOPIES

	Ψ.		



# Southwest Kansas Groundwater Management District No. 3 2009 E. Spruce Street

Garden City, Kansas 67846 (620) 275-7147 phone (620) 275-1431 fax www.gmd3.org

December 22, 2016

Thomas P. Makens Division of Water Resources 2508 N Johns Street Garden City, Kansas 67846

RECEIVED

DEC 2 2 2016

Garden City Field Office Division of Water Resources

RE: Application for Change in Point of Diversion Water Right, File No. 4,822

Dear Thomas:

We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is therefore recommended that the application be approved at this time.

Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

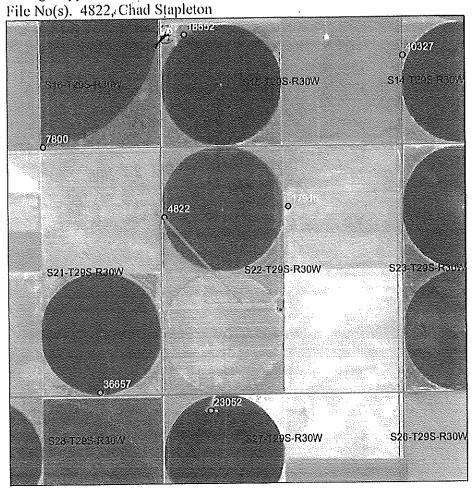
Sincerely,

Jason L. Norquest Assistant Manager

Serving Southwest Kansas Since 1976

## **GMD3** Change Review

Change Application(s); PD



RECEIVED

DEC 2 2 2016

Garden City Field Office Division of Water Resources

	ft. North	ft. West	
Authorized PD	3810	5200	Section 22-29-30
Proposed PD	1959	3518	
Difference	1851	1682	
a2 + b2 = c2	3426201	2829124	2501.065 foot move SE

Neighboring wells: Looks like we are 20' short on distance to 17916. Records so this well is plugged, however the water right is still in good standing. GPS provided by DWR shows spacing met. All other spacing met to wells.

Domestic wells: None found in area of concern.

Regulation(s) Reviewed: KAR 5-23-3

Board Review Date: NA Board Recommendation: NA

# **GMD3** Change Review

Waiver Reason: NA

Final Recommendation: After review of all available information, it appears the area

rules are met. Staff therefore recommends approval of the application.

RECEIVED

DEC 2 2 2016

Garden City Field Office Division of Water Resources

	INPUTS		
	Longitude	Latitude	
Point 1	-100.591290		Proposed 4822
Point 2	-100.588550	37.515998	17916, DWR GPS

Degrees Longitude per Foot

3.44746784E-06

Degrees Latitude per Foot

2.74632247E-06

Distance Between Points (ft)

2576

Compute Distance Between Points

### Instructions

1. Enter Longitudes and Latitudes of the two points (both must be in the same datum, NAD27 or NAD83).

2. Click "Compute Distance Between Points" button.

DEC 2 2 2016

Garden City Field Office Division of Water Resources

Water Rights and Points of Diversion Within 1.00 miles of point defined as: 1959 ft N and 3518 ft W of the SE Corner of Section 22, T 298, R 30W Located at: 100.591291 West Longitude and 37,509271 North Latitude GROUNDWATER ONLY 2300 Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth\_Quan Add\_Quan Unit 4822 00 TRR NK G+ 2497 -- HW SW NW 3810 5200 22 29 3 OW 3 640.00 640.00 AF 320.00 AF 17916 00 IRR NK G 2281 -- -- CW NE 4000 2500 22 29 3.027 320.00 23052 00 TRR NK G 4760 -- HE NW SW 2590 4440 27 29 301 320,00 320.00 AF 2446 -- HE NW NW: 4910 Same 4208 27 29 3.0W 320.00 320.00 AF 36657 00 IRR NK G 3614 -- -- CS SE 62 1312 21 29 30% 272.00 272.00 AF / Total Net Quantities Authorized: Direct Storage Total Requested Amount (AF) = .00 RECEIVED Total Permitted Amount (AF) = .00 ,00 Total Inspected Amount (AF) = .00 .00 DEC 2 2 2016 Total Pro Cert Amount (AF) = .00 Total Certified Amount (AF) = 1872,00 ,00 Garden City Field Office Total Vested Amount (AF) = .00 .00 Division of Water Resources TOTAL AMOUNT (AF) = 1872.00 .00 An \* after the source of supply indicates a pending application for change for the file number. An \* after the ID indicates a 15 AF exemption was granted for the file number. A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery. Water Rights and Points of Diversion Within 1,00 miles of point defined as: 100.591291 West Longitude and 37.509271 North Latitude GROUNDWATER ONLY WATER USE CORRESPONDENTS: File Number Use ST SR 4822 00 IRR NK G CHAD STAPLETON 33902 10 RD MONTEZUMA KS 67867 6PS varified spacing moto. Will box played to wakito. 17916 00 IRR NK G ARLENE BUNNELL 31808 2 RD COPELAND KS 67837 >------23052 00 IRR NK G DEWAYNE NICKEL 31505 9 RD MONTEZUMA KS 67867 36657 00 IRR NK G BLAINE STUDE

125 19

- > 2431 160TH RD
- > COPELAND KS 67837

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DEC 22 2016

Garden City Field Office Division of Water Resources