

Garden City Field Office
2508 Johns Street
Garden City, Kansas 67846-2804
Jackie McCluskey, Secretary
David W. Barfield, Chief Engineer
Michael A. Meyer, Water Commissioner

Kansas
Department of Agriculture
Division of Water Resources

Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

March 13, 2017

WILDA BETH ACOYA ROSE
PO BOX 568
TESEQUE NM 87574

RE: Change in Point of Diversion Water Right, File No 23059

Dear Ms. Rose:

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

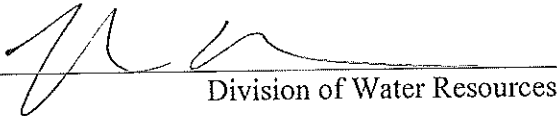
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this *13th* day of March 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 18896 dated March 13, 2017 was mailed postage prepaid, first class, US mail to the following:

WILDA BETH ACOYA ROSE
PO BOX 568
TESEQUE NM 87574

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.

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. 18896

RECEIVED
 2:09pm
 FEB 06 2017

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

Place of Use Point of Diversion

Garden City 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: WILDA BETH ACOYA ROSE

PO BOX 568 TESEQUE NM 87574

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: RUSTY SHERWOOD

1664 ROAD SS SUBLETTE KS 67877-8004

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: WILDA BETH ACOYA ROSE

ADDRESS: PO BOX 568 TESEQUE NM 87574

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: no change to acres

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 \$ <u>200</u> TR # _____ Receipt Date <u>2/6/17</u> Check # <u>1074</u>
--

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ sw Quarter of the _____ ne Quarter
 of Section 9, Township 30 South, Range 30 W,
 in Meade County, Kansas, 3950 feet North 2540 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 2 GPS 4001 feet North 2613 feet West)
 This point will not be changed This point will be changed as follows:
Proposed point of diversion: (Complete only if change is requested)
 One in the _____ se Quarter of the _____ sw Quarter of the _____ ne Quarter
 of Section 9, Township 30 South, Range 30 W,
 in Meade County, Kansas, 2683 feet North 1457 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 _____

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:
Proposed point of diversion: (Complete only if change is requested)
 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. Why do you need a new point of diversion? _____
old well needs to be replaced

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

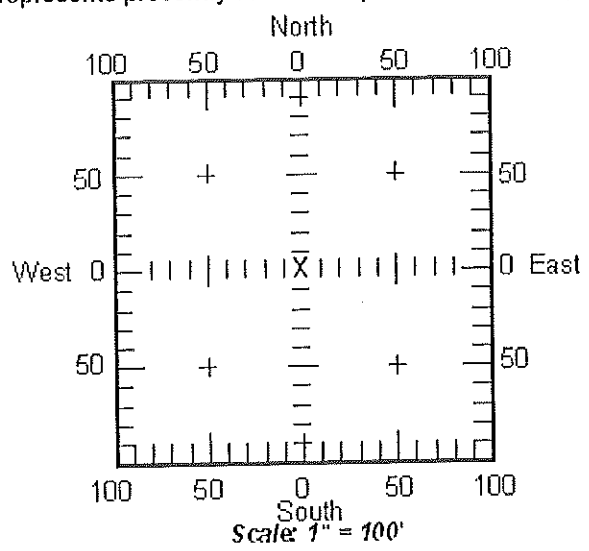
9. When do you propose to complete the new point of diversion?
February 6, 2017

10. If the point of diversion is a well:
 (a) What are you going to do with the old well?
plug
 (b) When will this be done? 2017

11. Groundwater Management District recommendation attached? Yes No

12. Assisted by lpm

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from 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.

14. If the proposed groundwater point of diversion is 300 or fewer feet from 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 regard 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 2/3/17 Santa Fe, NM, Kansas, this 3 day of FEB, 2017.

<u>Beth Rose</u> (Owner)	_____ (Spouse)
<u>Beth Rose</u> (Please Print)	_____ (Please Print)
_____ (Owner)	_____ (Spouse)
_____ (Please Print)	_____ (Please Print)
<u>Beth Rose Beth Rose</u> (Owner)	_____ (Spouse)
<u>Beth Rose</u> (Please Print)	_____ (Please Print)

State of Kansas NM
 County of Santa Fe } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 03 day of February, 2017.

My Commission Expires 03/23/2019

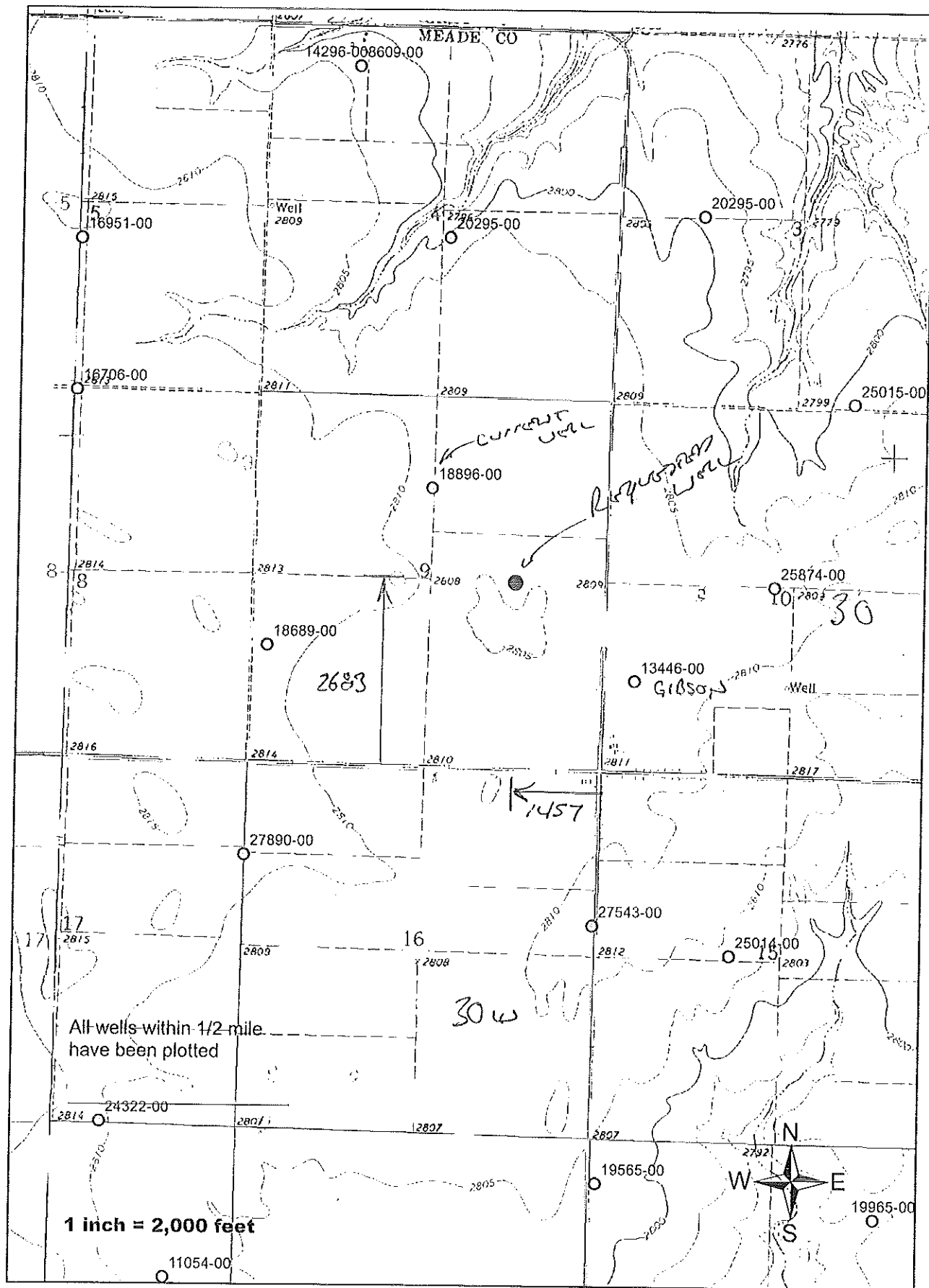
[Signature]
 Notary Public

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below; Make checks payable to: Kansas Department of Agriculture

(1) Application to change a point of diversion 300 feet or less	\$100
(2) Application to change a point of diversion more than 300 feet	\$200
(3) Application to change the place of use	\$200





Land owner: Beth Rose sec 12-3-16
 PO Box 568 Osage, MO 62374 tract 2 case # 2
 owner Beth Rose, 67668 owner Johnny
 name Mohe section ? township 30 range 30
 name 2 miles North of pines on R14, about an 1/2 at the pole North on 33 mile

LOGS			Description
Feet	To		
0	5		top soil
5	20		grey clay
20	73		sandy clay
73	150		sand clay streaks (light clay)
150	235		fine sand with some clay
235	238		light clay
238	358		fine to coarse sand (coarse)
358	371		coarse sand
371	378		wood stone
378	399		sand clay mix
399	421		sand with fine clay
421	485		tan yellow clay sand mix
485	525		sand with clay streaks
525	550		clay light grey
			(NGPS) location
			latitude: <u>37.450</u> (<u>37.4530</u>)
			longitude: <u>-100.6036</u>
			.36 miles south east of existing well

100000



Garden City Field Office
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Phone: (620) 276-2901
Fax: (620) 276-9315
www.agriculture.ks.gov
Sam Brownback, Governor

February 6, 2017

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

Re: Water Right file number 18896

Dear Mr. Norquest;

Beth Rose has applied to relocate the well authorized by the above water right number. There is one neighboring well 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.

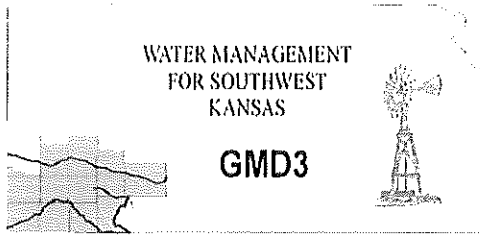
Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "Thomas P Makens".

Thomas P Makens

TPM:tpm
enc



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

February 13, 2017

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

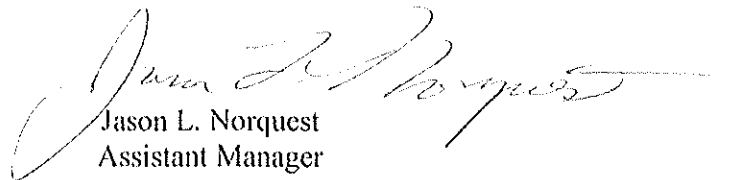
RE: Application for Change in Point of Diversion
Water Right, File No. 18896

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.

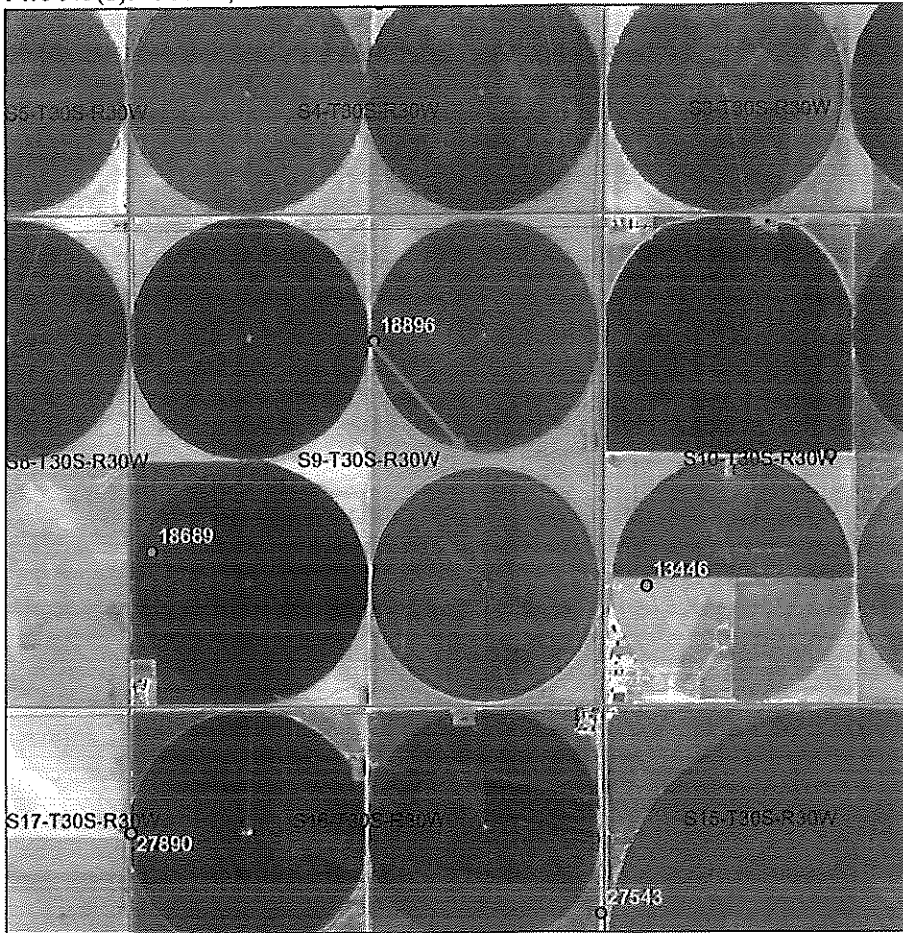
Sincerely,



Jason L. Norquest
Assistant Manager

GMD3 Change Review

Change Application(s); PD
 File No(s). 18896, Beth Rose



	ft. North	ft. West	
Authorized PD	3950	2540	Sect. 9-30-30
Proposed PD	2683	1457	
Difference	1267 S	1083 E	
$a^2 + b^2 = c^2$	1605289	1172889	1666.787 foot move SE

Neighboring wells: Spacing MET, see WRIS report. Verified spacing to 13446 with GPS from field inspection.

Domestic wells: None found in area of concern

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

Board Review Date: NA

Board Recommendation: NA

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.

LR

Water Rights and Points of Diversion Within 1.00 miles of point defined as:
 2683 ft N and 1457 ft W of the SE Corner of Section 9, T 30S, R 30W
 Located at: 100.602599 West Longitude and 37.453001 North Latitude
 GROUNDWATER ONLY

2300 on all

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Tw	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 13446	00	IRR	NK	G	2365	NC	W2	W2	SW	1300	4940	10	30	30W	4	360.00	360.00	AF
A__ 18689	00	IRR	NK	G	3664	--	SW	NW	SW	1692	4984	9	30	30W	3	320.00	320.00	AF
A__ 18896	00	IRR	NK	G	1667	--	--	CW	NE	3950	2540	9	30	30W	2	612.00	612.00	AF
A__ 20295	00	IRR	NK	G	5049	--	NW	NW	SE	2320	2500	4	30	30W	4	466.00	466.00	AF
A__ 25874	00	IRR	NK	G	3933	--	SE	SE	NW	2700	2924	10	30	30W	5	320.00	320.00	AF
A__ 27543	00	IRR	NK	G	5108	--	SE	SE	NE	3045	50	16	30	30W	1	320.00	320.00	AF

Total Net Quantities Authorized:	Direct	Storage
Total Requested Amount (AF) =	.00	.00
Total Permitted Amount (AF) =	.00	.00
Total Inspected Amount (AF) =	.00	.00
Total Pro_Cert Amount (AF) =	.00	.00
Total Certified Amount (AF) =	2398.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2398.00	.00

Spacing MET!
[Signature]

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:
 100.602599 West Longitude and 37.453001 North Latitude
 GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

- File Number Use ST SR
- A__ 13446 00 IRR NK G
- > RONNIE GIBSON
- >
- > 2198 RD 4
- > COPELAND KS 67837
-
- A__ 18689 00 IRR NK G
- > W LEROY KOEHN
- >
- > 21011 N ROAD
- > MEADE KS 67864
-
- A__ 18896 00 IRR NK G
- > RUSTY SHERWOOD
- >
- > 1664 ROAD SS
- > SUBLETTE KS 67877
-
- A__ 20295 00 IRR NK G
- > WADE M & GLENDA A PATTERSON

>
> 1116 1 RD
> COPELAND KS 67837

A__ 25874 00 IRR NK G
> RAY ALLEN REXFORD ESTATE

>
> 2137 9 RD
> MONTEZUMA KS 67867

A__ 27543 00 IRR NK G
> RONNIE GIBSON

>
> 2198 RD 4
> COPELAND KS 67837

