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



Phone: (620) 276-2901 Fax: (620) 276-9315 www.agriculture.ks.gov

Sam Brownback, Governor

Jackie McClaskey, Secretary David W. Barfield, Cluef Engineer Michael A. Meyer, Water Commissioner

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 1 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.

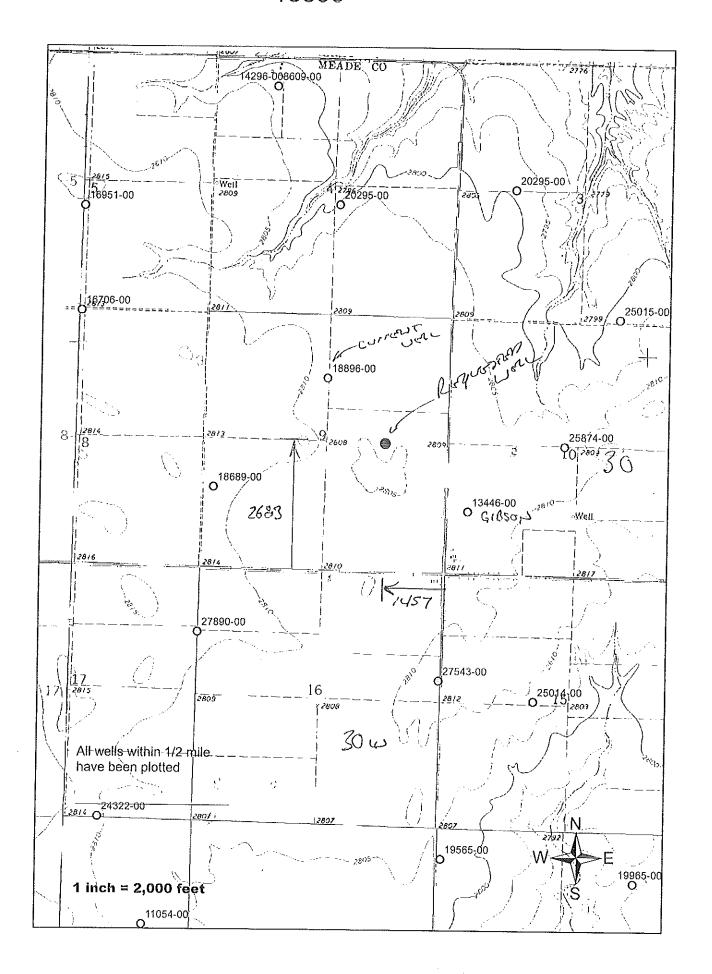
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While he had a great and to a position of the first idea.	tour existing boint of diversion! comblete the following:
(a) Does the undersigned represent all owners of the currently aution of the	norized place(s) of use identified in this application? ication.)
(b) Will the ownership interest of any owner of the currently author affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this approved.)	prized place(s) of use identified in this application be adversely
(c) If this application is not approved expeditiously, will there be suf ☐ Yes ☐ No (If no. all owners must sign this appl	bstantial damage to property, public health or safety? ication.)
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).	e groundwater change in point of diversion greater than 300 feet, sof the currently authorized place of use, or their duly authorized
I hereby verify, being first duly sworn upon my oath or affirm age and the owner, the spouse of the owner, or a duly author their behalf, in regard to the water right(s) to which this appropriate in this application are true, correct and complete. Dated et	ized agent of the owner(s) to make this application on plication pertains. I further verify that the statements
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Beth Rose	(Copening)
(Please Print)	(Please Print)
(Owner)	(\$pouse)
Beth Rose Book Page	(Please Print)
Boy In Property	(Spott Se)
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State of Kenses NM County of Santare SS	
I hereby certify that the foregoing application was signed in my	presence and sworn to before me this O3 day of
02/02/04	
My Commission Expires 3 73 70 7	Nothing Politic
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the appropriate fee must be paid.	of the applicable portions of the application form must be completed with propriete owners' must be affixed to the application and notarized; and
FEE SCHEDU	/
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departme (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	this section shall be accompanied by the application fee set at of Agriculture \$100
	\$250°

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

oro K.A	visions of the Kansas Water Appropriation Law K.S.A. 82a-7	i-708b, as amended, and K.A.R. 5-14-3 and other applicable 701 et. seq., and rules and regulations promulgated thereunder, essly contained herein, this Summary Order does not change the
1.	A change application was received on February 6, 2017 diversion authorized under the above-referenced file number	requesting that the place of use and / or point of be changed as described in the application.
2.	On and after the effective date of this summary order, the at on the topographic map accompanying the application to cha	uthorized place(s) of use shall be located substantially as shown nge the place of use.
3,	The change in point of diversion shall not impair existing righ previously authorized. The point of diversion authorized by the radius of the authorized point(s) of diversion.	ts and shall be limited to the same source or sources of water as nis summary order shall be located within a 300 foot e Not Applicable
4.	The point(s) of diversion authorized herein shall not actually be authorized point(s) of diversion. ☐ Applicable ☑ Not	pe located more than feet from the previously Applicable
5.	As required by K.A.R. 5-3-5d, if the works for diversion is a tube or other device suitable for making water level measure with K.A.R. 5-6-13. Applicable	well with a diversion rate of 100 gallons per minute or more, a ments shall be installed, operated and maintained in accordance
3.	December 31, 2017, or before the first use of water, whichever and maintained in accordance with K.A.R. 5-1-4 through 5-1-	perly install an acceptable water flow meter on or before rer occurs first. The water flow meter shall be installed, operated 12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-g of the water flow meter and the total quantity of water diverted of each calendar year.
7.	authorized extension of time. By March 1, 20 <u>18</u> the applicandiversion has been completed, on the form provided by the C ☐ Applicable ☐ Not Applicable	
3.	The completed well log shall be submitted with the require	red notice. 🛮 Applicable 🔲 Not Applicable
€.	All diversion works into which any type of chemical or other for with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in	oreign substance will be injected into the water shall be equipped e of preventing pollution of the source of the water supply. The accordance with K.A.R. 5-3-5c. ☑ Applicable ☐ Not Applicable
10.	Additional Conditions are attached. ☐ Yes ☑:Ño	
11.	water appropriated under the above-referenced file number limitations, as amended and/or supplemented by this Summ Appropriation Law and the Rules and Regulations promula	R. 5-5-14, all of the owners of the authorized place(s) of use of are responsible for compliance with its terms, conditions and hary Order, and with applicable provisions of the <i>Kansas Water</i> ated thereunder. Failure to comply with these provisions may nded, and/or the suspension or revocation and dismissal of the authorized by law.
	Administrative Appeal and Effective Date of Order	FOR OFFICE USE ONLY
You	have the right to a hearing in accordance with K.A.R. 5-14-3 ore this Summary Order becomes final action of the Kansas	APPLICATION APPROVED AND SUMMARY ORDER ISSUED
Dep iled Kar Oriv	partment of Agriculture. Any request for a hearing must be with the Chief Engineer, Division of Water Resources, ass Department of Agriculture, 1320 Research Park ye, Topeka, Kansas 66502, within 15 days after the date wn on the Certificate of Service attached hereto. If a hearing	By: Duly Authorized Designee of the Chief Engineer
s n Ord	ot requested in accordance with K.A.R. 5-14-3, this Summary er will become effective on the 15 th day after the date shown	(Print Name): Thomas P Makens Division of Water Resources - Kansas Department of Agriculture
on t	he Certificate of Service. For Use by Register of Deeds	Date of Issuance: MAILCH 13, ZO17
	, or soo sy riogistor or posses	State of Kansas)) SS
		County of Finney)
		Acknowledged before me on March 13, 2017
		by Thomas P Makens
		Signature: Notary Public
		My commission expires: SUE KEENY My Appointment Expires June 8, 2018 (Notary Seal)



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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.agrlculture.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.

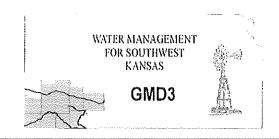
Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm enc

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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:

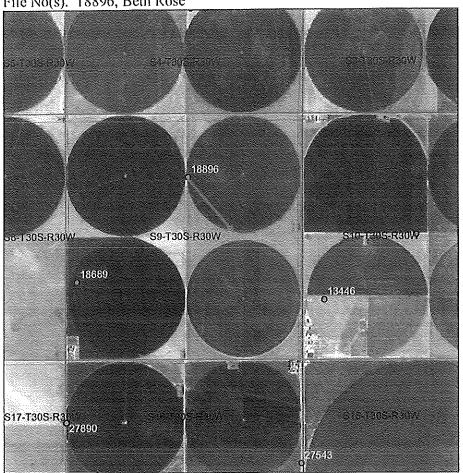
We have completed a review of the application for the above referenced water right. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed distance moved and well spacing is in accordance with K.A.R. 5-23-3. It is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

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	
a2 + b2 = c2	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: NABoard 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.

,22

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 0-File Number Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit 13446 00 IRR NK G 2365 NC W2 W2 SW 1300 4940 10 30 30W 4 360.00 360.00 AF 18689 00 IRR NK G Α___ 3664 -- SW NW SW 1692 4984 9 30 30W 3 320.00 320.00 AF / 18896 00 IRR NK G _____ 1667 -- -- CW NE 3950 2540 9 30 30W 612.00 612.00 AF 20295 00 IRR NK G 5049 -- NW NW SE 2320 2500 4 30 3 O W 466.00 466.00 AF 25874 00 IRR NK G 3933 -- SE SE NW 2700 2924 10 30 320.00 320.00 AF / 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 Spacing MET! Total Requested Amount (AF) = .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 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

A__ 20295 00 IRR NK G

> RUSTY SHERWOOD

> 1664 ROAD SS > SUBLETTE KS 67877

> WADE M & GLENDA A PATTERSON

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