

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

Kansas

Department of Agriculture
Division of Water Resources

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

February 23, 2017

LAKIN DAIRY
PO BOX 389
LAKIN KS 67860-0389

RE: Change in Point of Diversion Water Right, File No 27343D2

Dear Mr. Ritsema:

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

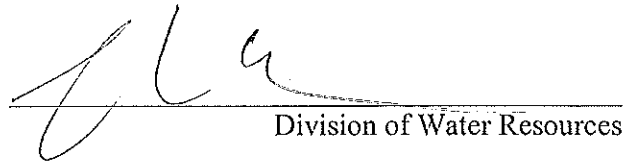
TPM:tpm
Enclosures
GMD#3

CERTIFICATE OF SERVICE

On this 24th day of February 2017, I hereby certify that the attached original Approval of Application to Change the Point of Diversion under Water Right, File No. 27343D2 dated February 23, 2017 was mailed postage prepaid, first class, US mail to the following:

LAKIN DAIRY
PO BOX 389
LAKIN KS 67860-0389

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.

RECEIVED
 4:06 pm
 FEB 03 2017

File No. 27343 D2

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: FRED RITSEMA
PO BOX 389 LAKIN KS 67860-0389

Phone Number: () _____ Email address: _____

Name and address of Water Use Correspondent: FRED RITSEMA & YOKA RODENHUIS TRUSTS LAKIN DAIRY
PO BOX 389 LAKIN KS 67860-0389

Phone Number: () _____ Email address: _____

3. The presently authorized place of use is:
 Owner of Land ---- NAME: FRED RITSEMA & YOKA RODENHUIS TRUSTS LAKIN DAIRY
 ADDRESS: PO BOX 389 LAKIN KS 67860-0389

(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				

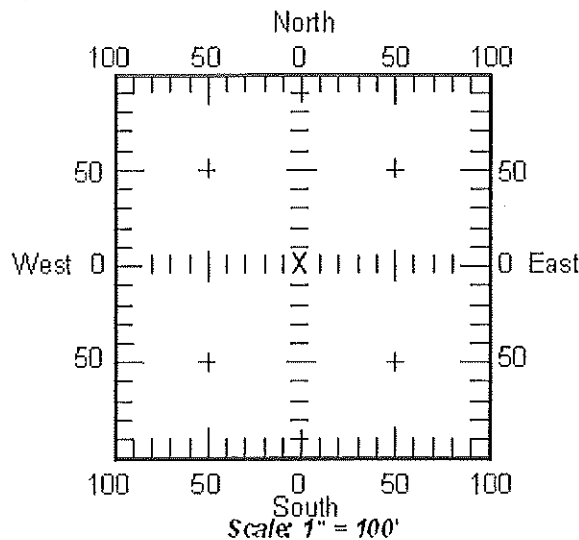
For Office Use Only: Code _____ Fee \$ 200 TR # _____ Receipt Date 2/3/17 Check # 8334

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the nc Quarter of the se Quarter
 of Section 18, Township 25 South, Range 35 W,
 in Kearny County, Kansas, 1330 feet North 1320 feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
 (DWR use only: Computer ID No. 4 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 nw Quarter of the se Quarter of the se Quarter
 of Section 18, Township 24 South, Range 35 W,
 in Kearny County, Kansas, 1254 feet North 975 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 _____ (EW),
 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 _____ (EW),
 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 _____

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.)



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 20, 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 tpm _____

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 GARDEN CITY, Kansas, this 3RD day of FEBRUARY, 2017.

<p>X <u>[Signature]</u> _____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p> <p>_____ (Owner)</p> <p>_____ (Please Print)</p>	<p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p> <p>_____ (Spouse)</p> <p>_____ (Please Print)</p>
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State of Kansas
County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3RD day of FEB, 2017.



Catherine Reinert
Notary Public

My Commission Expires 9-14-18

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

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. 27343 D2.

1. A change application was received on FEBRUARY 3 2017 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 300 foot radius of the authorized point(s) of diversion. Applicable Not Applicable
4. 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
5. 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
6. 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. 5-3-5e, 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
7. 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. Applicable Not Applicable
8. The completed well log shall be submitted with the required notice. Applicable Not Applicable
9. 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
10. Additional Conditions are attached. Yes No
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. 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

You have the right to a hearing in accordance with K.A.R. 5-14-3 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 on the Certificate of Service.

For Use by Register of Deeds

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

By: [Signature]
Duly Authorized Designee of the Chief Engineer
(Print Name): THOMAS P. MAKENS
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: FEBRUARY 23, 2017
State of Kansas)
County of Finney) SS
Acknowledged before me on February 23, 2017
by Thomas P. Makens
Signature: [Signature]
Notary Public



My commission expires:

(Notary Seal)

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



Hydro
resources

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

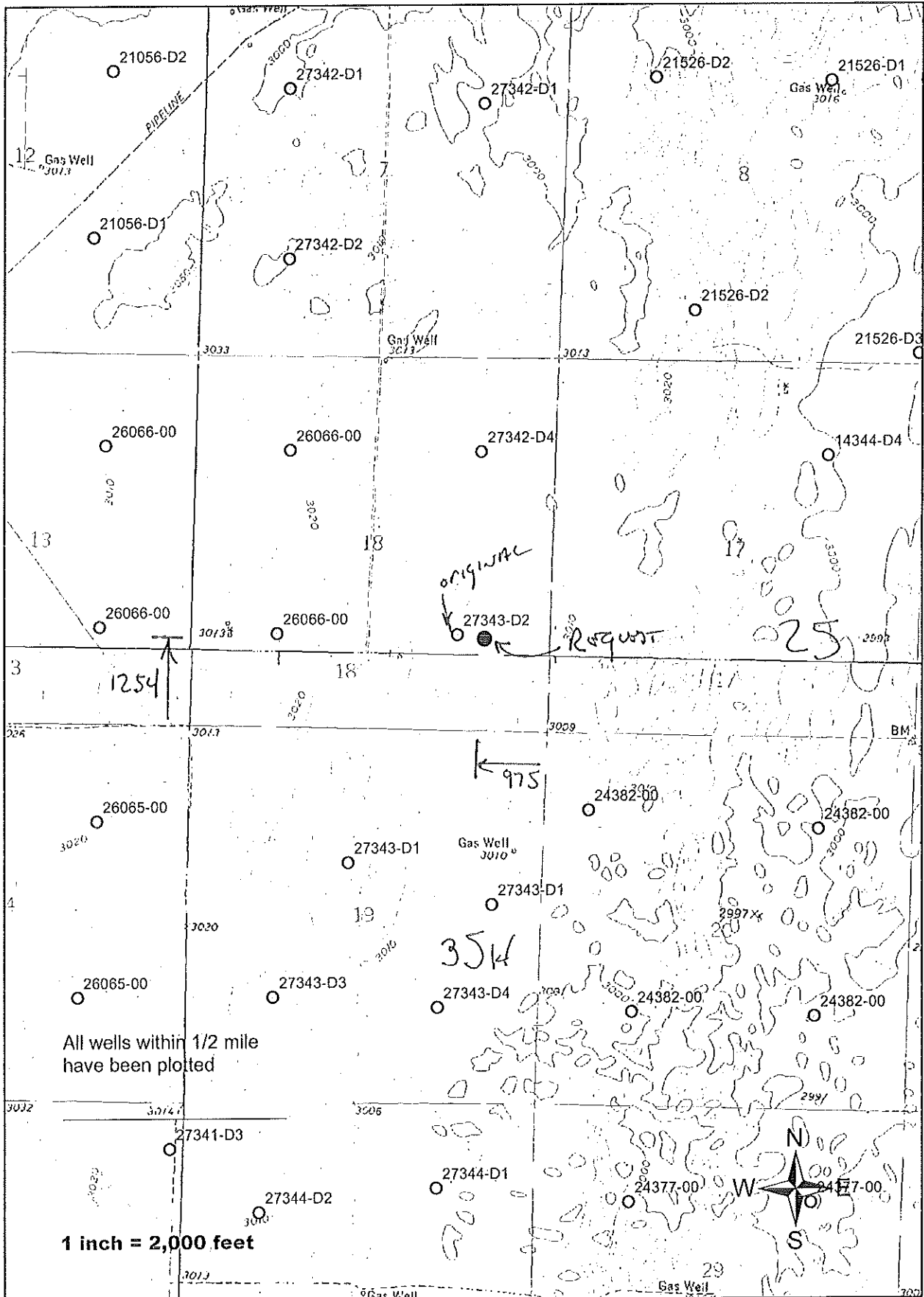
FRED RITSEMA CELL 620-271-1098

Customer Name: Lakin Dairy WO#: 11525 Date: 1-25-17
Street Address: P.O. Box 389 Test #: 1 E LOG: _____
City, State: LAKIN KS 67860 Driller: Dale Guinn
County: Kearny Quarter: SE Section: 18 Township: 25 Range: 35
Location: 76' South & 345' East of Exist Well GPS: N37.87560 W101.19831
Rig #: 10002 Elevation: 3002' Static WL: 225' Estimated? _____
Proposed Well Depth 581'
20' SUMP

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil - Sand-
	2		20	Fine sand w/couple clay ledges
	20		50	Sand fine to med course small few med gravel
	50		59	Brown sandy clay
	59		101	Sand fine to med course small few large gravel
	101		116	Brown Clay w/ few small sand strips
	116		132	Sand fine to med course
	132		173	Blue Clay
	173		184	Sand fine to med course
	184		191	Brown sandy clay
	191		216	Sand fine to med course
	216		221	Brown sandy clay
20	221	18	243	Sand fine to med course w/ few clay ledges
25	243	18	261	Sand fine to med course
5	261	19	280	Fine sand & Brown Clay Mixed
15	280	21	301	Fine sand w/ few small clay stringers
10	301	17	318	Fine sand w/ some clay stringers
5	318	22	340	Fine sand w/ many clay ledges
15	340	33	373	Fine sand w/ couple clay stringers
	373		400	Brown sandy clay
15	400	18	418	Fine sand
10	418	10	428	Sandstone & few Soapstone strips - used water -
	428		446	Soapstone
10	446	34	480	Sandstone - lost circ. @ 449' & 464' mixed Bron & Med - few soapstone ledges - used lots of water -
5	480	52	532	Sandstone & Soapstone - used water -
15	532	29	561	Sandstone - used lots of water -
	561		660	Shale
				Super Gel X -11
				Bron -8
				Grout -4
				Beit. Plug -6
				Perma Plug -1
				4 3/4 Drag Blade -1

27543-02

27343 D2



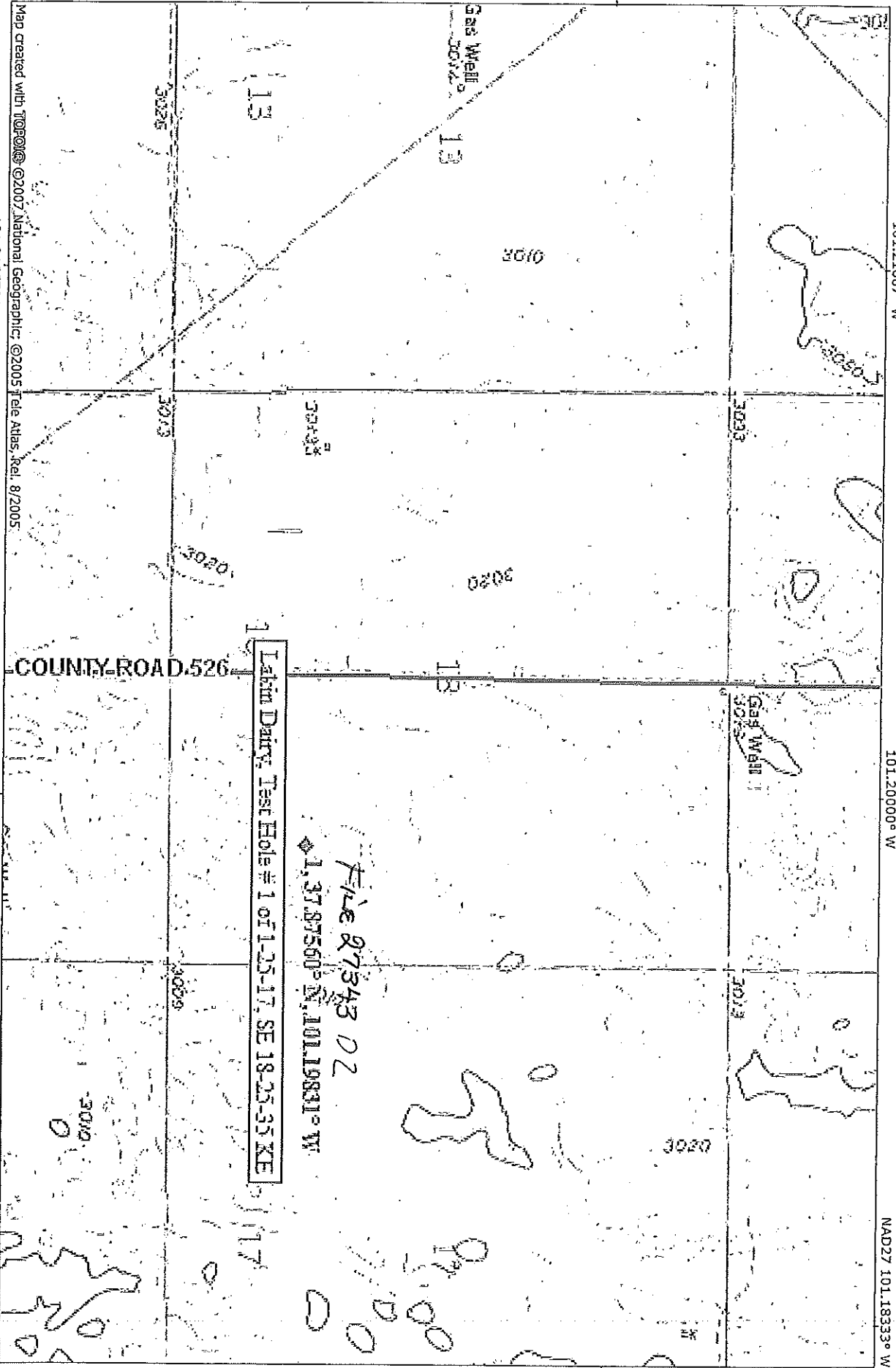
TOPOI map printed on 01/26/17 from "Untitled.tpo"

37.88333° N

101.21667° W

101.20000° W

NAD27 101.18333° W



COUNTY ROAD 526

Latin Dairy Test Hole # 1 of 1-25-17, SE 18-25-35 KE

File 87343 02
1.3787560° N, 101.19831° W

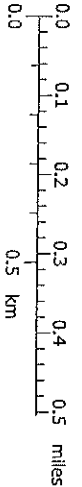
Map created with TOPOI © 2007 National Geographic, © 2005 Tele Atlas, Inc. 8/2005

101.21667° W

101.20000° W

NAD27 101.18333° W

NATIONAL GEOGRAPHIC



01/26/17

37.88333° N

TN PMN

5°



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

February 6, 2017

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

Re: Water Right file number 27343 D2

Dear Mr. Norquest;

Fred Ritsma 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.

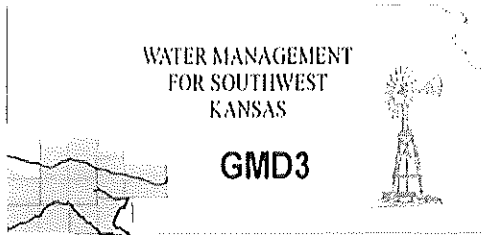
Thank you and as always feel free to call or write us at any time.

Sincerely;

A handwritten signature in black ink, appearing to read "T. 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 10, 2017

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

RECEIVED

FEB 14 2017

RE: Application for Change in Point of Diversion
Water Right, File No. 27343 D2

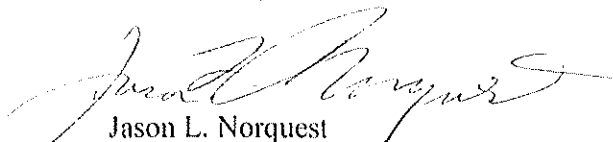
Garden City Field Office
Division of Water Resources

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.

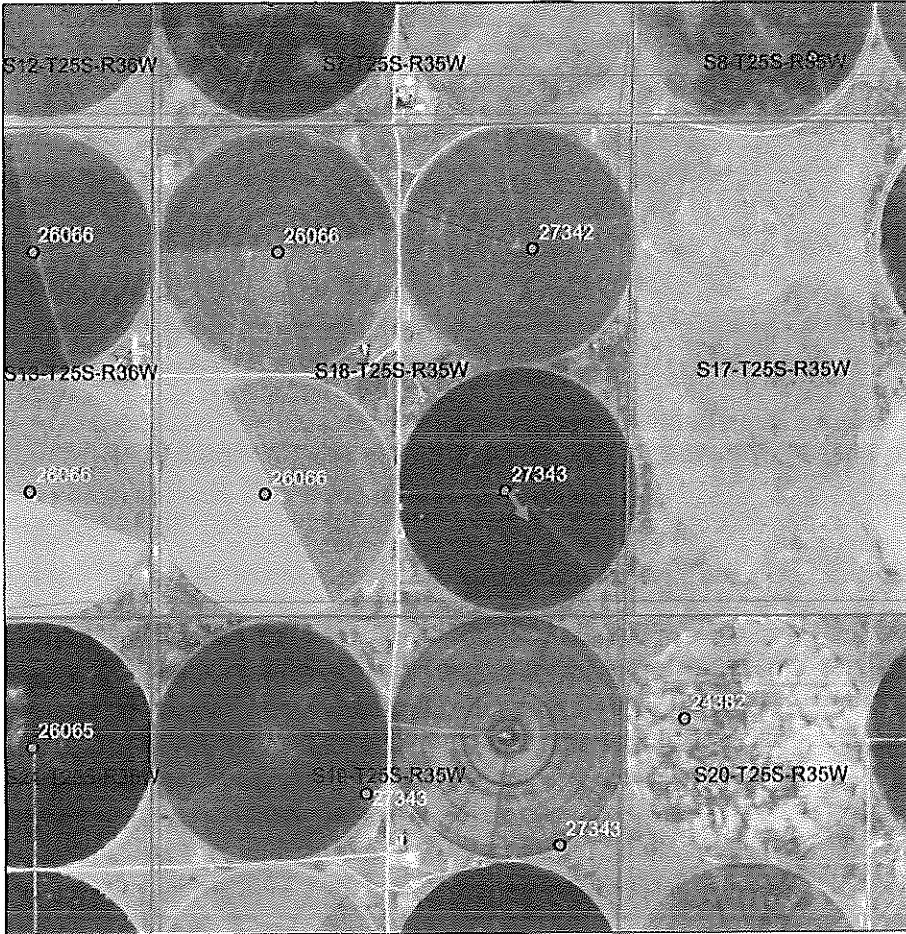
Sincerely,



Jason L. Norquest
Assistant Manager

GMD3 Change Review

Change Application(s); PD
 File No(s). 27343D2; Fred Ritsema



	ft. North	ft. West	
Authorized PD	1330	1320	sect. 18-25-35
Proposed PD	1254	975	
Difference	76 S	345 E	
$a^2 + b^2 = c^2$	5776	119025	353,2718 foot move SE

Neighboring wells: Spacing MET, see WRIS report

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

Water Rights and Points of Diversion Within 1.00 miles of point defined as:

1254 ft N and 975 ft W of the SE Corner of Section 18, T 25S, R 35W

Located at: 101.198065 West Longitude and 37.875514 North Latitude

GROUNDWATER ONLY

1600' on All

File Number	Use	ST	SR	Dist (ft)	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Batt	Auth_Quan	Add_Quan	Unit
A__ 24382	00	IRR	NK	G	2798	--	SW	NW	NW	4205	4695	20	25	35W	6	272.00	272.00	AF ✓
A__ 26066	00	IRR	NK	G	4263	NC	E2	W2	NW	3960	4270	18	25	35W	1	282.00	282.00	AF ✓
Same					2978	--	--	NC	SW	1300	3960	18	25	35W	2	272.00	272.00	AF ✓
A__ 27342	D4	IRR	NK	G	2698	--	NW	SE	NE	3950	1076	18	25	35W	5	235.00	235.00	AF ✓
A__ 27343	D1	IRR	NK	G	3795	--	SE	SE	NW	3265	2850	19	25	35W	5	260.00	260.00	AF ✓
Same					3729	--	SW	SE	NE	2785	730	19	25	35W	7	260.00	260.00	AF ✓
A__ 27343	D2	IRR	NK	G	353	--	--	NC	SE	1330	1320	18	25	35W	4	260.00	260.00	AF ✓
A__ 27343	D4	IRR	NK	G	5269	--	NE	SW	SE	1280	1520	19	25	35W	6	260.00	260.00	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) =	2101.00	.00
Total Vested Amount (AF) =	.00	.00
TOTAL AMOUNT (AF) =	2101.00	.00

Spacing MET!!

jd

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:

101.198065 West Longitude and 37.875514 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

- File Number Use ST SR
- A__ 24382 00 IRR NK G
- > BLUE HOUSE FAMILY TRUST
 - > WALTER FLETCHER
 - > PO BOX C
 - > LAKIN KS 67860
-
- A__ 26066 00 IRR NK G
- > FRED RITSEMA & YOKA RODENHUIS TRUSTS
 - > LAKIN DAIRY
 - > PO BOX 389
 - > LAKIN KS 67860
-
- A__ 27342 D4 IRR NK G
- > GLENN D & LORNA M JOHNSON
 - >
 - > 1194 ROAD V5
 - > LAKIN KS 67860
-

A__ 27343 D1 IRR NK G

> DAVID K & SHAWNA L NICHOLS

>

> 1770 ROAD 70

> LAKIN KS 67860

>-----

> FRED RITSEMA & YOKA RODENHUIS TRUSTS

> LAKIN DAIRY

> PO BOX 389

> LAKIN KS 67860

>-----

A__ 27343 D2 IRR NK G

> FRED RITSEMA & YOKA RODENHUIS TRUSTS

> LAKIN DAIRY

> PO BOX 389

> LAKIN KS 67860

>-----

A__ 27343 D4 IRR NK G

> FRED RITSEMA & YOKA RODENHUIS TRUSTS

> LAKIN DAIRY

> PO BOX 389

> LAKIN KS 67860

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