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

June 1, 2017

TRIANGLE H GRAIN & CATTLE CO 1955 W PLYMELL RD GARDEN CITY KS 67846

RE: Change the Place of Use, File Nos 14579, 14580, 22115, 29448, 32660

Dear Mr, Hands;

Enclosed you will find a Summary Order Approving Application for Change in Place of Use for the above referenced files. Since these orders modify the original documents, it should be recorded at the County Register of Deeds.

These orders modify the authorized acres that can be irrigated by these files. The authorized place of use is as shown on the plats within the change approvals.

An acceptable water flow meter was required to be installed on the diversion works by earlier requirement of the Chief Engineer. These water flow meters 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 or arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Assistant Water Commissioner

TPM:tpm Enclosures C: GMD#3

CERTIFICATE OF SERVICE

On this 5 day of June 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 14579, 14580, 22115, 29448, 32660 dated June 1, 2017, was mailed postage prepaid, first class, US mail to the following:

TRIANGLE H GRAIN & CATTLE CO 1955 W PLYMELL RD GARDEN CITY KS 67846

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.

than		et, or if	place	of use	e will b	oe cha													sion is greater and proposed
ponn	.(0) 01 01	*010,011	ano.	, piace	01 400												Į.	RECE	EIVED
									an Palitaria			OPERAGE STATE							-CAM
							File No	o. <u>326</u> 0	30					_			Δ	PR T	4 2017
	A 11 1		1		F		_	O1-1-6 F	-			H /-1					, ,	1 11 _k	7 7.017
1	Application is hereby made for approval of the Chief Engineer to change the (check one or both): Place of Use														Garden City Field Office				
																U	Wision	of Wat	er Rasources
1	under Ih	e water	right v	which i	is the s	subject	of this	applic	cation	in acc	ordano	e with	the co	nditior	is desc	cribed	below.		
•	The sou	rce of s	upply i	is:		\boxtimes (Ground	lwater			Surfa	ice wat	ter						
	Name and address of Applicant: SGC LAND LLC																		
_	1955 W							846											
	Phone N																		
	Name ai								IANGL	EHG	RAIN	& CAT	TLE C	0					
_	1955 W							846	_ ·										
	⊃hone N The pres								Email	adore	·ss:								
	me pres Owner o	•					LI C												
,	JWHELU							PD (SARD	=N (I)		67846	3	***************************************					
(If there is				•							07040	,		·				
(If there is more than one landowner, attach supplemental sheefs as necessary.)												TOTAL							
Sec. Twp. Range NE		NE¼	NEW NEW SWW SEW		NW% NE% NW% SW% SE		SE¼	SW% NE% NW% SW% SE%		SE¼	NEW NWW SWW SE		SE¼	TOTAL ACRES					
23	26	33w	NL/4	14474	01174	OL/4	181.74	141474	01174	JL/4	40	40	40	40	40	40	40	40	320
		UUN									1	1 70	70	70	1-5	1 10	70	10	520
2400423982	···																		
(f this ap Owner o	f Land -	NA ADDRI	AME:	SGC L 1955 V	AND L	LC MELL	RD C	SARDE	EN CIT	YKS	ace of 67846		e chan	ged to	•			
NE%					NW14				SW¼				SE¼				TOTAL		
Sec.	Twp.	Range	NE%	NW¼	SW¼	SE¼	NE¼	NW¼	SW1/4	SE¼	NE%	NW1/4	SW¼	SE¼	NE%	NW1/4	SW1/4	SE¼	ACRES
22	26	33w													34	34	34	34	136
23	26	33w					40	40	40	40	40	40	40	40	40	40	40	40	480
26	26	33w					32.5	32.5	32.5	32.5									130
F	or Offic	e Use	Only:	Code		Fe	• \$ Z	00	TR	 (‡		Re	ceint	Date	4/14	1/17	Chec	k# 1	342

5.	Presently authorized point of diversion:					
	One in the Quarter of the		Quar	ter of the		Quarter
	of Section . Township		Sout	h, Range		(E/W),
ĺ	in County, Kansas,	_ feet Nor	th	feet West of	Southeast co	rner of section.
	Authorized Rate Authorized Quantity		Depth	of well		(feet)
	(DWR use only: Computer ID No GP	s	feet N	orth	feet	West)
	☐ This point will not be changed ☐ This point will	be chang	ged as follows	:		
1	Proposed point of diversion: (Complete only if change					
	One in the Quarter of the		Quar	ter of the		Quarter
	of Section Township		Sout	h, Range		(E/W),
	in County, Kansas,	_ feet Nor	th	feet West of	Southeast co	orner of section.
	Proposed Rate Proposed Quantity		Propos	ed well depth	(feet)	
L	This point is: Additional Well Geo Center List of	ther water	rights that will	use this point		*
-						
6.	Presently authorized point of diversion:					0
	One in the Quarter of the		Quar	ter of the		Quarter
	of Section, Township		Souti	n, Range	5 11 1	(E/VV),
	in County, Kansas,	_ feet Nor	th	feet West of	Southeast co	orner of section.
	Authorized Rate Authorized Quantity		Depth	of well		(1661)
	(DWR use only: Computer ID No GP	S	feet N	orth	feet	West)
	☐ This point will not be changed ☐ This point will			:		
	Proposed point of diversion: (Complete only if change	<u>je is regu</u>	<u>ested)</u>			
	One in the Quarter of the		Quar	ter of the		Quarter
	of Section . Township		Souti	h, Range		(E/W),
	in County, Kansas,	_ feet Nor	th	feet West of	Southeast co	rner of section.
ŀ	Proposed Rate Proposed Quantity _		Propos	sed well depth	(feet)	· ·
	This point is: Additional Well Geo Center List of	the <u>r water</u>	rights that will	use this point		
_		40	16 th	nalat of divor	olon will bo r	elocated within 100
7.	Why do you need a new point of diversion?	13a.	feet of the exis	ting point of c	liversion, indi	cate its location on
	no change to well		the diagram bel	ow in relation	to the existing	g point of diversion. of diagram below
	no change to wen		represents pre	sently author	n center o ized point o	f diversion.)
			, - , - , - , - , - , - , - , - , - , -	No		·
	If well is the test help log etteched? [] Voc. [] No.		100	50 0	50	100
8.	If a well, is the test hole log attached? Yes No		٦٦	71 11 11 1		TL
9.	When do you propose to complete the new point	of	<u> </u>	' <u>-</u>	- -	4
	diversion?		50 F		- - +	= 50
			on E	1	- '	= 100
					-	7
10.	If the point of diversion is a well:		West 0 -1	+1 $+1$ $+1$ $+X$	(1111111	ı <mark>→</mark> 0 East
	(a) What are you going to do with the old well?			'	- ' -	
					<u>.</u>	
			50 🗀	+	- +	∃ 50
			F	-	-	7
	(b) When will this be done?		<u> </u>			ı, A
			400	50 C	50	100
11.	Groundwater Management District recommendation	on	100	50 C So	uth 1" = 100'	100
	attached? Yes No					
12	Assisted by tom	13b.	If the proposed	point of diver	rsion will be re	elocated more than existing point of
12,	resisted by thin		diversion, attac	ch a topograf	ohic map or	aerial photograph.
			For aroundwate	er sources, sh	ow all wells (includina domestic)
			within one-half	mile of the pro alling, address	oposed point (es of the ow	of diversion and the ners. For surface
			water sources	show the	names and	addresses of the
			landowner(s) of upstream from	ne-half mile	downstream	and one-half mile
			upstream from	your property	mico.	

(a) Does the undersigned represent all owners of the currently authors. ☐ 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 or a change in place of use, the application must be signed by all owners agent (attach notarized statement authorizing representation).												
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 on lication pertains. I further verify that the statements											
Dated at Garden City, Kansas, this	1.3 day of 1.3 (5.1) , 20 1.											
(Magos () Shark	(Spouse)											
(Please Print)	(Please Print)											
(Owner)	(Spouse)											
(Please Print)	(Please Print)											
(Owner)	(Spouse)											
(Please Print)	(Please Print)											
State of Kansas County of Honey I hereby certify that the foregoing application was signed in my Lesuz I. More	presence and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and sworn to before me this 13th day of might kiness and m											
My Commission Expires 1/22/2021.	Notary Public											
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. FEE SCHEDULE 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	LE this section shall be accompanied by the application fee set nt of Agriculture \$100 \$200											
(3) Application to change the place of use	(\$ <u>20</u> 0)											

14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

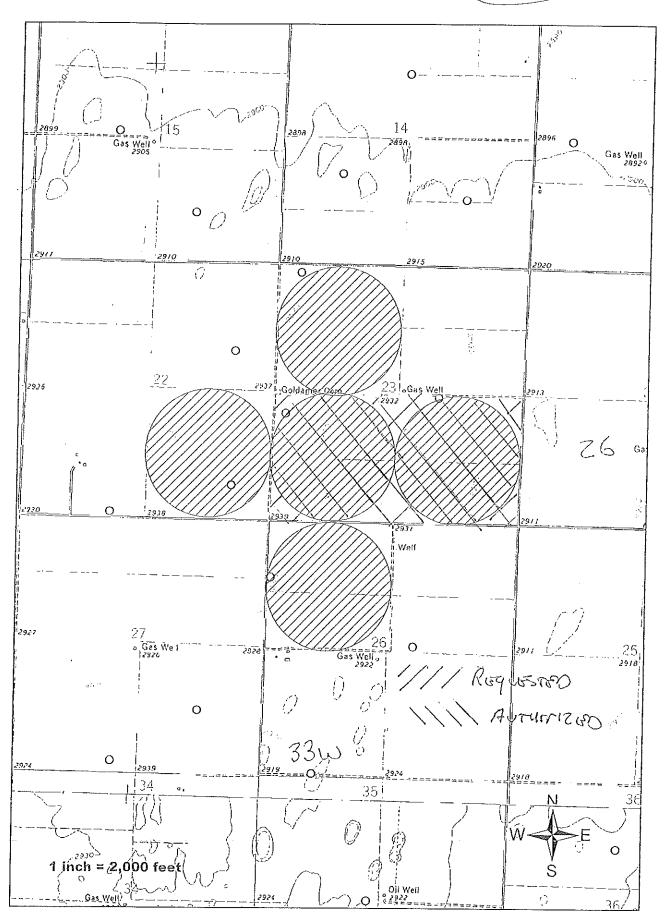
oro K.A err	s Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable visions of the <i>Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.</i> , and rules and regulations promulgated thereunder it.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the respectively.
1.	A change application was received on $\frac{APRICIUIU}{APRICIONAL APPLICIONAL APPLICIONAL APPLICATION AND APPLICATION APPLICATION$
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 afoot radius of the authorized point(s) of diversion. 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
3.	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, 20 <u>17</u> , or within any authorized extension of time. By March 1, 20 <u>18</u> 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
3.	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.
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.
Yat	Administrative Appeal and Effective Date of Order I have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED
Depileo Kar Driv sho s n Ord	ore this Summary Order becomes linal action of the Kansas or partment of Agriculture. Any request for a hearing must be divided the Chief Engineer, Division of Water Resources to partment of Agriculture, 1320 Research Park and 3 308 By: ve, Topeka, Kansas 66502, within 15 days after the date the Certificate of Service attached hereto If a hearing to trequested in accordance with K.A.R. 5-14-3, this Summary there will become effective on the 15th day after the date shown the Certificate of Service. Date of Issuance:
	For Use by Register of Deeds State of Kansas)
	County of <u>Finney</u>) SS
	Acknowledged before me on
	by Thomas P. Makens.
	Signature:
	My commission expires: My Appointment Expires My Appointment Expires

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File No. ____

14579, 14580, 22115, 29448, 32660



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