

NOTICE

This scan only represents the application as filed. The information contained herein meets the requirements of K.A.R. 5-3-1 or K.A.R. 5-5-1, and has been found acceptable for filing in the office of the Chief Engineer. The application should not be considered to be a complete application as per K.A.R. 5-3-1b or K.A.R. 5-5-2a.

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.

**WATER RESOURCES
 RECEIVED**

File No. 42042

MAY 15 2017

9:41 AM
 KS DEPT OF AGRICULTURE
 LST/OLR

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

Place of Use Point of Diversion

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: HARDEN FARMS INC % DEAN HARDEN

28120 5 RD PLAINS KS 67869-9128 PO BOX 458 OGDEN KS 66517 #

Phone Number: () Email address: _____

Name and address of Water Use Correspondent: HARDEN FARMS INC % DEAN HARDEN

28120 5 RD PLAINS KS 67869-9128 PO BOX 458 OGDEN KS 66517 #

Phone Number: () Email address: _____

3. The presently authorized place of use is:

Owner of Land ---- NAME: HARDEN FARMS INC % DEAN HARDEN

ADDRESS: 28120 5 RD PLAINS KS 67869-9128

(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 irrigated

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 <u>CLT</u> Fee \$ <u>100.00</u> TR # _____ Receipt Date <u>5/15/17</u> Check # <u>1239</u>

* LST/OLR 5/15/17
 FROM DEAN -
 File No. 42,042*
 LST/OLR
 5/16/17 DWW

5. **Presently authorized point of diversion:**
 One in the _____ Quarter of the _____ cw _____ Quarter of the _____ sw _____ Quarter
 of Section _____ 22 _____, Township _____ 34 _____ South, Range _____ 30 _____ W,
 in Meade _____ County, Kansas, _____ 1320 _____ feet North _____ 5180 _____ feet West of Southeast corner of section.
 Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)
(DWR use only: Computer ID No. 1 _____ 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 _____ sw _____ Quarter of the _____ nw _____ Quarter of the _____ sw _____ Quarter
 of Section _____ 22 _____, Township _____ 34 _____ South, Range _____ 30 _____ W,
 in Meade _____ County, Kansas, _____ 1474 _____ feet North _____ 5260 _____ 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

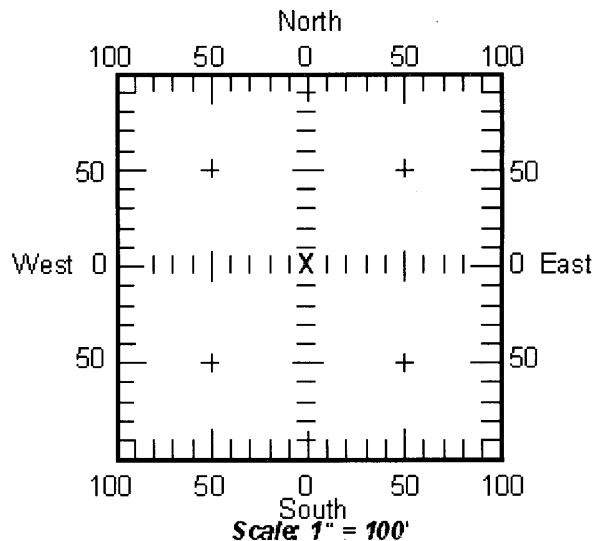
9. When do you propose to complete the new point of diversion?
 June 1, 2017 _____

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 _____

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.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:
 1474 ft N and 5260 ft W of the SE Corner of Section 22, T 34S, R 30W
 Located at: 100.578683 West Longitude and 37.072270 North Latitude
 GROUNDWATER ONLY

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File Number   Use ST SR Dist (ft) Q4 Q3 Q2 Q1 FeetN FeetW Sec Twp Rng ID Batt Auth_Quan Add_Quan Unit
A__ 23038 00 IRR NK G      169 -- -- CW SW 1320 5180 22 34 30W 1      282.00 282.00 AF
A__ 27182 00 IRR NK G     5408 -- NE SW SE 1262 1834 16 34 30W 7      260.00 260.00 AF
A__ 42042 00 IRR NK G      169 -- -- CW SW 1320 5180 22 34 30W 1      206.00 206.00 AF
A__ 42054 00 IRR NK G     5408 -- NE SW SE 1262 1834 16 34 30W 7      320.00 60.00 AF
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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) =          808.00           .00
Total Vested Amount (AF) =             .00           .00
TOTAL AMOUNT (AF) =          808.00           .00
=====
    
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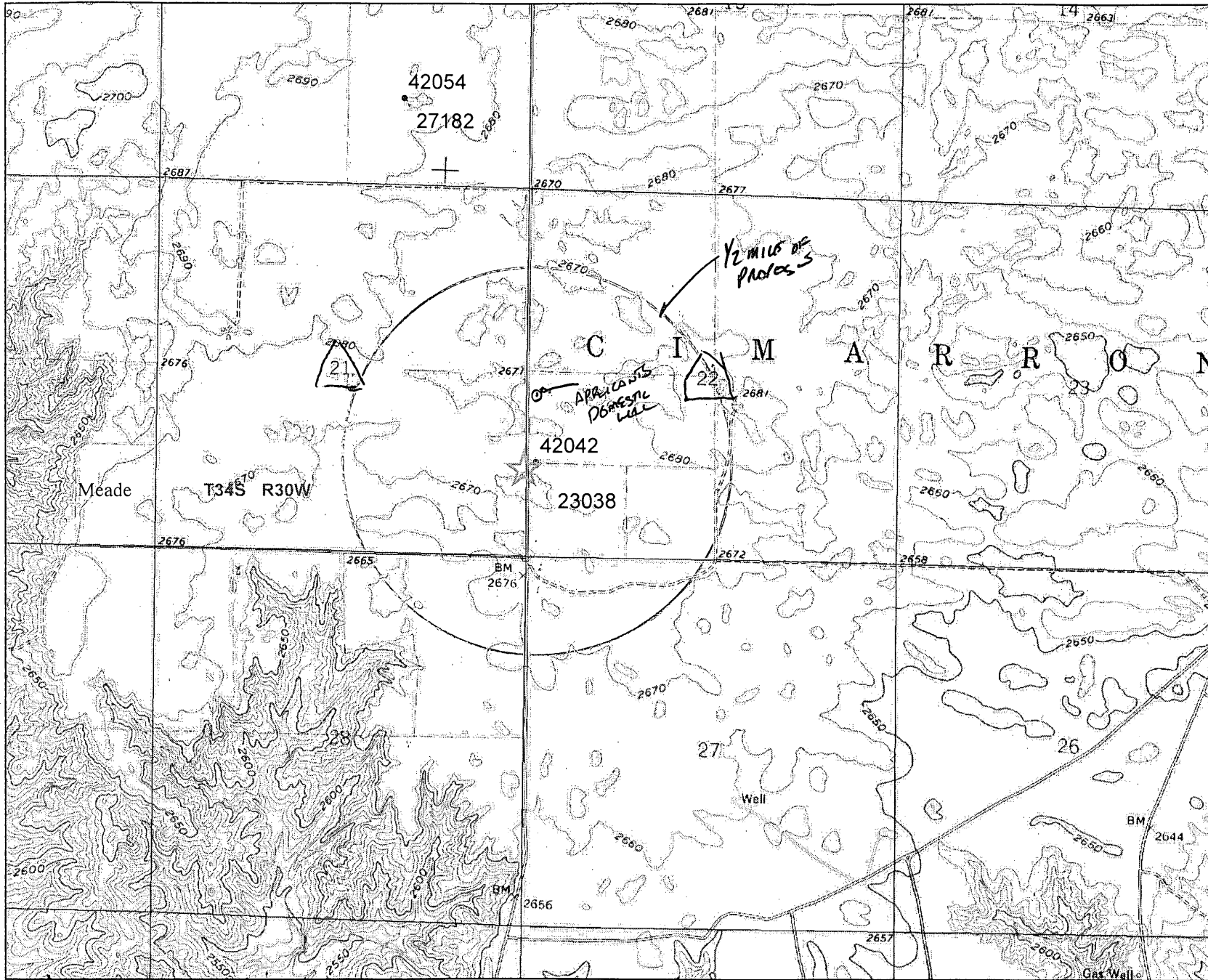
An * after the source of supply indicates a pending application for change for the file number.
 An * after the ID indicates a 15 AF exemption was granted for the file number.
 A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery.
 The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 1.50 miles of point defined as:
 100.578683 West Longitude and 37.072270 North Latitude
 GROUNDWATER ONLY
 WATER USE CORRESPONDENTS:

```

=====
File Number   Use ST SR
A__ 23038 00 IRR NK G
> HARDEN FARMS INC
> % DEAN HARDEN
> 28120 5 RD
> PLAINS KS 67869
-----
A__ 27182 00 IRR NK G
> HARDEN FARMS INC
> % DEAN HARDEN
> 28120 5 RD
> PLAINS KS 67869
-----
A__ 42042 00 IRR NK G
> HARDEN FARMS INC
> % DEAN HARDEN
> 28120 5 RD
> PLAINS KS 67869
-----
A__ 42054 00 IRR NK G
> HARDEN FARMS INC
> % DEAN HARDEN
> 28120 5 RD
=====
    
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Water Right File Nos. 23038 & 42042

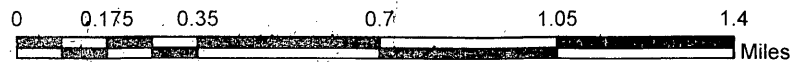
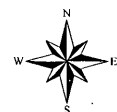
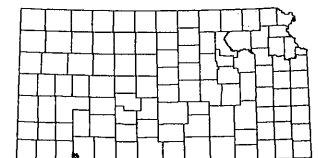


- ### Legend
- WIMAS_PD
 - S_UMW
 - G_IRR
 - ⊙ G_STK

Don Hawk

ALL NEARBY WELLS
HAVE BEEN PLOTTED

Index Map



This map was created by Ireland on 5/15/2017



1320 Research Park Drive
Manhattan, Kansas 66502
(785) 564-6700

900 SW Jackson, Room 456
Topeka, Kansas 66612
(785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

HARDEN FARMS, INC % DEAN HARDEN
PO BOX 458
OGDEN, KS 66517

May 16, 2017

FILE COPY

RE: File No 42042

Dear Sir or Madam:

An application for approval of the Chief Engineer to change the following condition or conditions of the file number referred to above has been received:

- place of use PD
- point of diversion
- use made of water

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore, to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. You will be contacted regarding this application as soon as it has been examined.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water prior to approval of the application is unlawful. You should not proceed and divert water as indicated by your plans in your application for a change for this file until you receive approval for this change from the Chief Engineer. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor...

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6645. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Kristen A. Baum
New Applications Unit Supervisor
Water Appropriation Program

BAT: DLW
pc: GARDEN CITY Field Office GMD3