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, Chief Engineer Michael A. Meyer, Water Commissioner

January 31, 2017

City of Garden City 301 N 8<sup>th</sup> St #499 Garden city KS 67846-5340

RE: Change in Point of Diversion Water Right, File No FI 1, 519, 1230, 4665

Dear Mr. Jones:

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 3 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. FI 1, 519, 1230, 4665 dated January 31, 2017 was mailed postage prepaid, first class, US mail to the following:

City of Garden City 301 N 8<sup>th</sup> St #499 Garden city KS 67846-5340

Copy provided to GMD#3

Division of Water Resource

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 than 100 feet, or i	f place	of use	e will t	be cha													
point(s) of diversion	n and/c	r place	of use	θ,											F	RECE	IVED
					File N	0	51	9				_			J.	45 AN $0$	2 pm 9 2017
1. Application is I					Place o	of Use		$\boxtimes$	Point	of Div	erșion		ŕ	Ŋ	Wision	of Wat	Field Office er Resources
under the wate The source of			s the s			s appli Iwater				e with ice wa		nditior	rs des	cribed	below.		
2. Name and add 301 N 8TH ST Phone Number	# 499 :: (	GAR )	DEN C	OITY K	<u>S 678</u>	46-53	40 Email	addre	ss: _								
Name and add 301 N 8TH ST Phone Number The presently a Owner of Land	# 499 :: ( authori: N	GAR ) zed pla	DEN C	OF GA	S 678	46-534	40 Email	addre	ss:								
(If there is more															***************************************		
1 000		N	=¼	***************************************		N\	N¼			SI	N¼	egenausenausena		SI	Ξ¼		TOTAL
Sec. Twp. Range	NE%	NWX	SW¼	SE1/4	NE%	NW%	SW1/4	SE¼.	NE%	NWN	sw <sub>1/4</sub>	SE¼	NE%	NW%	SW14	SE1/4	ACRES
I. If this application Owner of Land (If there is more t	NA ADDR	AME: ESS:	no cha	inge to	place	of use	9		•				-			<u>                                     </u>	
	<u> </u>	NE	1/4			NV	V¼		T	SV	 V¼			SE	=1/4		TOTAL
Sec. Twp. Range	NE%			SE1/4	NE¼			SE%	NE1/4			SE¼	NEX		-	SE½	ACRES
For Office Use	Only:	Code		Fe	) \$_   <sup>1</sup>	) ()	<i>TR</i> ;	#_1/	9/1	∩ Re	ceipt	Date _			Chec	k#_\2	4128

5.	Presently authorized point of diversion:			
	One in the Quarter of the		Quarter of the	Quarter
	of Section13, Township	24	South, Range3	3W,
	In Finney County, Kansas, 2360 fee	et No	orth <u>1055</u> feet West of Southeas	st corner of section.
	Authorized Rate Authorized Quantity			
	(DWR use only: Computer ID No. 26 GPS		feet North	feet West)
	☐ This point will not be changed ☐ This point will be			•
	Proposed point of diversion: (Complete only if change is			
	One in the Quarter of the			Quarter
	of Section 13, Township	21	South Range 3	Qdd1t01
	in <u>Finney</u> County, Kansas, <u>2382</u> fee	ot No	orth 1047 foot West of Southeas	et corner of section
	Proposed Rate Proposed Quantity	2011/0	Proposed well death (feet)	of content of section.
l	This point is: Additional Well Geo Center List other			
Į	This point is: Additional Well Geo Center List other	wate	er rights that will use this point	•
ı	Photosith and a district of the small and			
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, fee			
	Authorized Rate Authorized Quantity			
ļ	(DWR use only: Computer ID No GPS			eet West)
	☐ This point will not be changed ☐ This point will be	chan	iged as follows:	
	Proposed point of diversion: (Complete only if change is	requ	uested)	
	One in the Quarter of the		Quarter of the	Quarter
	of Section, Township	***************************************	South, Range	(E/W),
	in County, Kansas, fee	et No	orth feet West of Southeas	t corner of section.
ł	Proposed Rate Proposed Quantity			
	This point is: Additional Well Geo Center List other			
_				
7.	Why do you need a new point of diversion?	13a.	If the proposed point of diversion will be	e relocated within 100
			feet of the existing point of diversion, in the diagram below in relation to the exist	sting point of diversion.
	Old well needs to be replaced.		(PLEASE NOTE: The "X" in center	er of diagram below
			represents presently authorized poin	it of diversion.)
			North	
8.	If a well, is the test hole log attached? ⊠ Yes ☐ No		100 50 0 50	
_				!
9.	When do you propose to complete the new point of			-
	diversion?		50 - + - +	<b>=</b> 50
	2017			===
40	If the point of diversion is a well:		E ±•)	$\exists$
10.	·		West 0	III—O East
	(a) What are you going to do with the old well?			1
	Plug			<b>1</b>
	Tiog		50 - + - +	<u> </u>
	(b) When will this be done? 2017			4
	(b) Wheth will this be doller 2017		Fi , , ,   , , , , <del>, ,</del> , , , , ,	, , , <del>,</del>
	O I I Was a second District		100 50 0 50	100
11.	Groundwater Management District recommendation attached?  Yes No		100 50 0 50 South <i>Scale:</i> 1" = 100'	100
	attacheur 🗀 res 🖂 No		Scale: 1" = 100'	
12	Assisted by tom	13b.	If the proposed point of diversion will be	e relocated more than
1 4	, 10010100 2) 1511		100 feet but within 1320 feet from	the existing point of
			diversion, attach a topographic map For groundwater sources, show all well	s (including domestic)
			within one-half mile of the proposed poli	nt of diversion and the
			names and mailing addresses of the water sources, show the names an	owners. For surface
			water sources, show the names an landowner(s) one-half mile downstrea upstream from your property lines.	m and one-half mile
			upstream from your property lines.	

#### APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET

FILE NO.

Presently author	ized point of dive	rsion:				
One in the		Quarter of the		Quarter of theSouth, Range1960feet West	•	Quarter
of Section	18	_, Township	24	South, Range _	32	Quartor
In <u>Finney</u>	County,	Kansas, <u>1950</u>	feet North _	1960 feet West	of Southeast corner	of section.
/DWR use only	Computer ID No	Authorized Quantity	20	Depth of well	(feet)	·
☐ This point will	not be changed	This point wi	ll he shanged	1960 feet West (	feet Wes	t)
	•	nplete only if chan	n so onangca	45 10110415,		
of Section		Township		Quarter of the		Quarter
in	County.	_, rownship Kansas.	feet North	South, Range feet West c	of Southand agency	(E/W),
Proposed Rate	F	roposed Quantity		Proposed well der	of the state of th	n section,
This point is:	dditional Well	Geo Center List of	other water righ	Proposed well depote that will use this points	nt	•
		. , , , , , , , , , , , , , , , , , , ,	•			<u></u>
Presently authorize	zed point of diver	sion:	- 10 M - 1 11 12 12 12 12 12 12 12 12 12 12 12 1		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
One in the		Quarter of the		Quarter of the		Oriodos
of Section	18	, Township	24	Quarter of theSouth, Range	32	Quarter
Authorized Rate	A	uthorized Quantity		Depth of well	(feet)	1 00000111
(DWR use only: C	Computer ID No. 2	<u>19</u> GP	S	Depth of well feet North	feet West	)
	so changed	I ma bout with	ne changeu	as follows;	····	
Proposed point of	diversion: (Com	plete only if chang	<u>le is requeste</u>	<u>d)</u>		
One in the		Quarter of the		Quarter of the		Quarter
of Section		, Township		South, Range		- (FW):
in	County, I	Калѕаѕ,	_ feet North	feet West of	f Southeast corner o	section.
Proposed Rate	Pi	oposed Quantity _		Proposed well dep	th (feet)	
This point is:	ditional Well	Geo Center List o	ther water righ	Quarter of the South, Range feet West of Proposed well dep ts that will use this poir	nt	
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Presently authoriz	ed point of diver	sion:				
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Presently authoriz One in the of Section in Finney Authorized Rate (DWR use only: Co This point will n	ed point of diversion (17 County, Factor ID No. 2 not be changed	Sion:  Quarter of the , Township (ansas,1710  withorized Quantity _ GPS  This point will	24 _ feet North 3 _ be changed a	Quarter of theSouth, Range2175 feet West ofDepth of wells follows:	32 Southeast corner of (feet) feet West)	_ Quarter W, section.
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## APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR POINT OF DIVERSION SUPPLEMENTAL SHEET FILE NO. 7 1

1	d point of dive	31310111				
One in the		_ Quarter of the		Quarter of the South, Range	C	\uarter
of Section	18	, Township	24	South, Range	32	W,
						ction.
Authorized Rate		Authorized Quantity		Depth of well feet North	(leet)	
│ (DWR use only: Co │ ☑ This point will no	mputer ID No.	This point will	oo	reer worth	teet vvest)	
· ·						
Proposed point of c	<u>liversion: (Cor</u>	mplete only if chanc	<u>ge is requeste</u>	<u>d)</u>	_	
One in the		_ Quarter of the		Quarter of the	C	uarter (EAA!)
of Section		, I ownship	foot North	South, Range	outheast corper of so	(⊏rvv), ction
In	County	, ransas,	_ teer worm _	Proposed well death	(feet)	CHOIL
This point is: \( \text{\tin\text{\texi}\text{\text{\text{\text{\text{\text{\texi}\text{\text{\texi{\text{\texi}\text{\text{\text{\text{\text{\text{\text{\texi}\text{\texi}\text{\texit{\	litional Well - F	i Toposed Quartity _ □ Geo Center List o	ther water righ	South, Range feet West of S Proposed well depth ats that will use this point		
Time Politices (T.) Add	acond rion (					
Presently authorize	d point of dive	ersion:				<u> </u>
One in the	A POINT OF GIVE	Ouarter of the		Quarter of the	C	)uarter
of Soction	13	_ Quarter of the	24	South, Range	33	W.
In Finney	County		feet North	Quarter of the South, Range 1296 feet West of S Depth of well	outheast corner of se	ction.
Authorized Rate		Authorized Quantity		Depth of well	(feet)	:
-1 (DWR use only: Co	mouter ID No.	, 65 GP	<b>3</b>	1660 MOLUI	feet West)	Ì
☑ This point will no	ot be changed	☐ This point will	l be changed	as follows:		
Proposed point of c	liversion: (Cor	mplete only if chanc	<u>je is requeste</u>	<u>d)</u>		
One in the		_Quarter of the		Quarter of the South, Range feet West of S		uarter
of Section		, Township		South, Range		(E/W),
in	County	, Kansas,	_ feet North _	feet West of S	Southeast corner of se	ction.
T PRODUSED RAIE		I IODOSEG GUGIIIIY		1 topooda tron dopar	(1001)	
This point is:  Add	litional Well L	_ Geo Center List o	iner water righ	ts that will use this point		
-				* MERCHANISTER		
Presently authorize			· DESCRIPTION	0	,	),,,,,,,d,,,,,
One in the		Quarter of the		Quarter of the		Quarter
One in the		_ Quarter of the		South, Rande		(⊏/VY). :
One in the		_ Quarter of the		South, Rande		(⊏/VY). :
One in the of Section in Authorized Rate	County	_ Quarter of the , Township , Kansas, Authorized Quantity _ GP	_ feet North _	feet West of S  Depth of well  feet North		(⊏/VY). :
One in the of Section in Authorized Rate	County	_ Quarter of the , Township , Kansas, Authorized Quantity _ GP	_ feet North _	feet West of S  Depth of well  feet North		(⊏/VY). :
One in the of Section in Authorized Rate (DWR use only: Co	County mputer ID No. of be changed	_ Quarter of the _, Township , Kansas, Authorized Quantity GP _ This point will	feet North PS I be changed :	feet West of S  Depth of well  feet North  as follows:		(⊏/VY). :
One in the	County mputer ID No. of be changed	_ Quarter of the,, Township, , Kansas, Authorized Quantity GP This point will	_ feet North _ S _ I be changed a ge is requeste	feet West of S  Depth of well  feet North as follows:	Southeast corner of second (feet) feet West)	ction.
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### SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

K. te	nis Summary Order is issued under authority of K.S.A. 8 ovisions of the <i>Kansas Water Appropriation Law, K.S.A. 826</i> A.R. 5-1-1 <i>et.seq.</i> With the exception of those conditions express, conditions and limitations of File No. 519	oressly contained herein, this S	egulations promulgated thereunder, ummary Order does not change the
1.	A change application was received on JANMAY 9 diversion authorized under the above-referenced file number	, ZOI7 requesting that be changed as described in t	at the place of use and / or point of he application.
2.		authorized place(s) of use shall	I ha lacated substantially
3.	The change in point of diversion shall not impair existing rig previously authorized. The point of diversion authorized by radius of the authorized point(s) of diversion.	hts and shall be limited to the s	como gourgo or pourros of water an
4.	The point(s) of diversion authorized herein shall not actually authorized point(s) of diversion.	be located more than ot Applicable	feet from the previously
5.	As required by K.A.R. 5-3-5d, if the works for diversion is tube or other device suitable for making water level measur with K.A.R. 5-6-13. Applicable Not Applicable	a well with a diversion rate of ements shall be installed, opera	100 gallons per minute or more, a ated and maintained in accordance
6.	The owner of the authorized place(s) of use shall pr December 31, 2017, or before the first use of water, whiche and maintained in accordance with K.A.R. 5-1-4 through 5- 3-5e, the owner shall maintain records and report the readi annually to the Chief Engineer by March 1 following the end Applicable  \( \sum \text{Not Applicable} \)	ever occurs itrst. The water flow 1-12. As required by K.S.A. 82	w meter shall be installed, operated
7.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 <u>18</u> the applicate diversion has been completed, on the form provided by the the Applicable ☐ Not Applicable	DI SHAH HOUNTING I DIGI EDGIDAG	or that acceptation of the birelie for
8.	The completed well log shall be submitted with the requ	ired notice. Applicable	☐ Not Applicable
9.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve capable check valve(s) shall be installed, operated and maintained in	foreign substance will be injected a structure of the	ed into the water shall be equipped
10.	Additional Conditions are attached. Yes No		. Explicable E Not Applicable
	In accordance with K.S.A. 82a-708a, as amended, and K.A water appropriated under the above-referenced file numbe limitations, as amended and/or supplemented by this Sumr Appropriation Law and the Rules and Regulations promulg result in civil penalties pursuant to K.S.A. 82a-737, as ame water or appropriation right or any other enforcement actions	or are responsible for complian mary Order, and with applicable gated thereunder. Failure to conded, and/or the suspension of	e provisions of the Kansas Water
E	Administrative Appeal and Effective Date of Order		FICE USE ONLY
You	have the right to a hearing in accordance with K.A.R. 5-14-3	APPLICATION SUMMARY	N APPROVED AND ORDER ISSUED
Dep	re this Summary Order becomes final action of the Kansas artment of Agriculture. Any request for a hearing must be	<u>JOMMAN 1</u>	ORDER 1930ED
Kan	with the Chief Engineer, Division of Water Resources, sas Department of Agriculture, 1320 Research Park	By:	1 _
shov	e, Topeka, Kansas 66502, within 15 days after the date vn on the Certificate of Service attached hereto. If a hearing		signee of the Chief Engineer
orde	of requested in accordance with K.A.R. 5-14-3, this Summary er will become effective on the 15 <sup>th</sup> day after the date shown are Certificate of Service.	(Print Name): TWO	MAS (1. MALCOUS Kansas Department of Agriculture
	For Use by Register of Deeds	Date of Issuance: VANU	
		State of Kansas	)
		County of Sinner	) SS )
		Acknowledged before me on	January 31, 2017
		by Thomas P. M	ickins !
		Signature:	Janes
		0	Notary Public Walls 1945
			JULIE JONES My Appointment Expires
		My commission expires:	December 15, 2018
		, commoder expires.	(Notary Seal)

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File Nó.

14. If the proposed groundwater point of diversion is 300 or fewer feet from	n existing point of diversion, complete the following:	
(a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this applica-	rized place(s) of use identified in this application?	
<ul> <li>(b) Will the ownership interest of any owner of the currently authorize affected if this application is approved as requested?</li> <li>☐ Yes</li> <li>☐ No</li> <li>(If yes, all owners must sign this application)</li> </ul>	cation.)	ersely
(c) If this application is not approved expeditiously, will there be subs ☐ Yes ☐ No (If no, all owners must sign this application)	tantial damage to property, public health or safety? ation.)	
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 of agent (attach notarized statement authorizing representation).	groundwater change in point of diversion greater than 30 of the currently authorized place of use, or their duly auth	00 feet, horized
I hereby verify, being first duly sworn upon my oath or affirmating age and the owner, the spouse of the owner, or a duly authorize their behalf, in regard to the water right(s) to which this application are true, correct and complete.	lead agent of the owner(s) to make this application pertains. I further verify that the state	OH OH
Dated at Garden City, Kansas, this_	5th day of January , 20 1°	7
Shed to hat the		
Fred T. Jones H, Water Rossurce Mgr.	(Spouse)	
(Please Print)	(Please Print)	
(Owner)	(Spouse)	<del></del>
(Please Print)	(Please Print)	***
(Owner)	(Spouse)	
(Please Print)	(Please Print)	
State of Kansas SS		
County of FINNEY	7th	
I hereby certify that the foregoing application was signed in my	presence and sworn to before me this d	lay of
A Notary rubite	V a H	
State of Kansas –	Notary Públic	
My Commission Expire Kacy Quintana		
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all caccurate information; maps, if necessary, must be included; signatures of all the ap the appropriate fee must be paid.	of the applicable portions of the application form must be compl propriate owners' must be affixed to the application and notariz	eted with ed; and
FEE SCHEDU	<u>LE</u>	
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 (3) Application to change the place of use	int of Agriculture \$10	00) 00
(7) (7)		
	•	