

# CHECK SHEET Short Change

(To be completed and attached to each application)

File No. FI 7

Field Office No. 4

GMD No. 3

1. **Plugging agreement obtained for GMD?** Yes  No  Non Applicable

2. **Is Landowner correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
If applicable, list Place of Use Overlap File Nos. \_\_\_\_\_

3. **Is Water Use Correspondent correct as currently shown in WRIS?** Yes  No  **Address Change?** NO  
Name of Former WUC \_\_\_\_\_ Name of New WUC \_\_\_\_\_

4. a. **Point of diversion computer ID No(s).** \_\_\_\_\_ **for point(s) being changed.**  
b. **Show feet distances from the** \_\_\_\_\_ **corner of the section for the new point(s) of diversion:**

Action	PDIV ID	Geo Ctr?	Sec	Twp	Rng	'N	'W	County	Qualifiers
NO CHG									

c. **If multiple points of diversion exist and rates and quantities are individually assigned, show:**

Old PDIV ID	Authorized Rate	Additional Rate	Authorized Quantity	Additional Quantity
_____	_____ gpm	_____ gpm	_____ af	_____ af
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy
_____	_____ gpm/cfs	_____ gpm/cfs	_____ af/mgy	_____ af/mgy

d. **Name of Drainage Basin** \_\_\_\_\_ **Is this correctly shown in WRIS?**  Yes  No

e. **Formation Name & No.** \_\_\_\_\_ **Special Use Area** \_\_\_\_\_

5. **Distances from the original p/d:** \_\_\_\_\_ ' N \_\_\_\_\_ ' W

**6. WATER RIGHT ACTION TRAIL COMMENTS**

<u>10/27/17</u>	Change Application Received (date accepted for priority)
<u>11 / 16 / 17</u>	Change Approved
_____ / _____ / _____	Notice and Proof by _____ / _____ / _____
_____ / _____ / _____	Completion Requirement Removed (Change No. C _____)

**7. METER ACTION TRAIL COMMENTS**

11 / 16 / 17 DWR Meter Required by 12/31/18

8. Base Acres 780 Year \_\_\_\_\_ Minimum Reasonable Quantity \_\_\_\_\_

Date Created 11/3/17 by tpm

Date Entered \_\_\_\_\_ by \_\_\_\_\_

CHECK SHEET ATTACHMENT

9. Changes to the place of use will be:

File Number FL7

Action	Owner Person ID	Place Use ID #	Sec.	Twp.	Range	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES
						NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
MOD	41845	29406	8	24	31w	Acres Authorized																274
						New Acres																
MOD	41845	20759	17	24	31w	Acres Authorized																510
						New Acres																
						Acres Authorized																
						New Acres																
						Acres Authorized																
						New Acres																

Names and Address:

1. Person ID # <u>41845</u>	2. Person ID # _____	3. Person ID # _____
<u>HINES FARMS</u>		
<u>PO BOX 665</u>		
<u>COLBY KS 67701</u>		

GENERAL INSTRUCTIONS

- Give to Applicant:
    - Original application/approval
    - Original receipt (one for each application)
    - Information packet containing:
      - Notice and Proof form
      - Water Meter Specifications
      - Acceptable Meter list
      - Water level measurement tube specifications
      - Check Valve specifications
      - Pink Sheet - K.S.A. 82a-728 letter
      - Form stating to record in Register of Deeds Office (OPTIONAL AS NEEDED)
  - Send to headquarters:
    - Good, **microfilmable** copy of application and/or approval and this check sheet
    - Original check and copy of receipt
    - Test hole log
    - GMD recommendation, if any
    - Map or aerial photograph, if any
  - Send to KDHE: Letter (KDHE.LT) advising of location of abandoned well. 

CONDITIONS

    - Insert notice and proof date.
    - Type or print applicant's/owner's name on line.
    - Complete notary statement.
  - Date stamp received and approved.
  - Complete ownership and WUC change information.
- ADDITIONAL PHOTOCOPIES**
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

  
**Kansas**  
Department of Agriculture  
*Division of Water Resources*

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](http://www.agriculture.ks.gov)  
Sam Brownback, Governor

November 16, 2017

HINES FARMS  
PO BOX 665  
COLBY KS 67701

RE: Change the Place of Use, File Nos File  
FI 7 11715 D1 19286 21727

Dear Mr. Hines;

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.

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 (including the meter reading at the beginning and end of the report year).

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

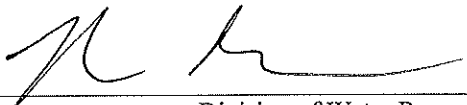
TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 17<sup>th</sup> day of November 2017, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File FI 7 11715 D1 19286 21727, dated November 16, 2017, was mailed postage prepaid, first class, US mail to the following:

HINES FARMS  
PO BOX 665  
COLBY KS 67701

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) 862-6300  
 Stafford -- (620) 234-5311  
 Stockton -- (785) 425-6787  
 Garden City -- (620) 276-2901  
[www.ksda.gov/dwr](http://www.ksda.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**

*10:15 am*  
**OCT 27 2017**

\_\_\_\_\_   
 File No. FI 7

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office  
Division of Water Resources
- 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: Hines Farms
- PO Box 665, Colby, KS 67701
- Phone Number: (785)443-0614                      Email address: \_\_\_\_\_
- Name and address of Water Use Correspondent: SAME
- Phone Number: (     ) \_\_\_\_\_                      Email address: \_\_\_\_\_

3. The presently authorized place of use is:
- Owner of Land ---- NAME: Hines Farms
- ADDRESS: PO Box 665, Colby, KS 67701
- (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	
8	24s	31w									36.0	13.0	36.0	40.0	13.0	36.0	40.0	36.0	250.0
17	24s	31w	36.0	40.0	36.0	13.0	40.0	36.0	13.0	36.0	40.0	34.0	34.0	34.0	34.0	40.0	34.0	34.0	534.0

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: Hines Farms
- ADDRESS: PO Box 665, Colby, KS 67701
- (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	
8	24s	31w									36.0	13.0	36.0	40.0	37.0	36.0	40.0	36.0	274.0
17	24s	31w	36.0	40.0	36.0	13.0	40.0	36.0	13.0	36.0	40.0	30.0	30.0	30.0	30.0	40.0	30.0	30.0	510.0

<b>For Office Use Only: Code</b> _____ <b>Fee \$</b> <u>200</u> <b>TR #</b> _____ <b>Receipt Date</b> <u>10/27/17</u> <b>Check #</b> <u>CARD</u>
--

5. **Presently authorized point of diversion:**  
 One in the W2 Quarter of the SW Quarter of the SE Quarter of Section 17, Township 24 South, Range 31 W, in FINNEY County, Kansas, 650 feet North 2300 feet West of Southeast corner of section.  
 Authorized Rate 800gpm Authorized Quantity 320AF Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 6 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 \_\_\_\_\_ 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 \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ 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? NA

8. If a well, is the test hole log attached?  Yes     No

9. When do you propose to complete the new point of diversion?  
NA

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
NA

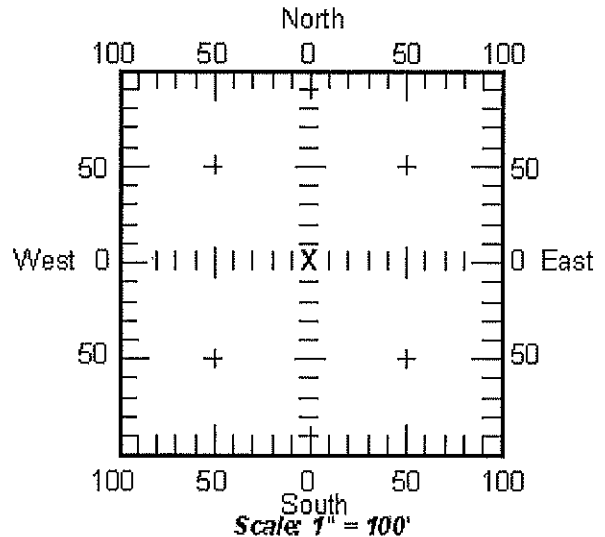
(b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes     No

12. Assisted by GMD3/JLN

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.

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 GMD3 Office, Kansas, this 27 day of October, 2017.

<u>Jacinta Platts</u> (Owner)	(Spouse)
<u>Lewis T. Hines</u> (Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)

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 27th day of October, 2017.

Brandi Sneath  
Notary Public

My Commission Expires 10/01/2019

**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. FI 7.

1. A change application was received on October 27, 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 \_\_\_\_\_ 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, 2018**, 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\_\_\_\_**, or within any authorized extension of time. By March 1, 20\_\_\_\_ 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**

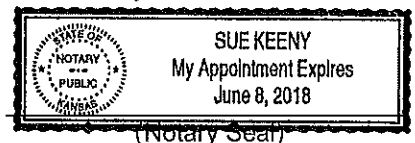
You have the right to a hearing in accordance with K.A.R. 5-14-3 before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the **Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 109 SW 9<sup>th</sup> Street, Topeka, Kansas 66612**, 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 15<sup>th</sup> 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**

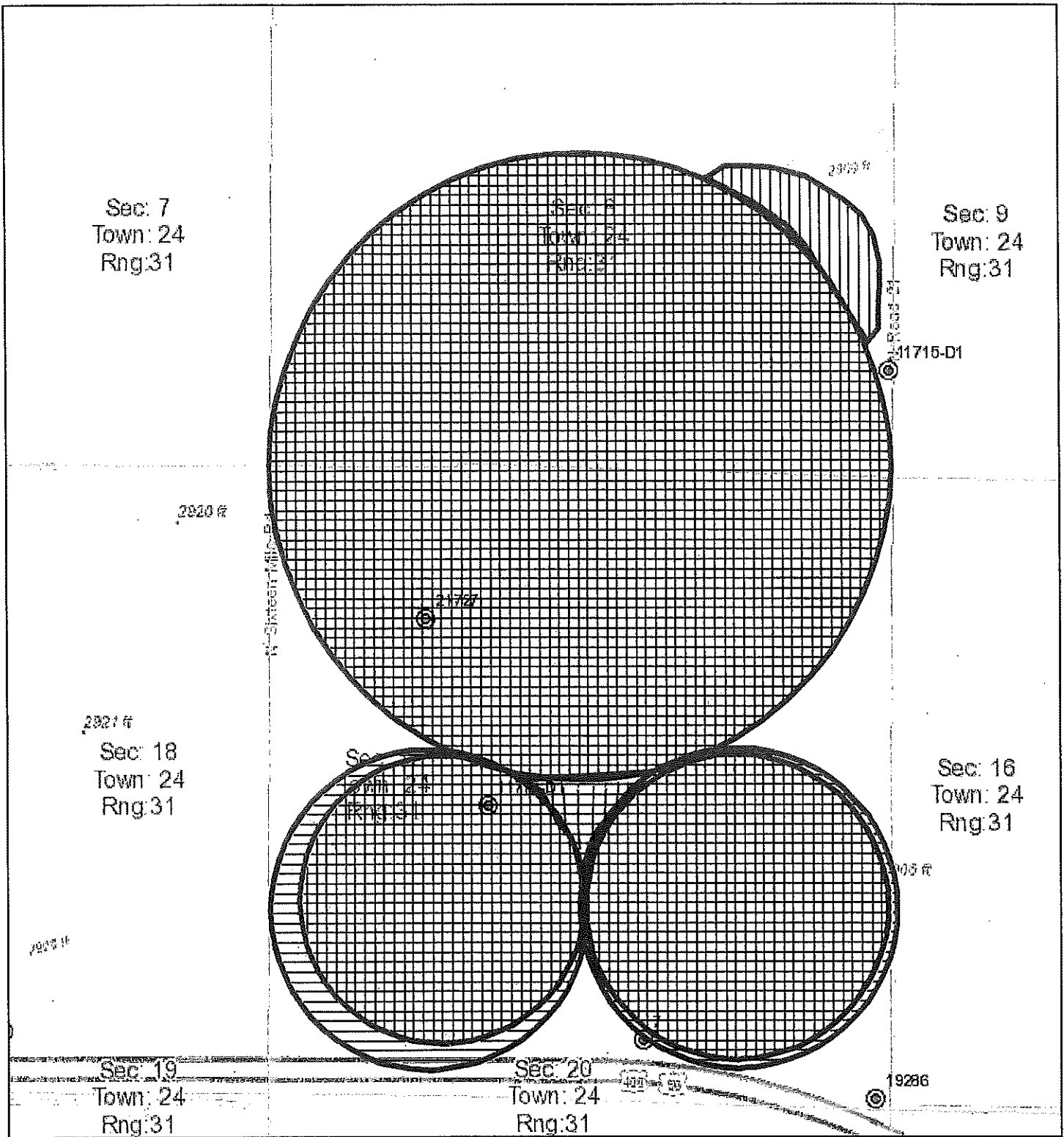
By: Thomas P. Makens  
 Duly Authorized Designee of the Chief Engineer  
 (Print Name): THOMAS P. MAKENS  
 Division of Water Resources - Kansas Department of Agriculture  
 Date of Issuance: NOVEMBER 16, 2017  
 State of Kansas )  
 ) SS  
 County of Finney )  
 Acknowledged before me on November 16, 2017  
 by Thomas P. Makens  
 Signature: Sue Keeny  
 Notary Public

My commission expires:



(Notary Seal)





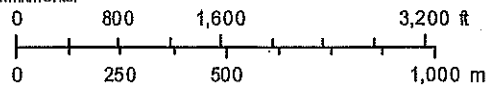
October 23, 2017  
09:56 AM

DISCLAIMER This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

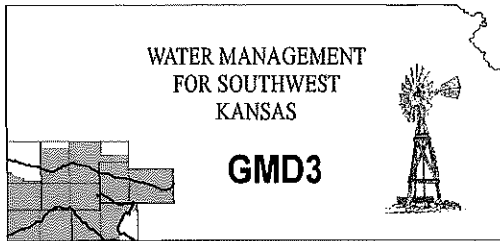
1:18,056

- ⊙ Meters
- ⊙ Wells
- ▨ Sections

≡ Authorized  
▨ Proposed







**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

October 27, 2017

Michael A. Meyers  
Division of Water Resources  
2508 N Johns Street  
Garden City, Kansas 67846

RECEIVED

OCT 27 2017

Garden City Field Office  
Division of Water Resources

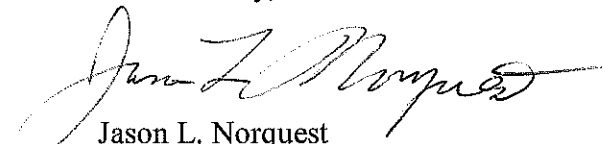
RE: Applications for Change in Place of Use  
Water Right, File Nos. FI 7, 11715 D1, 19286 & 21727

Dear Mike:

We have assisted with the applications for the above referenced water rights. The proposal is not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use for irrigation is in accordance with K.A.R. 5-5-11. 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

*\$ 800 - ks. Dep. of Ag.*

