

Kansas Department of Agriculture  
 Division of Water Resources  
**CHANGE: P/U WORKSHEET**

1. File Number: <b>13145</b>	2. Status Change Date: <b>6/15/18</b>	3. Change Num: <b>c4</b>	4. Field Office: <b>04</b>	5. GMD: <b>03</b>
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6. Status: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied by DWR/GMD <input type="checkbox"/> Dismiss by Request/Failure to Return	7. Filing Date of Change: <b>4/30/18</b>
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8a. Applicant(s) New to system <input type="checkbox"/> Person ID <b>41566</b> Add Seq# _____  <b>LOVE AG COMPANY                  GREG LOVE                  24506 13 RD                  MONTEZUMA KS 67867-9073</b>	8c. Landowner(s) New to system <input type="checkbox"/> Person ID <b>25213</b> Add Seq# _____  <b>GREGORY C &amp; SUE LOVE                  24506 13 RD                  MONTEZUMA KS 67867-9073</b>
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8b. Landowner(s) New to system <input type="checkbox"/> Person ID <b>41565</b> Add Seq# _____  <b>LOVE AG COMPANY                  GREG LOVE                  24506 13 RD                  MONTEZUMA KS 67867-9073</b>	8d. WUC New to system <input type="checkbox"/> Person ID <b>25213</b> Add Seq# _____  <b>GREGORY C &amp; SUE LOVE                  24506 13 RD                  MONTEZUMA KS 67867-9073</b>
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9. Documents and Enclosure(s):  DWR Meter(s) Date to Comply: **12/31/18**     N & P Date to Comply: \_\_\_\_\_

Anti-Reverse Meter     Meter Seal     Check Valve     N & P Form     Water Tube     Driller Copy     H & E Letter

Conservation Plan    Date Required: \_\_\_\_\_    Date Approved: \_\_\_\_\_    Date to Comply: \_\_\_\_\_

10. Use Made of Water    From: \_\_\_\_\_    To: \_\_\_\_\_

Date Prepared: **6/8/18**    By: **tpm**  
 Date Entered: \_\_\_\_\_    By: \_\_\_\_\_

**File No. 13145**      11. County: GY      Basin: ark      Stream:      Formation Code:      Special Use:

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12. Points of Diversion  
 CHK  
 MOD  
 DEL PDIV  
 ENT

Rate and Quantity  
 Authorized  
 Rate      Quantity  
 gpm/cfs      af/mgy
 

 Additional  
 Rate      Quantity  
 gpm/cfs      af/mgy      Overlap PD Files

Comment (AKA Line)      \*W      \*N      \*ID      \*N      \*W      Comment (AKA Line)  
 ac/ft      ac/ft      NF      ac/ft      NF      ac/ft

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13. Storage: Rate \_\_\_\_\_ NF \_\_\_\_\_ Quantity \_\_\_\_\_ ac/ft      Additional Rate \_\_\_\_\_ NF \_\_\_\_\_ Additional Quantity \_\_\_\_\_ ac/ft

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14. Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_  
 Limitation: \_\_\_\_\_ af/yr at \_\_\_\_\_ gpm (\_\_\_\_\_ cfs) when combined with file number(s) \_\_\_\_\_

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15. 5YR Allocation:      Allocation Type \_\_\_\_\_      Start Year \_\_\_\_\_      5 YR Amount \_\_\_\_\_      Amount Unit \_\_\_\_\_      Base Acres \_\_\_\_\_      Comment \_\_\_\_\_

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16. Place of Use CHK MOD DEL ENT	NE 1/4			NW 1/4			SW 1/4			SE 1/4			Total	Owner	Chg?	Overlap Files										
	NE 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	SW 1/4	SE 1/4	NW 1/4	SW 1/4	SE 1/4														
	PUSE	S	T	R	ID	PUSE	S	T	R	ID	PUSE	S					T	R	ID	PUSE	S	T	R	ID		
<b>MOD 1423</b>									31	31*	31*	31	31	31	31	31	31	31	31	31	31	31	248	8b	no	
<b>MOD 33304</b>	31	31	31	31	31							31	31	31	31	31	31	31	31	31	31	31	248	8b	no	
<b>MOD 17889</b>	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496	8b	no	
<b>MOD 6605</b>	31	31	31	31	31	31	31	31	31	31**	31**	31	31	31	31	31	31	31	31	31	31	31	496	8c	no	
<b>DEL 2498</b>																										

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Base Acres: **1496**      Year:      Minimum Reasonable Quantity:

Comments: \* lot 6 nw sw, lot 7 sw sw. \*\* lot 1 nw nw, lot2 sw nw, lot3 nw sw, lot4 sw sw.

# STATE OF KANSAS

DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
GARDEN CITY FIELD OFFICE  
2508 JOHNS STREET  
GARDEN CITY, KS 67846-2804



PHONE: (620) 276-2901  
FAX: (620) 276-9315  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

June 15, 2018

LOVE AG COMPANY  
GREG LOVE  
24506 13 RD  
MONTEZUMA KS 67867-9073

RE: Change the Place of Use, File Nos; 13145, 14101, 19622  
19809, 21037, 21455, 26527

Dear Mr. Love;

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

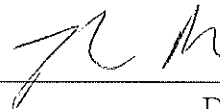
TPM:tpm  
Enclosures  
GMD#3

**CERTIFICATE OF SERVICE**

On this 18<sup>th</sup> day of June 2018, I hereby certify that the attached original Approval of Application to Change the Place of Use under Water Right File 13145, 14101, 19622, 19809, 21037, 21455, 26527 dated June 15, 2018, was mailed postage prepaid, first class, US mail to the following:

LOVE AG COMPANY  
GREG LOVE  
24506 13 RD  
MONTEZUMA KS 67867-9073

Scanned copy provided to GMD#3



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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  
 8:16 Am  
 APR 30 2018

File No. 13145

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

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: GREGORY C & SUE LOVE  
24506 13 RD MONTEZUMA KS 67867-9073  
 Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: GREGORY C & SUE LOVE  
24506 13 RD MONTEZUMA KS 67867-9073  
 Phone Number: ( ) \_\_\_\_\_ Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: see attachments  
 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			

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: see attachments  
 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 4/30/18 Check # 5683

5. **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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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 \_\_\_\_\_

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:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 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. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 no change to wells \_\_\_\_\_

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

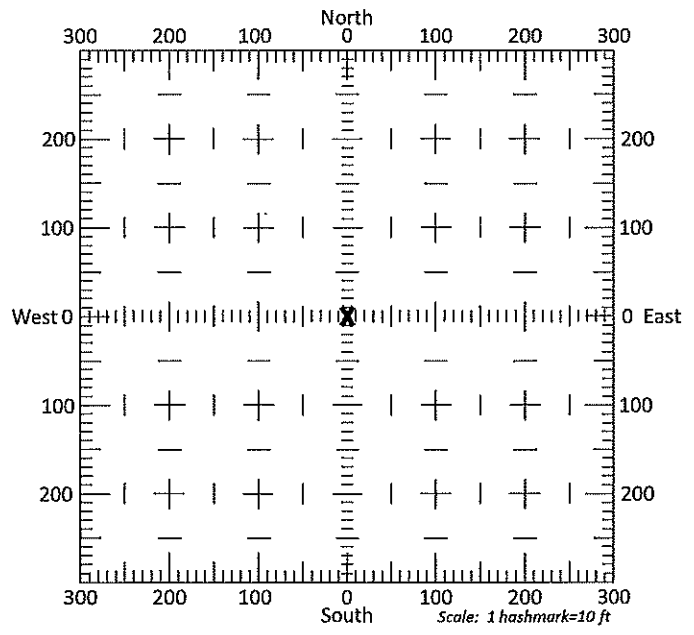
9. The change(s) (was)(will be) completed by?  
 \_\_\_\_\_

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
 \_\_\_\_\_  
 (b) When will this be done? \_\_\_\_\_

11. Groundwater Management District recommendation attached?  
 Yes  No

12. Assisted by tpm 4.24.18 \_\_\_\_\_

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of 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



13b. If the proposed point of diversion will be relocated within 300 feet of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
FILE NO. \_\_\_\_\_  
MAKE ADDITIONAL COPIES AS NECESSARY

3. Continued: The presently authorized place of use is:

Owner of Land ---- NAME: LOVE AG COMPANY  
ADDRESS: 24506 13 RD MONTEZUMA KS 67867-9073

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	
6	27	28w									34	34	34	34	34	34	34	34	272
7	27	28w	40	40	40	40									40	40	31	40	311
13	27	29w	34	34	34	34	34	34	34	34	34	34	34	32	34	34	34	34	544

Owner of Land ---- NAME: GREGORY C & SUE LOVE  
ADDRESS: 24506 13 RD MONTEZUMA KS 67867-9073

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	
18	27	28w	40	40	40	40	40	38.37	38.28	40					40	40	40	40	476.65

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

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. Continued: 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: LOVE AG COMPANY  
ADDRESS: 24506 13 RD MONTEZUMA KS 67867-9073

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	
6	27	28w									31	31	31	31	31	31	31	31	248
7	27	28w	31	31	31	31									31	31	31	31	248
13	27	29w	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496

Owner of Land ---- NAME: GREGORY C & SUE LOVE  
ADDRESS: 24506 13 RD MONTEZUMA KS 67867-9073

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	
18	27	28w	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	496

Owner of Land ---- NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

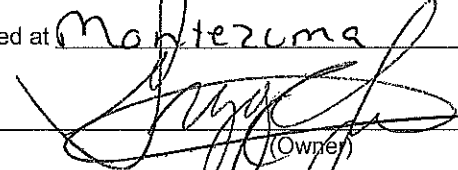
Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

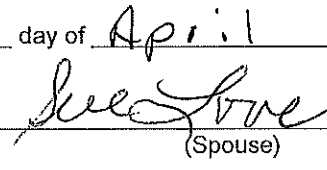
14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign 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 regards 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 Montezuma, Kansas, this 25 day of April, 2018.

X  \_\_\_\_\_  
 (Owner)

X  \_\_\_\_\_  
 (Spouse)

GREGORY C LOVE  
 (Please Print)

SUE LOVE  
 (Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

(Owner)

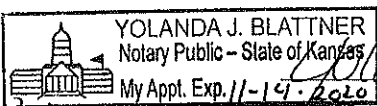
(Spouse)

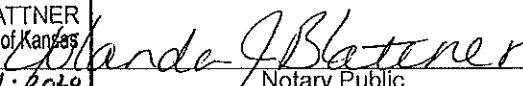
(Please Print)

(Please Print)

State of Kansas }  
 County of Gray } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 25 day of April, 2018.



  
 Notary Public

My Commission Expires 11-14-2020

**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

**RECEIVED**

APR 27 2018



**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. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 13145.

1. A change application was received on April 30, 2018 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 described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application.  Applicable  Not Applicable
5. 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
6. 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
7. 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
8. 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
9. The completed well log shall be submitted with the required notice.  Applicable  Not Applicable
10. 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
11. Additional Conditions are attached.  Yes  No
12. 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**

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

*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: JUNE 15, 2018

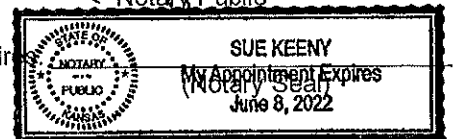
State of Kansas )

County of Finney ) SS

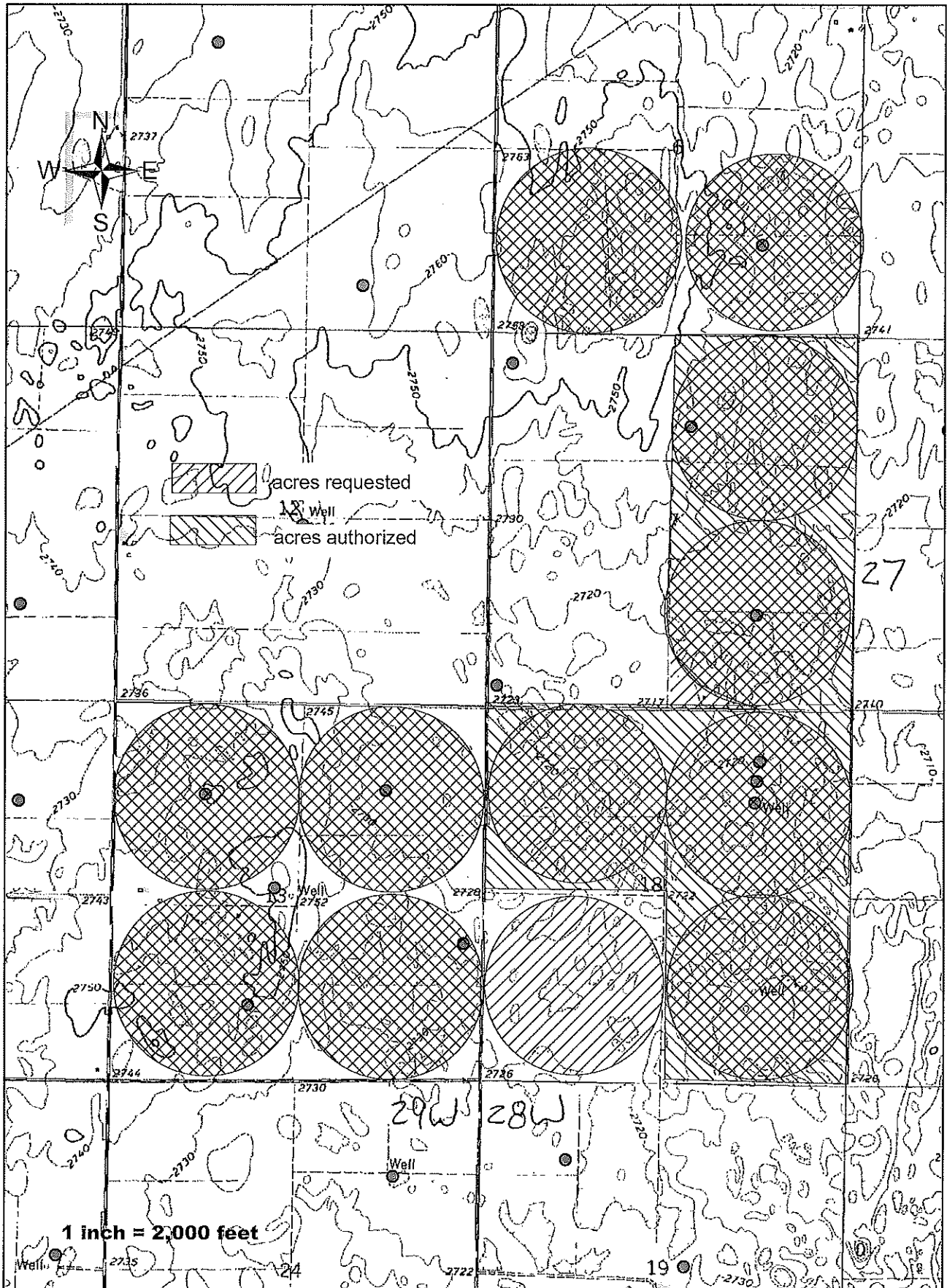
Acknowledged before me on June 15  
by Thomas P. Makens

Signature: Sue Keeny  
Notary Public

My commission expires



13145, 14101, 19622, 19809, 21037, 21455, 26527



THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE  
Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES  
David W. Barfield, Chief Engineer

**REQUEST TO REDUCE A PORTION OF AN EXISTING WATER RIGHT**  
(NO FEE REQUIRED)

Identify the file which is the subject of this request:

- Vested Right, File No. \_\_\_\_\_
- (CHECK ONE)  Water Right, File No. 13145
- Appropriation of Water, File No. \_\_\_\_\_

RECEIVED

To: CHIEF ENGINEER  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive  
Manhattan, Kansas 66502

APR 24 2018

Garden City Field Office  
Division of Water Resources

From: (Names and addresses of owners of authorized place of use. Please see instructions on back.)

Love AG Company, Attn: Greg Love, 24506 13 RD, Montezuma, KS 67867-9073

Greg & Trudy Mahin, 13792 U Road, Montezuma, KS 67867

Gregory C & Sue Love, 24506 13 RD, Montezuma, KS 67867-9073

REQUEST

The above listed owners request a:

[Complete only the sections that apply. Check only the boxes that apply. Fill in only the blanks that apply.]

A.  REDUCTION IN AUTHORIZED MAXIMUM ANNUAL **QUANTITY** OF WATER.

It is requested that the maximum annual quantity of water be reduced to \_\_\_\_\_  
(acre-feet or million gallons; circle one) per calendar year.

B.  REDUCTION IN AUTHORIZED MAXIMUM **RATE** OF DIVERSION OF WATER.

It is requested that the maximum rate of diversion of water be reduced to \_\_\_\_\_ gallons per minute  
(\_\_\_\_\_ c.f.s.).

Assisted by: lk/ tpm

C.  REDUCTION IN THE SIZE OF THE AUTHORIZED **PLACE OF USE** OF WATER.  
*(A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)*

It is requested that the authorized place of use be reduced to:

Owner of Land - NAME: Love AG Company  
 ADDRESS: Attn: Greg Love 24506 13 Rd, Montezuma, KS 67867-9073

IRRIGATION USE

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		
6	27	28																		272
7	27	28	40	40	40	40														311
13	27	29	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	544

OR

NON IRRIGATION USE

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Describe:

APR 24 2018

Garden City Field Office  
 Division of Water Resources

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D.  REDUCTION IN THE NUMBER OF **POINTS OF DIVERSION** AUTHORIZED.  
*(A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)*

It is requested that the number of authorized points of diversion be reduced to: \_\_\_\_\_ located as follows:  
 (No. of points of diversion) (wells, pumps, or other works for diversion of water)

One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas, and

One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached, showing the location of the remaining point(s) of diversion after the requested reduction.

E.  REDUCTION IN THE **TYPES OF BENEFICIAL USE** AUTHORIZED.

It is requested that the types of beneficial use of water be reduced to: \_\_\_\_\_.

C.  **REDUCTION IN THE SIZE OF THE AUTHORIZED PLACE OF USE OF WATER.**  
*(A reduction in place of use may result in a reduction of the authorized rate and quantity to reflect reasonable needs.)*

It is requested that the authorized place of use be reduced to:

Owner of Land - NAME: GREGORY C & SUE LOVE

ADDRESS: 24506 13 Rd, Montezuma, KS 67867-9073

IRRIGATION USE

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	
18	27	28	40	40	40	40	40	38.37	38.28	40					40	40	40	40	476.65

OR  
NON IRRIGATION USE

RECEIVED

Describe:

APR 24 2018

Garden City Field Office  
 Division of Water Resources

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached showing the place of use after the requested reduction.

D.  **REDUCTION IN THE NUMBER OF POINTS OF DIVERSION AUTHORIZED.**  
*(A reduction in the point(s) of diversion may result in the reduction of the rate and quantity authorized by the amounts associated with those points of diversion.)*

It is requested that the number of authorized points of diversion be reduced to: \_\_\_\_\_ located as follows:  
 (No. of points of diversion) (wells, pumps, or other works for diversion of water)

One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas, and

One in the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of the \_\_\_\_\_ quarter of Section \_\_\_\_\_, more particularly described as being near a point \_\_\_\_\_ feet North and \_\_\_\_\_ feet West of the Southeast corner of said section, in Township \_\_\_\_\_ South, Range \_\_\_\_\_ East/West (circle one), \_\_\_\_\_ County, Kansas.

(If more space is needed, attach additional sheets as necessary.)

A copy of a topographic map is attached, showing the location of the remaining point(s) of diversion after the requested reduction.

E.  **REDUCTION IN THE TYPES OF BENEFICIAL USE AUTHORIZED.**

It is requested that the types of beneficial use of water be reduced to: \_\_\_\_\_.

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at Inglis (City), Kansas, this 24 day of April (Month), 2018 (Year).

X \_\_\_\_\_  
(Owner)

X Trudy L. Mahin  
(Spouse)

\_\_\_\_\_  
Greg Mahin  
(Please Print)

\_\_\_\_\_  
Trudy Mahin  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Owner)

\_\_\_\_\_  
(Spouse)

\_\_\_\_\_  
(Please Print)

\_\_\_\_\_  
(Please Print)

State of Kansas )  
County of Gray ) ss

RECEIVED

APR 24 2018

Garden City Field Office  
Division of Water Resources

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

24 day of April (Month), 2018 (Year)

Maurine Waddell  
Notary Public

My Commission expires 08-15-2020

Notary Public - State of Kansas  
My Appl. Expires 8-15-20

Greg & Sue Love

I, the undersigned owner of this water right or permit declare that: (1) I am freely and voluntarily choosing to reduce the water right listed; and (2) I am waiving any rights to a hearing or an appeal that I may have had regarding the reduction of the water right listed.

I declare that I am an owner, as identified herein, or that I represent an owner, as identified herein, and am authorized to make this request on his or her behalf.

Dated at Montezuma, Kansas, this 24 day of April, 2018.  
(City) (Month) (Year)

x [Signature]  
(Owner)

x [Signature]  
(Spouse)

Gregory C Love  
(Please Print)

Sue Love  
(Please Print)

x [Signature]  
(Owner)

(Spouse)

Love Ag Company  
(Please Print)

No Spouse  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

RECEIVED

State of Kansas )  
County of Gray ) ss

APR 24 2018

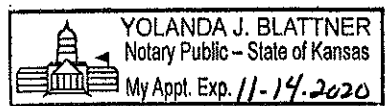
Garden City Field Office  
Division of Water Resources

I hereby certify that the foregoing application was signed in my presence and sworn to before me this

24 day of April, 2018.  
(Month) (Year)

[Signature]  
Notary Public

My Commission expires 11-14-2020

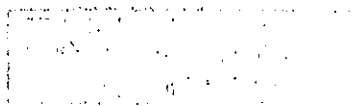


INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit and his or her spouse, if married. All water right or permit owners, including spouses, must sign this request for it to be valid. Unless the water right or permit has been legally severed from the authorized place of use, the owners of the water right or permit are the owners of the authorized place of use. Please indicate if there is no spouse. If land is being purchased under contract, the seller must sign as owner until such time as the contract is completed.

In the event that all owners cannot sign together in front of one notary public, they may, as necessary, sign appropriate copies of the request in front of any notary public conveniently available to them. All copies signed in this manner shall be accepted as valid parts of the request.

If the request is signed on behalf of any owner by someone with legal authority to do so (for example, an agent, one who has power of attorney, or an executor, executrix, conservator), it will be necessary to attach proper documents showing such authority.





STATE OF KANSAS



DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES  
GARDEN CITY FIELD OFFICE  
2508 JOHNS STREET  
GARDEN CITY, KS 67846-2804

PHONE: (620) 276-2901  
FAX: (620) 276-9315  
www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.  
JACKIE McCLASKEY, SECRETARY OF AGRICULTURE

May 4, 2018

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

Re: Water Right file number 13145, 14101, 19622, 19809, 21037, 21455, 26527

Dear Mr. Norquest;

The Love Ag has applied to alter the acres authorized to add a pivot location. The base acres are 1496. There are no neighboring wells within ½ mile.

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. I have enclosed a copy of the change for your perusal.

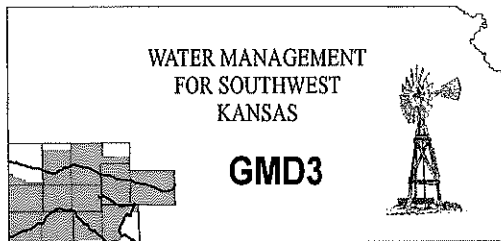
Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

encs.





**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

May 4, 2018

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

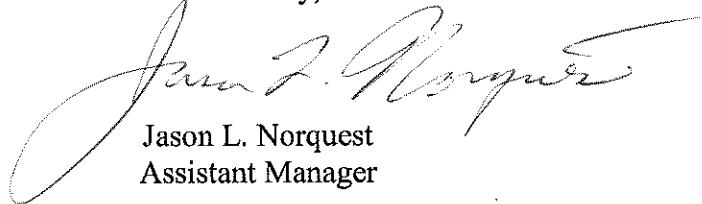
RE: Applications for Change in Place of Use  
Water Rights, File Nos. 13145, 14101, 19622, 21037, 21455 & 26527

Dear Thomas:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use, to bring in a pivot in the SE quarter by removing some of the currently authorized corners, is in accordance with K.A.R. 5-5-11. It is therefore recommended that the applications 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,

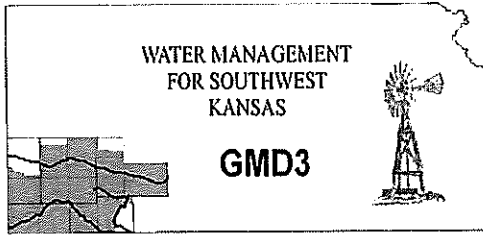
A handwritten signature in cursive script, which appears to read "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager

RECEIVED

MAY 09 2018





**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

May 4, 2018

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

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MAY 04 2018

Garden City Field Office  
Division of Water Resources

RE: Applications for Change in Place of Use  
Water Rights, File Nos. 13145, 14101, 19622, 21037, 21455 & 26527

Dear Thomas:

We have completed a review of the applications for the above referenced water rights. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3). The proposed change in place of use, to bring in a pivot in the SE quarter by removing some of the currently authorized corners, is in accordance with K.A.R. 5-5-11. It is therefore recommended that the applications 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,

A handwritten signature in cursive script, reading "Jason L. Norquest".

Jason L. Norquest  
Assistant Manager

## GMD3 Change Review

File No(s): 13145, 14101, 19622, 21037, 21455 & 26527.

DWR office: GC.

App filed to change: PU.

Is Landowner(s) correct in WRIS: Love Ag.

If NO, is documentation included?

Is Water Use Correspondent correct in WRIS? \_\_\_.

If NO, is documentation included?

Regulation(s) Reviewed: KAR 5-5-11

Point of diversion ID No(s) \_\_\_ being changed.

	ft. North	ft. West	
Authorized PD			
Proposed PD			
Difference	0	0	
a2 + b2 = c2	0	0	0

GPS for proposed PD: Lat: \_\_\_ Long: \_\_\_.

Is proposed PD stacking on existing WRs? \_\_\_.

Is Proposed PU overlapping existing WRs? \_\_\_.

Land Owner(s) notified: \_\_\_.

Name \_\_\_.

Name \_\_\_.

Address \_\_\_.

Address \_\_\_.

Zip \_\_\_.

Zip \_\_\_.

Neighboring certified well(s) notified: \_\_\_.

Name \_\_\_.

Name \_\_\_.

Address \_\_\_.

Address \_\_\_.

Zip \_\_\_.

Zip \_\_\_.

Domestic well(s) notified: \_\_\_.

Name \_\_\_.

Name \_\_\_.

Address \_\_\_.

Address \_\_\_.

Zip \_\_\_.

Zip \_\_\_.

Base Acres: 1496.

Perfected Acres: \_\_\_.

Irr. Return-Flow \_\_\_%

**We did at one time assist the applicant with these changes. Final determination on base acres allowed them to move forward.**

**They are taking existing acres and matching the current size of pivots and eliminating corners to bring in a new pivot in SE 18-27-28.**

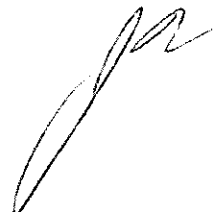
Is a waiver needed: No.

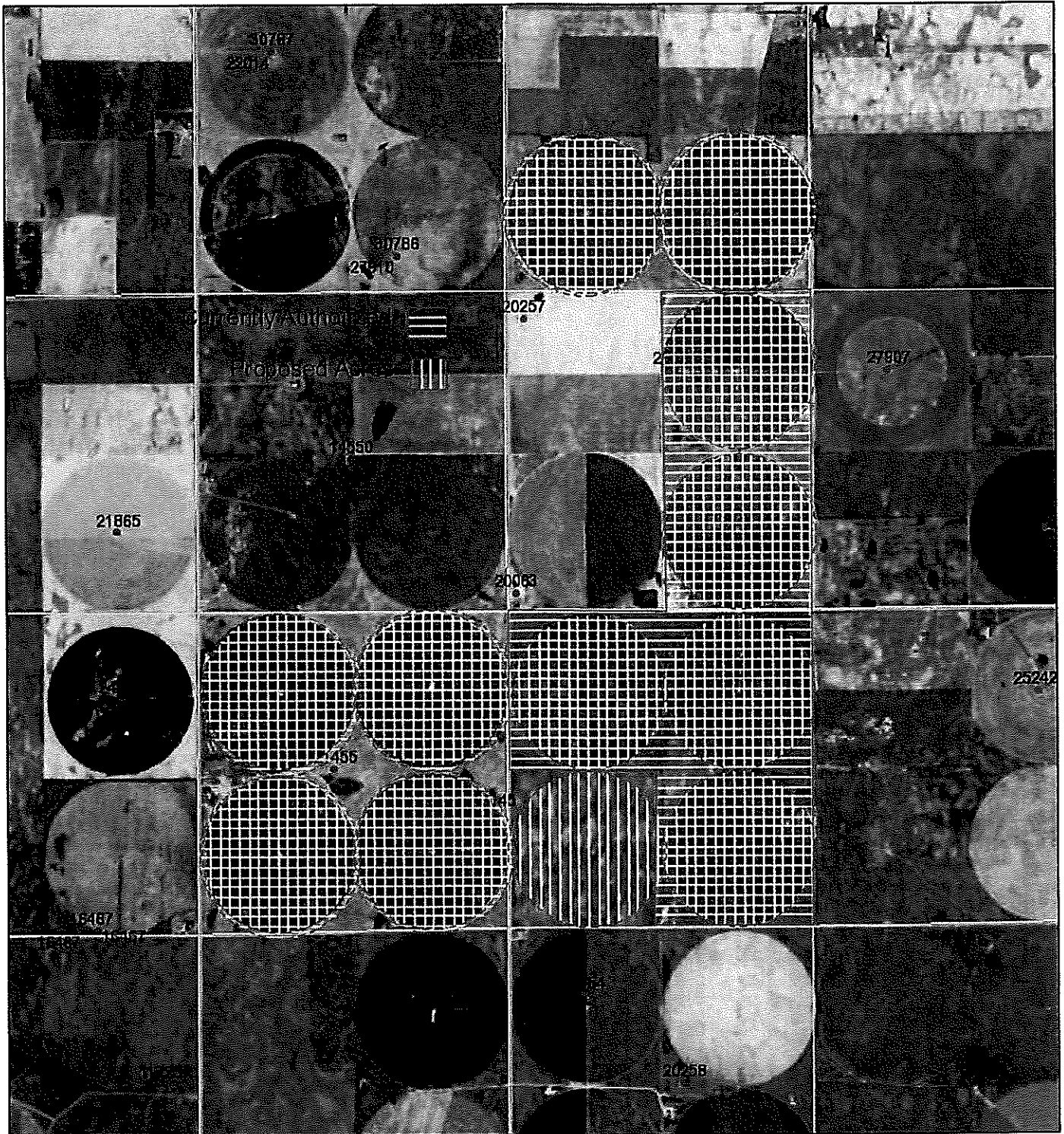
Final Recommendation: After review of all available information, it appears current area rules are met. Staff therefore recommends approval of the applications.

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MAY 04 2018

Garden City Field Office  
Division of Water Resources





March 19, 2018

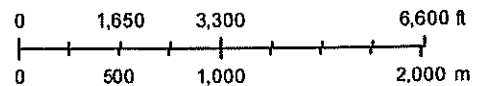
DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:36,112

Legend

Wells

- |   |       |   |          |
|---|-------|---|----------|
| ● | FPR   | ⊗ | STK      |
| ? | Other | ⚡ | THX      |
| • | IRR   | ? | Empty    |
| + | CON   | ▲ | MUN      |
| ⊗ | DEW   | ▭ | Sections |
| • | DOM   | ⌒ | REC      |



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MAY 04 2018

GMD FSA 2016

Garden City Field Office  
Division of Water Resources

