

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 3, 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 1530. 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.

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.

File No. 14101

RECEIVED  
 8:17am  
 APR 30 2018

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

Place of Use                       Point of Diversion

Garden City Field Office  
 Division of Water Resources

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: 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 \$ <u>200</u> TR # _____ Receipt Date <u>4/30/18</u> Check # <u>5683</u>
--

APPLICATION FOR APPROVAL TO CHANGE  
THE PLACE OF USE AND/OR POINT OF DIVERSION  
SUPPLEMENTAL SHEET  
**FILE NO. 14101**  
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									32	32	32	32	32	32	32	32	256
7	27	28w	32	32	32	32									31	31	31	31	252
13	27	29w	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	512

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	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32	512

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 [Signature]  
(Owner)

X [Signature]  
(Spouse)

GREGORY C LOVE  
(Please Print)

SUE LOVE  
(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

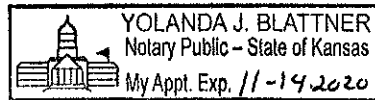
(Owner)

(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.

[Signature]  
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

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APR 27 2018

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:

- (CHECK ONE) [ ] Vested Right, File No.
[ X ] Water Right, File No. 14101
[ ] Appropriation of Water, File No.

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

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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: 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

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NON IRRIGATION USE

APR 24 2018

Describe:

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

X [Signature]  
(Owner)

Gregory C Love  
(Please Print)

X [Signature]  
(Owner)

Love Ag Company  
(Please Print)

[Signature]  
(Owner)

[Signature]  
(Please Print)

X Sue Love  
(Spouse)

Sue Love  
(Please Print)

[Signature]  
(Spouse)

No Spouse  
(Please Print)

[Signature]  
(Spouse)

[Signature]  
(Please Print)

RECEIVED

APR 24 2018

Garden City Field Office  
Division of Water Resources

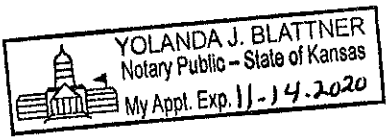
State of Kansas )  
County of Gray ) ss

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

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

Yolanda J. Blattner  
Notary Public

My Commission expires 11-14-2020



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

