Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number:	2. Status Change Date:	3. Change Num:	4. Field Office:	5. GMD:
14101	6,15/18	c/2	04	03
6. Status: ⊠ Approved ☐ Den	ied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 4/30/18
8a. Applicant(s) New to system □	Person ID 41566 Add Seq#	8c. Landown		Person ID 25213 Add Seq#
LOVE AG COMPANY GREG LOVE 24506 13 RD MONTEZUMA KS 67867	-9073	24506	ORY C & SUE LO 13 RD EZUMA KS 6786	
8b. Landowner(s) New to system □	Person ID 41565 Add Seq#	8d. WUC	ystem □	Person ID 25213 Add Seq#
LOVE AG COMPANY GREG LOVE 24506 13 RD MONTEZUMA KS 67867	-9073	24506	ORY C & SUE LC 13 RD EZUMA KS 6786	
9. Documents and Enclosure(s): 🛛 D\	WR Meter(s) Date to Comp	ly: <u>12/31/18</u>	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter☐ Conservation Plan Date Requi				riller Copy
10. Use Made of Water From;		То:		
			Date Prepared: 6/8/18 Date Entered:	В Ву: ТРМ Ву:

File No. 14101		11. County: GY	GY	Ě	Basin: ark	논					Stre	Stream:							-ormat	Formation Code:	Special Use:
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14. Limitation:		af/yr at) mdß			b	s) whe	in coml	bined \	cfs) when combined with file number(s)	qunu	er(s)					
Limitation:		af/yr at					gpm (ਰ	s) whe	n com	bined \	cfs) when combined with file number(s)	qunu	er(s)					
15. 5YR Allocation:	Allocation Type	Type	Sta	Start Year	" ""		5 YR	5 YR Amount	 		Атоц	Amount Unit		Bas	Base Acres	% 		Comment	ا ا		
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STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FELD 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 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

Division of Water Resources

Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

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.

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

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Page _____

DWR 1-121-2 (Rev. 01/23/2008)

File No. _____

14. If the proposed groundwater point of diversion is 300 or fewer feet from	om the existing point of diversion, complete the following:
 (a) Does the undersigned represent all owners of the currently auth ☐ Yes ☐ No (If no, all owners must sign this applied) 	
 (b) Will the ownership interest of any owner of the currently authoraffected 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 sub ☐ Yes ☐ No (If no, all owners must sign this appli	
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 agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affirm	
age and the owner, the spouse of the owner, or a duly author their behalf, in regards to the water right(s) to which this ap	
contained in this application are true, correct and complete.	1 1/
Dated at (Y long tez uma , Kansas, this	25 day of April , 20/8.
y / Just / Sign	V least of
X // (Owner)	(Spouse)
GREGORY C LOVE	SUE LOVE
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas	A YOLANDA I BLATTNER
County of Gray SS	Notary Public - State of Kansas My Appt. Exp. // -142020
I hereby certify that the foregoing application was signed in of April 20 8	my presence and sworn to before me this 25 day
• • •	1
My Commission Expires	Lolanda Jolatiner Notary Public
My Commission Expires 17-19-2020.	
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all accurate information; maps, if necessary, must be included; signatures of all the apthe appropriate fee must be paid.	of the applicable portions of the application form must be completed with ppropriate owners' must be affixed to the application and notarized; and
<u>FEE SCHEDU</u>	<u>JLE</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	ent of Agriculture \$100 t\$200
	APR 2 7 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. 14101 requesting that the place of use and / or point of A change application was received on April 30, 2018 diversion authorized under the above-referenced file number be changed as described in the application. 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. ☐ Not Applicable 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 ___ radius of the authorized point(s) of diversion.

Applicable

Not Applicable 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 feet from the previously The point(s) of diversion authorized herein shall not actually be located more than _ authorized point(s) of diversion. ☐ Applicable ☒ Not Applicable 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.

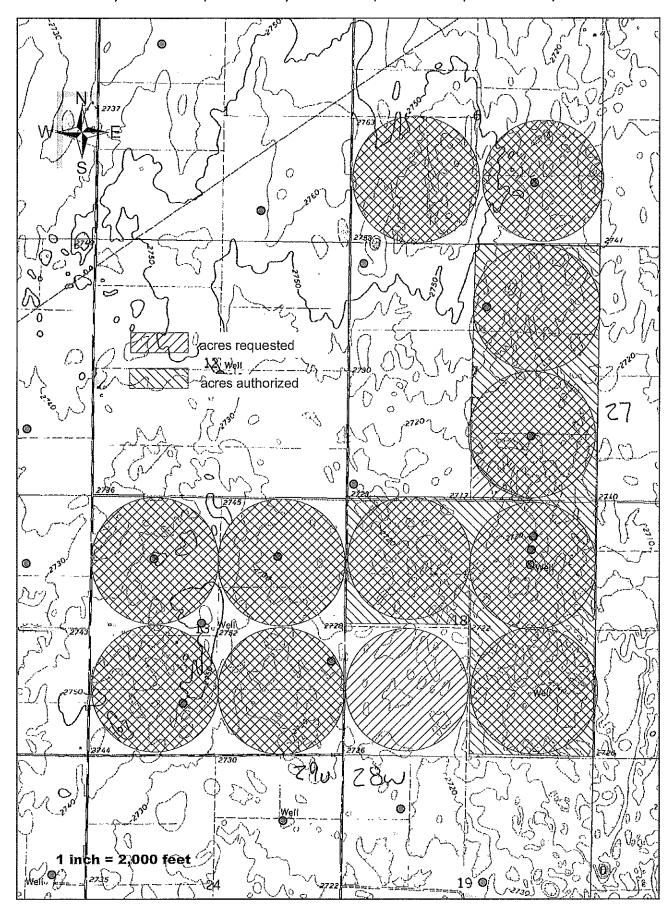
Applicable Not Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 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 | 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 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. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, SUMMARY ORDER ISSUED 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. Duly Authorized Designee of the Chief Engineer (Print Name): Thomas P Makens Division of Water Resources - Kansas Department of Agriculture File any request with Kansas Department of Agriculture, 2018 Date of Issuance: Legal Division, 1320 Research Park Drive, Manhattan, KS 66502. Failure to timely request a hearing or review may State of Kansas preclude review under the Kansas Judicial Review Act. For Use by Register of Deeds County of Finney Acknowledged before me on Signature: emy Notary Public SUE KEENY My commission expires (New Appointment Expires PUBLIC June 8, 2022

File No.

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





KANSAS DEPARTMENT OF AGRICULTURE Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCESDavid 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:	
		Uested Right, File No.	- Parlaments
(CHECK	ONE)	☑ Water Right, File No. <u>14101</u>	- Address
		Appropriation of Water, File No.	
То:	Divisio Kansas 1320 F	ENGINEER n of Water Resources s Department of Agriculture Research Park Drive uttan, Kansas 66502	APR 2 4 2018 Garden City Field Office
From:	(Name	es and addresses of owners of authorized place of use. Please	Division of Water Resources see instructions on back.)
, , , , , , ,		NG Company, Attn: Greg Love, 24506 13 RD, Montezuma, KS 6	
		k Trudy Mahin, 13792 U Road, Montezuma, KS 67867 ry C & Sue Love, 24506 13 RD, Montezuma, KS 67867-9073	
The ah	nove liste	REQUEST ed owners request a:	
[Comp	lete only	y the sections that apply. Check only the boxes that apply. Fill ir	only the blanks that apply.]
A. 🗌 i	REDUC	TION IN AUTHORIZED MAXIMUM ANNUAL <u>QUANTITY</u> OF W	ATER.
 	it is requ (acre-fee	rested that the maximum annual quantity of water be reduced to et or million gallons; <u>circle one</u>) per calendar year.	
В. 🔲 Г	REDUC	TION IN AUTHORIZED MAXIMUM <u>RATE</u> OF DIVERSION OF V	WATER.
!	It is requ	nested that the maximum rate of diversion of water be reduced t c.f.s.).	o gallons per minute
		Assisted by:	lk/ tom

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Own	er of L	and - N	IAME	: <u>GRE</u>	GOR	Y C &	SUE	LOVE											
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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.

	2 \ day of \ \(\frac{\beta_{\text{\$\lambda\$}} \' \) \(\text{(Month)} \) \(\text{(Year)} \)
X (Ourse)	X Hudy J. Maken (Spouse)
(Owner)	U (-1)
Greg Mahin (Please Print)	Trudy Mahin (Please Print)
,	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print) RECEIVED
State of Kansas)	APR 2 4 2018
County of Aray) ss	Garden City Field Office Division of Water Resources
I hereby certify that the foregoing application wa	as signed in my presence and sworn to before me this
24 day of Affro (Month)	, <u>ZO18</u> . (Year)
My Commission expires $08-15$ 2020	Mauris Wendle Notary Public
	Notary Policy 8 10 10 20

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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.) , Kansas, this 24 day of April (Month) Dated at (City) Sue Love <u>Gregory C</u> (Please Print) (Please Print) (Spouse) No Spouse Love Ag Company (Please Print) (Please Print) (Spouse) (Owner) (Please Print) (Please Print) RECEIVED State of Kansas APR 2 4 2018 SS County of _ 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 Apr: 1 (Month) YOLANDA J. BLATTNER Notary Public – State of Kansas My Commission expires 11-14-2020 3 My Appl. Exp. 11-14.2020

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.

INSTRUCTIONS:

The request must be signed by each owner of the place of use authorized by the water right or permit <u>and his or her spouse</u>, <u>if married</u>. 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.

RECEIVED

APR 2 4 2018

Garden City Field Office Division of Water Resources DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804

STATE OF KANSAS

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



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.

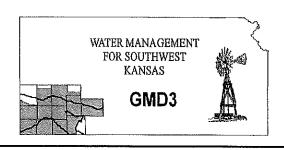
We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted. I have enclosed a copy of the change for your perusal.

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,

Jason L. Norquest Assistant Manager

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MAY 09 2018