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

1. File Number: 16157	2. Status Change Date: 12/17/2018	3. Change Num:	4. Field Office:	5. GMD:
6. Status: Approved Deni	ied by DWR/GMD	Dismiss by Reques	st/Failure to Return	7. Filing Date of Change: 31-AUG-2018
8a. Applicant(s) New to system □	Person ID <u>61989</u> Add Seq# <u>1</u>	8c. Landown New to sy		Person ID <u>62080</u> Add Seq# <u>1</u>
JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851		РО ВО	NP & MARGAR X 1098 ETTE KS 67877	ET LOEWEN
			·	
8b. Landowner(s) New to system □	Person ID	8d. WUC New to sy	vstem □	Person ID Add Seq#
SANDYHILL ENTERPRIS JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851	SES LLC	8A NO	CHANGE	
9. Documents and Enclosure(s): DV	VR Meter(s) Date to Comp	ly:	N & P Date t	to Comply:
☐ Anti-Reverse Meter ☐ Meter	Seal Check Valve	□ N & P Form	☐ Water Tube ☐	Driller Copy
☐ Conservation Plan Date Requir	ed: Da	ate Approved:	Date	to Comply:
10. Use Made of Water From:		To:		
			Date Prepared: 12/0 Date Entered: 12\n	_

File N	o. 16 ′	157			11.	County:	FI	Bas	sin: Al	RKANS	SAS F	RIVER			Stre	am:					-		F	rmati	on Co	ode: 21	1	Special	Use:
12. P CHK MOD	oints of	Diver	sion				,											R		d Quar	-		A	ddition	al				
DEL	PDIV	′	1.0	alifier		S	T.	R	ID		N	W		Comm	nent (A	KA Lir	ne)		Rate om/cfs	Qı	antity /mgy		Rate	•	Quai af/m		Overla	ap PD File	s
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13. St	orage: F	Rate				N	IF	Quar	ntity _					ac/ft	Ado	litional	Rate _					_ NF	Addi	tional	Quan	tity			ac/ft
14. Liı	mitation:					af/yr a	t				gpm (
Li	mitation:			·		af/yr a	t				gpm (cf	s) whe	n com	bined	with fil	e num	ber(s)									
15. 5\	'R Alloca	ation:	A	Alloca	tion Type	e	. Sta	rt Year			5 YR	Amou	nt		Amou	nt Unit		. Ва	ase Ac	res _		Cor	nment _			·			
CHK	lace of U	Jse						NE	:1/4			N	N1/4			sv	V1/4			SE	1/4		Total	Own	er	Chg?	Ov	erlap Files	3
MOD DEL ENT	PUSE	Ε	s	Т .	R	ID	NE ¼	NW ¼	sw %	SE ¼	NE ¼	NW ¼	sw ¼	SE ¼	NE ¼	NW 1/4	sw ¼	SE 1/4	NE ¼	NW 1/4	SW ¼	SE ¼		2257	6-D 8-D	A; 22	576-l	DB; 225	22576-D3; 77-D1; 29855-D1;
MOE	299	74	13	26	34W	1									32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00		-	NO	se	e above	
ENT	1748	3	22	26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00									272.00	8B		NO	se	e above	
ENT	3089	7	23	26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00	8B		YES	se	e abov	•
ENT	2428	7	24	26	34W	1	34.00	34.00	34.00	34.00					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00	8B		YES	se	e abov	•
ENT	518		25	26	34W	4					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00	8B	1	YES	se	e abov	•
ENT	33001	:	26	26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00	8B		YES	S	ee abov	е
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KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources <u>M E M O R A N D U M</u>

TO: Files

FROM: Richelle A. Krueger

DATE: December 6, 2018

RE: Water Right

File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813;

28,620; 29,855-D1 and 30,157

Jacob and Aganetha Neufeld, on behalf of Sandyhill Enterprises, L.L.C., and Johan and Margaritha (Margaret) Loewen, water right owners, filed applications to change the place of use for the referenced file numbers along with a division request for File No. 22,577 and reductions in place of use for File Nos. 24,050 and 28,620. The ultimate goal of the submitted package is to remove the overlap in place of use which exists between Sandyhill Enterprises L.L.C.(Neufeld) and Loewen water rights; to create exact overlaps in place of use among water rights owned solely by Loewens (File Nos. 22,233; 22,577-D2; and 24,813); and to create exact overlaps in place of use among water rights owned solely by Sandyhill Enterprises L.L.C.(File Nos. 16,157; 20,890;22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-D1; 22,578-D2; 24,050; 28,620; 29,855-D1 and 30,157).

The referenced files do not appear abandoned as per K.S.A. 82a-718.

The referenced files are all authorized groundwater for irrigation use in Finney County, Kansas. None of the referenced file numbers have overlaps in their authorized points of diversion and the following files have no overlaps in their authorized places of use: File Nos. 16,157(256 acres); 22,576 DA(136 acres); File No. 22,577-D2(136 acres); 29,855-D1 (272 acres) and 30,157 (136 acres). File Nos. 20,890 and 22,578-D2 overlap in their 272-acre place of use; File Nos. 22,576-DB; 22,576-D2 and 22,576-D3 overlap in their 408-acre place of use; File Nos. 22,577-D1; 24,050 and 28,620 overlap in their 952-acre place of use; and File Nos. 22,233 and 24,813 overlap in their 272-acre place of use.

The water right owners propose exact overlaps among rights owned solely by Sandyhill Enterprises and exact overlaps among water rights owned solely by the Loewens, pursuant to K.A.R. 5-5-11(b)(1) *Identical places of use*. The 4,611 acre-feet authorized by Sandyhill Enterprises water rights will irrigate their proposed 2,432-acre place of use with 1.89 acre-feet per acre and the 802 acre-feet authorized by Loewen water rights will irrigate their proposed 408-acre place of use with 1.96 acre-feet per acre. Both proposals appear reasonable since the 50% net irrigation requirement for the full irrigation of corn with 85% efficiency in Finney County is 1.42 acre-feet per acre. Feet distances for wells with be updated with g.p.s. feet distances per WRIS as appropriate.

No nearby well owners were notified of the proposed changes since the proposals are for exact overlaps in the authorized places of use.

The same local source of supply will not change.

Southwest Kansas Groundwater Management District No. 3 recommended approval of the referenced applications in a letter dated November 27, 2018 from Jason Norquest, Assistant Manager.

In an e-mail dated November 29, 2018, Mike Meyer, Water Commissioner of the Garden City Field Office, recommended approval of the applications.

Water flow meters are required. Check valves are required if any chemical or foreign substance is injected into the water through the diversion works.

Based on the above discussion, that the changes are reasonable, that impairment to existing water rights is unlikely, that no change in the local source of supply will occur, and if the reduction requests and division agreement are approved, it is recommended the applications be approved.

Richelle A. Krueger Environmental Scientist STATE OF KANSAS

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700 FAX: (785) 564-6777

900 SW Jackson, Room 456 Торека, KS 66612 Рноле: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

SANDYHILL ENTERPRISES LLC JACOB AND AGANETHA NEUFELD 10165 W RIVER RD HOLCOMB KS 67851

January 2, 2019

576-DA;

RE: Water Right, File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813; 28,620; 29,855-D1 and 30,157

Dear Sir or Madam:

Enclosed are the orders executed by the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the applications for change under the above referenced file numbers.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these approvals for change. A condition of these approvals is that acceptable water flow meters must be installed on the diversion works authorized under the referenced file numbers. Please return the required notification of completion of the diversion works and/or installation of the required meters as soon as these actions are completed.

Since these orders modify the original document referred to above, they should be recorded with the Register of Deeds as other instruments affecting real estate.

If you have any questions, please contact this office. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Brent A. Turney, P.G.

Change Application Unit Supervisor

Water Appropriation Program

BAT:rak

pc: Garden City Field Office

Groundwater Management District No. 3 Johan P. and Margaritha(Margaret) Loewen



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION

FOR

CHANGE IN PLACE OF USE AND

ORDER BETTER DESCRIBING

THE LOCATION OF THE

AUTHORIZED POINT OF DIVERSION

WATER RIGHT

FILE NO. 16,157

The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jacob and Aganetha Neufeld, on behalf of Sandyhill Enterprises, L.L.C., 10165 West River Road, Holcomb, Kansas 67851, and Johan and Margaritha Loewen, P.O. Box 1098, Sublette, Kansas 67877, received in this office on August 31, 2018, for approval of a change in the location of the place of use under the certificate of appropriation issued pursuant to the permit to appropriate water for beneficial use, as modified and amended by the Order of the Chief Engineer dated March 1, 2010, approving the application to change the point of diversion, finds that the change is reasonable and will not impair existing rights, and that the application should be and is hereby approved.

The effective date of the change shall be the date this order is executed by the Chief Engineer, after which the authorized location of the place of use shall be:

				NE	Ξ1/4			NV	V1⁄4			SV	V1⁄4			SE	Ξ1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1⁄4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	ACRES
13	26S	34W									32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00
22	26S	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00									272.00
23	26S	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00
24	26S	34W	34.00	34.00	34.00	34.00			,		34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00
25	26S	34W					34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	408.00
26	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00	544.00

a total of 2,432.00 acres in Township 26 South, Range 34 West, Finney County, Kansas,

located substantially as shown on the map accompanying the application to change the place of use, and the location of the authorized point of diversion is more accurately described as:

one(1) well located in the Northeast Quarter of the Southwest Quarter of the Southeast Quarter (NE½ SW½ SE½) of Section 13, more particularly described as being near a point 1,306 feet North and 1,587 feet West of the Southeast corner of said section, in Township 26 South, Range 34 West, Finney County, Kansas.

All diversion works shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

RE: File No. 16,157 Page 2

The water right owner shall properly install an acceptable water meter on the diversion works authorized under this water right, prior to the use of water, in strict accordance with the Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The water right owner shall notify the Chief Engineer when installation of the water meter has been completed. The water right owner shall maintain the water meter in an operating condition satisfactory to the Chief Engineer, at all times during diversion of water and shall maintain records from which the total quantity of water diverted may be determined. The water right owner shall also report the reading of said water meter and the total quantity of water diverted annually to the Chief Engineer. Such records shall be furnished to the Chief Engineer by March 1 following the end of each calendar year.

In all other respects, the Certificate of Appropriation issued pursuant to Approval of Application, File No. 16,157, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated May 29, 1990, as modified and amended by the aforementioned order.

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may:

- 1) request an evidentiary hearing before the Chief Engineer, or
- 2) request administrative review by the Secretary of Agriculture.

Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 18 days after this Order was mailed to you), with the Kansas Department of Agriculture, Attn: Legal Section, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (i.e., within a total of 33 days after this Order was mailed to you), and be filed with the Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, or by FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

Any request for hearing or petition for administrative review shall be in	writing	and shall be
submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture,	1320 R	esearch Park
Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.		

Ordered this The day of December, 2018, in Manhattan, Riley County, Kansas. Lane P. Letourneau, P.G. Program Manager Water Appropriation Program Division of Water Resources Kansas Department of Agriculture State of Kansas SS County of Riley The foregoing instrument was acknowledged before me this local day of 2018, by Lane P. Letourneau, P.G., Program Manager, Water Appropriation Program, Division of Water Resources, Kansas Department of Agriculture/ DANIELLE WILSON My Appointment Expires August 23, 2020 **Notary Public** CERTIFICATE OF SERVICE On this 3 5 day of lecember , 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 16,157, dated December 17th 2018was mailed postage prepaid, first class, US mail to the following: SANDYHILL ENTERPRISES LLC JACOB NEUFELD **10165 W RIVER RD** HOLCOMB KS 67851 With photocopies sent to: JOHAN P & MARGARET LOEWEN PO BOX 1098 SUBLETTE KS 67877 Garden City Field Office Groundwater Management District No. 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) 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.

thar		t, or if pl	ace of	use wi												author	ized a	nd prop	sion is greater posed point(s) /ED m
		,				F	File No	. <u>1615</u>	57									31	
1.	Applicat		-			⊠ P	lace o	f Use			Point	of Dive	ersion			Divisi	on of	Water	eld Office Resources
	The sou		_			-	Ground				Surfa								
2.	Name at 10165 V Phone N Name at 10165 V	<u>V RIVEF</u> lumber: nd addre	R RD (620) ess of	HOLC 271-82 Water	OMB 283 Use C	(S 67 orresp	851 onder				_	cob@s		creslic	.com				
3.	Phone N The pres Owner of	Number: sently au of Land -	(uthoriz NA ADDR) ed pla AME: ESS:	ce of u SAND 10165	ise is: YHILL W RI\	<u>ENTE</u> /ER R	RPRIS	SES LI OLCOI	_C J, MB KS	ACOB 6785	NEUF							
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DWI	R 1-121 (F	Revised C)4/5/20 [·]	18)						Page 1	<u>III</u> Kokkun	3.011 3.7	PAIL	-	10	1.120	vs U)

5.	Presently authorized point of diversion:		
	One in the Quarter of the	Quarter of theQu	arter
	of Section, Township		
	in County, Kansas, fe		
	Authorized Rate Authorized Quantity	Depth of well (feet)	
	(DWR use only: Computer ID No GPS		
	☐This point will not be changed ☐This point will be changed as		ws:
	Proposed point of diversion: (Complete only if change is		
	One in the Quarter of the	Quarter of the Quarter	arter
	of Section, Township	South, Range (E	Ξ/W), İ
	in County, Kansas, fe	eet North feet West of Southeast corner of sect	ion.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	·
	This point is: Additional Well Geo Center List other	er water rights that will use this point	
	77/17049		
6.	Presently authorized point of diversion:		
-	Onejinjthe[:: : : : : : : : : : : : : : : : : :	Quarter of theQu	arter
	of Section, Township		
	inatiO কলে বাইনেক্রন County, Kansas, fe	eet North feet West of Southeast corner of sect	ion.
·	in the new think the country of the	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		ws:
	Proposed point of diversion: (Complete only if change is	is requested or if existing point is better described by G	PS)
	One in the Quarter of the	Quarter of the Quarter of the	arter
	of Section, Township	South, Range (E	Ē/W), │
	in County, Kansas, fe	eet North feet West of Southeast corner of sect	ion.
	Proposed Rate Proposed Quantity	Proposed well depth (feet)	
	This point is: Additional Well Geo Center List other	er water rights that will use this point]
7.		•	
	(please be specific) overlap of adjoining pivots. No change to water wells.	North 300 200 100 0 100 200 300	
_			
8.	If a well, is the test hole log attached? Yes No	$200 \left[+ + + + + \frac{1}{2} + + + + + \frac{1}{2} 20 \right]$	0
9.	The change(s) (was)(will be) completed by?	E	
-		100	•
	At approval of application		,
10.	If the point of diversion is a well:		
	(a) What are you going to do with the old well?	West 0	East
	<u>na</u>	$ \begin{array}{c ccccccccccccccccccccccccccccccccccc$,
	(b) When will this be done?	100 + + = + + = 100	J
11.	Groundwater Management District recommendation attached?	200 = 1 + 1 + 1 = 1 + 1 + 1 = 201	0
	☐ Yes		
, -		<u> </u>	
12.	Assisted by tpm	300 200 100 0 100 200 300	
13a	a. If the proposed point of diversion will be relocated more than 300	South Scale: 1 hashmark=10 ft	
	feet but within 2,640 feet of the existing point of diversion, attach	h 13b. If the proposed point of diversion will be relocated within 3	00 feet
	a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile	of the existing point of diversion, indicate its location diagram shown above in relation to the existing points.	on the pint of
	of the proposed point of diversion and the names and mailing	g diversion. (PLEASE NOTE: The "X" in center of di	agram
	addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile	e above represents the presently authorized poi e diversion.)	nt of
	downstream and one-half mile upstream from your property	y	
	lines		

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

FILE NO. 16 157

MAKE ADDITIONAL COPIES AS NECESSARY

RECEIVED

AUG 31 2018

Garden City Field Office

Division of Water Resources Continued: The presently authorized place of use is: Owner of Land ---- NAME: ADDRESS: NW1/4 TOTAL **ACRES** Twp. Range NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 Owner of Land ---- NAME: ADDRESS: NW1/4 SW1/4 TOTAL ACRES Twp. Range | NE14 | NW14 | SW14 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 Owner of Land --- NAME: ADDRESS: NE1/4 TOTAL **ACRES** Twp. Range NE1/4 NW1/4 | SW1/4 | SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 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: SANDYHILL ENTERPRISES LLC JACOB NEUFELD ADDRESS: 10165 W RIVER RD HOLCOMB KS 67851 NW1/4 TOTAL ACRES NW1/4 SW1/4 NW1/4 SW1/4 Sec. Twp. Range NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 22 26 34w 34 34 34 34 34 34 34 34 272 23 26 34w 34 34 34 34 34 34 34 34 34 34 34 34 34 34 544 34 34 24 26 34w 34 34 34 34 34 408 Owner of Land ---- NAME: SANDYHILL ENTERPRISES LLC JACOB NEUFELD ADDRESS: 10165 W RIVER RD HOLCOMB KS 67851 NE1/4 NW1/4 SW1/4 TOTAL ACRES SW1/4 SE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 SW1/4 SE1/4 Sec. Twp. Range NE1/4 NW1/4 NE1/4 26 34 34 34 34 34 34 34 34 34 408 25 34w 34 34 34 34 34 34 34 34 26 26 34 34 34 34 34 34 34 34 34 34 544 34w 13 26 34w Owner of Land ---- NAME: JOHAN P & MARGARET LOEWEN ADDRESS: PO BOX 1098 SUBLETTE KS 67877 NW1/4 SW1/4 TOTAL **ACRES** SW1/4 SW1/4 NW1/4 SW1/4 SE1/4 NE1/4 NW1/4 NW1/4 SW1/4 Range NW1/4 NE1/4

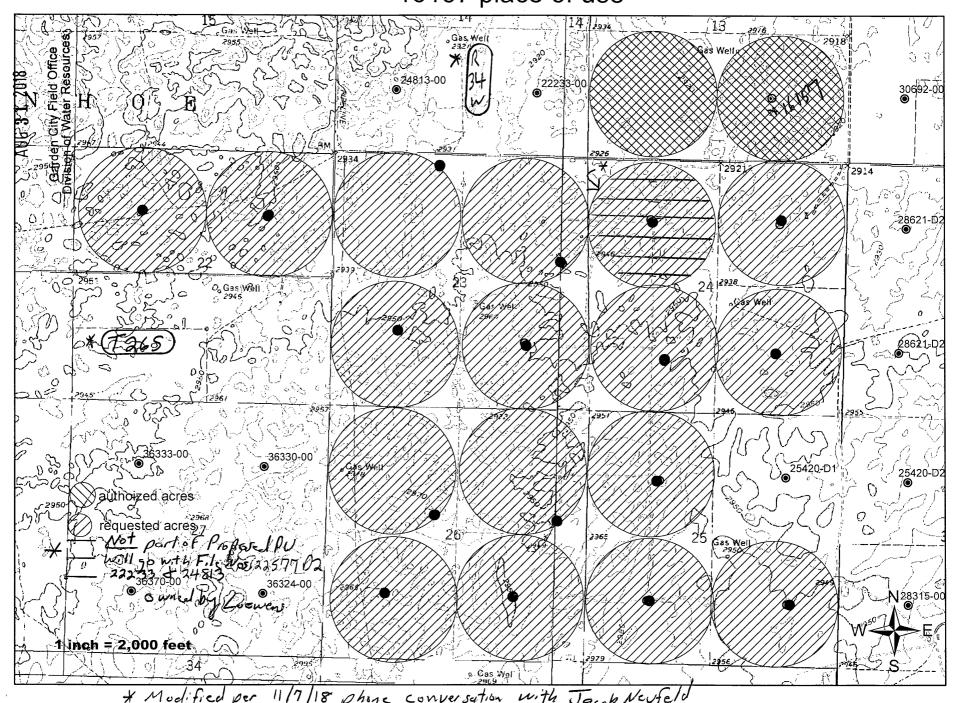
* Modified per 11/7/18 phone conversation with
Jacob Neufeld Page * PAK/DWN 11/7/18

DWR 1-121-2 (Rev. 04/24/2018)

* ROK/DWN 11/7/18

File No. __

16157 place of use



* Modified per 11/7/18 phone conversation with Jacob Newfeld * RAK/Own 11/7/18

RECEIVED

File No. ___

14. I	f the proposed groundwater point of diversion is 300 or fewer feet f	rom the existing point of diversion, complete the following: 2018
(a) Does the undersigned represent all owners of the currently auth Yes No (If no, all owners must sign this appl	norized place(s) of use identified in this application?City Field Office
(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 approved) 	orized place(s) of use identified in this application be adversely
(c) If this application is not approved expeditiously, will there be su ☐ Yes ☐ No (If no, all owners must sign this appl	
or a c	application proposes a surface water change in point of diversion, change in place of use, the application must be signed by all owners (attach notarized statement authorizing representation).	
age their	eby verify, being first duly sworn upon my oath or affirn and the owner, the spouse of the owner, or a duly author behalf, in regards to the water right(s) to which this ap ained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on
Date	d at Sublette, Kansas, this	30th day of August , 20 18.
<u>X</u> .	(Owner)	Margaretha Louven (Spouse)
	Johan holwer	Margaritha Loewen
	(Please Print)	(Please Print)
-	(Owner)	(Spouse)
	(Please Print)	(Please Print)
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
	of Kansas by of Haskell	•
l do	ereby certify that the foregoing application was signed in	my presence and sworn to before me this 35th day
Mv C	DEBBIE RINEHART My Appt. Exp. 10-12-20 Demnission Expires	Dobbio Rinchart Notary Public
		of the applicable partiage of the application form must be completed with
accura	<u>COMPLETE APPLICATIONS WILL BE PROCESSED</u> . To be complete, all the information; maps, if necessary, must be included; signatures of all the a propriate fee must be paid.	
	FEE SCHEDI application to change the place of use or the point of diversion under the schedule below: Make checks payable to: Kansas Departm (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 fee (3) Application to change the place of use	er this section shall be accompanied by the application fee set ent of Agriculture\$100 t\$200

Page 3

DWR 1-121 (Revised 04/5/2018)

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 do	 If the proposed groundwater point of diversion is 300 or fewer feet 	from the existing point of diversion, complete the following:
affected if this application is approved as requested? Yes		
If the application proposes a surface water change in point of diversion, a groundwater change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorizagent (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 Iawage and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application their behalf, in regards to the water right(s) to which this application pertains. I further verify that the stateme contained in this application are true, correct and complete. Dated at	affected if this application is approved as requested? Yes No (If yes, all owners must sign this a (c) If this application is not approved expeditiously, will there be s	pplication.) AUG 3 1 2018 substantial damage to property, public health or safety?
age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application their behalf, in regards to the water right(s) to which this application pertains. I further verify that the stateme contained in this application are true, correct and complete. Dated at	If the application proposes a surface water change in point of diversion or a change in place of use, the application must be signed by all owner.	Division of Water Resources and a groundwater change in point of diversion greater than 300 fee
(Owner) (Please Print) (Please Print) (Owner) (Spouse) (Please Print) (Owner) (Spouse) (Please Print) (Owner) (Spouse) (Please Print) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) (Spouse) (Please Print) State of Kansas County of	age and the owner, the spouse of the owner, or a duly auth their behalf, in regards to the water right(s) to which this a	orized agent of the owner(s) to make this application of application pertains. I further verify that the statements
(Please Print) (Spouse) (Please Print) (Please Print) State of Kansas County of Finance I hereby certify that the foregoing application was signed in my presence and sworn to before me this 3) SUE KEENY My Appointment Expres June 8, 2022 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; at 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 see forth in the schedule below. Make checks payable to: Kansas Department of Agriculture (1) Application to change a point of diversion more than 300 feet or less	Dated at, Kansas, th	nis, 20
(Owner) (Spouse) (Please Print) (Please Print) (Owner) (Spouse) (Please Print) (Please Print) State of Kansas County of Functure I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 of the application form must be completed accurate information, maps, if necessary, must be included; signatures of all the appropriate owners must be affixed to the application and notarized; at 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 se forth in the schedule below. Make checks payable to: Kansas Department of Agriculture (1) Application to change a point of diversion once than 300 feet or less. \$100 (2) Application to change a point of diversion more than 300 feet . \$200	X Suffering to the second seco	Agaretha houlet
(Please Print) (Owner) (Spouse) (Please Print) (Please Print) State of Kansas County of Finance I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 of Louisian Conference of Louisian Conferenc	(Please Print)	(Please Print)
(Owner) (Please Print) State of Kansas County of Finner I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 decomposition of 20 1 states of My Appointment Expression 1 suns 8, 2022 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed accurate information, maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; at 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 se 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	(Owner)	(Spouse)
(Please Print) State of Kansas County of Finner I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 do of	(Please Print)	(Please Print)
State of Kansas County of Finner I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 do of	(Owner)	(Spouse)
I hereby certify that the foregoing application was signed in my presence and sworn to before me this 31 do of	(Please Print)	(Please Print)
My Commission Exp My Appointment Expires June 8, 2022 ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; at 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 se 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 (2) Application to change a point of diversion more than 300 feet (3) Section 1. Secti) SS	4
My Commission Exp June 8, 2022 . ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; at 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	I hereby certify that the foregoing application was signed ir of, 20_1 8	n my presence and sworn to before me this <u>3</u> day
accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; at 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 se 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	My Appointment Expires	Swe Keeny Notary Public
Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee se 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	accurate information; maps, if necessary, must be included; signatures of all the	all of the applicable portions of the application form must be completed with appropriate owners' must be affixed to the application and notarized; and
	Each application to change the place of use or the point of diversion ur forth in the schedule below: Make checks payable to: Kansas Depart (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 f	nder this section shall be accompanied by the application fee set tment of Agriculture \$100 feet \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

pro Wit	s Summary Order is issued under authority of K.S.A. 82a- visions of the <i>Kansas Water Appropriation Law, K.S.A.</i> 82 h the exception of those conditions expressly contained her tations of File No. <u>16157</u>	2a-701 et. seg., and rules and regula	itions promulgated thereunder,
1.	A change application was received on diversion authorized under the above-referenced file nu	requesting that the mber be changed as described in the	e place of use and / or point of e application.
2.	On and after the effective date of this summary order, the a the topographic map accompanying the application to c	authorized place(s) of use shall be loo hange the place of use.	eated substantially as shown on eable \text{Not Applicable}
3.	The change in point of diversion shall not impair existing representations of the authorized point of diversion authorized radius of the authorized point(s) of diversion. ☐ Application	d by this summary order shall be loca	e source or sources of water as ted within afoot
4.	The point(s) of diversion described herein is administrat Positioning System (GPS), as described in the application	ively corrected to be more accurate on. ☐ Applicable ☐ Not Applicable	ely described using the Global
5.	The point(s) of diversion authorized herein shall not actual authorized point(s) of diversion. ☐ Applicable ☐	ly be located more than Not Applicable	feet from the previously
6.	As required by K.A.R. 5-3-5d, if the works for diversion is a or other device suitable for making water level measurer K.A.R. 5-6-13. Applicable Not Applicable	ments shall be installed, operated and	ons per minute or more, a tube maintained in accordance with
7.	The owner of the authorized place(s) of use shall proceed by an and maintained in accordance with K.A.R. 5-1-4 throug 5-3-5e, the owner shall maintain records and report the mannually to the Chief Engineer by March 1 following the Applicable Not Applicable	chever occurs first. The water flow me h 5-1-12. As required by K.S.A. 82a eading of the water flow meter and the	eter shall be installed, operated -732, as amended, and K.A.R.
8.	Installation of the works for diversion of water shall be authorized extension of time. By March 1, 20 the works for diversion has been completed, on the form produced in the product of the produc	ne applicant shall notify the Chief En	igineer that construction of the
9.	The completed well log shall be submitted with the rec	quired notice. Applicable	☐ Not Applicable
10.	All diversion works into which any type of chemical or other with an in-line, automatic, quick-closing check valve cap check valve(s) shall be installed, operated and maintained	pable of preventing pollution of the so	ource of the water supply. The
11.	Additional Conditions are attached.		
12.	In accordance with K.S.A. 82a-708a, as amended, and K water appropriated under the above-referenced file nur limitations, as amended and/or supplemented by this S <i>Appropriation Law</i> and the <i>Rules and Regulations</i> pror result in civil penalties pursuant to K.S.A. 82a-737, as a water or appropriation right or any other enforcement according to the supplementation of the supplementation o	mber are responsible for compliance ummary Order, and with applicable p mulgated thereunder. Failure to com amended, and/or the suspension or r	with its terms, conditions and provisions of the <i>Kansas Water</i> aply with these provisions may
	Administrative Appeal and Effective Date of Order	FOR OFFICE	
If yo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,	<u>APPLICATION AF</u> SUMMARY ORI	
you	may request an evidentiary hearing before the Chief pineer or request administrative review by the Secretary of	SOMMAN ON	DEIX 1000ED
Agr	iculture. A request for hearing by the Chief Engineer must be a within 15 days of service of this Order and a request for	By: Duly Authorized Design	
adn	ninistrative review by the Secretary must be filed within 30	Duly Authorized Design	iee of the Chief Engineer
day revi	s pursuant to K.S.A. 77-531. Any request for administrative ew must state a basis for review pursuant to K.S.A. 77-527.	(Print Name):	Kansas Department of Agriculture
File	any request with Kansas Department of Agriculture, jal Division, 1320 Research Park Drive, Manhattan, KS	(Print Name) Division of Water Resources - K	
665	02. Failure to timely request a hearing or review may clude review under the Kansas Judicial Review Act.	State of Kansas)) SS
	For Use by Register of Deeds	County of	_)
		Acknowledged before me on	
		by	
		Signature:	,
	₹ ya	Signature:	Notary Public
		My commission expires:	
		My commission expires:	(Notary Seal)
DW	R 1-121 (Revised 04/5/2018)	Page 4	File No

Krueger, Richelle [KDA]

From:

Meyer, Mike [KDA]

Sent:

Thursday, November 29, 2018 3:50 PM

To:

Krueger, Richelle [KDA]

Subject:

RE: Request for Recommendation Change in PU File No. 16157 etal Sandyhill Enterprises

LLC (Jacob Neufeld); Loewens

Approve thanks

Mike

From: Krueger, Richelle [KDA]

Sent: Thursday, November 29, 2018 12:22 PM **To:** Meyer, Mike [KDA] < Mike.Meyer@ks.gov>

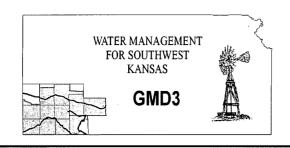
Subject: Request for Recommendation Change in PU File No. 16157 et al Sandyhill Enterprises LLC (Jacob Neufeld);

Loewens

Hi Mike,

Attached is a draft memo for the referenced changes in pu, division and reductions in pu for the Sandyhill Enterprises and Loewen package. Do you recommend approval?

Thanks, Richelle



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

November 27, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502 Water Resources Received

NOV 30 2018

KS Dept Of Agriculture

RE: Change Application

Water Right, File Nos. 16157, 20890, 22233, 22576 D2, 22576 D3, 22576 DA, 22576 DB, 22577 (D1), 22577 (D2), 22578 D2, 24050, 24813, 28620, 29855 D1 & 30157

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The Division of 22577 and reduction requests for 24050 & 28260 is being applied for to separate out the land for the two owners. Then the proposals for change in place of use, will create a complete overlap in current place of use for the individual land owners. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b)(1). There is no new acres being proposed. It is therefore recommended that 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

SCANNED

Krueger, Richelle [KDA]

From:

Jason Norquest <norquest@gmd3.org>

Sent:

Tuesday, November 27, 2018 11:00 AM

To:

Krueger, Richelle [KDA]

Subject:

Neufeld apps

Attachments:

16157_ReviewMat_PU_112718.pdf

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Richelle, hope you are all thawed out up there. We really didn't get much snow, but a lot of wind. Seems we were right on the edge.

Attached is my review for all these applications. I will put the signed cover in the mail to you. Let me know if I missed something.

Have a good day.

Jason Norquest

Assistant Manager, GMD3

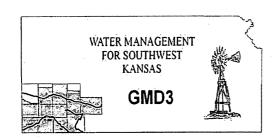
Cell: 620-271-1289 Office: 620-275-7147

www.gmd3.org

NATER RESOURCES

NOV 27 2018

KS DEPT OF AGRICULTURE



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

November 27, 2018

Richelle A. Krueger Kansas Department of Ag Division of Water Resources 1320 Research Park Drive Manhattan, Kansas 66502

RE: Change Application

Water Right, File Nos. 16157, 20890, 22233, 22576 D2, 22576 D3, 22576 DA, 22576 DB, 22577 (D1), 22577 (D2), 22578 D2, 24050, 24813, 28620, 29855 D1 & 30157

Dear Richelle:

We have completed a review of the applications for the above referenced water rights. The Division of 22577 and reduction requests for 24050 & 28260 is being applied for to separate out the land for the two owners. Then the proposals for change in place of use, will create a complete overlap in current place of use for the individual land owners. The proposals are not in conflict with the Management Program of the Southwest Kansas Groundwater Management District No. 3 (GMD3) and is in accordance with K.A.R. 5-5-11(b)(1). There is no new acres being proposed. It is therefore recommended that 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

WATER RESOURCES
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NOV 2 7 2018

KS DEPT OF AGRICULTURE

GMD3 Change Review

File No(s).: 16157, 20890, 2	22233, 22576D2, 22576D3, 22576DA, 22576DB, 22577D1,					
22577D2, 22578D2, 24050, 2	24813, 28620, 29855D1 & 30157. DWR office: <u>HQ/GC</u>					
App filed to change: PU, D	ivision & reductions.					
Is Landowner(s) correct in W	RIS: Yes.					
If NO, is documentati	on included?					
Is Water Use Correspondent	correct in WRIS?					
If NO, is documentati	on included?					
Regulation(s) Reviewed: KA	R 5-5-11 & KSA 82a-742					
Is Proposed PU overlapping	existing WRs? Yes, after division and reductions, the					
applications will create comp	lete overlap.					
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:						
Perfected Acres:						
Irr. Return-Flow%						
The reductions will reduce	acres only on28620.					
Division only on 22577.						
•	te ground to then be completely overlapped in place of					
used between the two owne	· · · · · · · · · · · · · · · · · · ·					
	e overlap on WRs: 22233, 22577D2, 24813 & 28620.					
	feld) will have place of use overlap on WRs: 16157,					
	22576DA, 22576DB, 22577D1, 22578D2, 24050, 29855D1					
& 30157.						
Is a waiver needed: No.	the confidential to Commentation 14 annual and the					
Final Recommendation: After review of all available information, it appears the applications meet current area rules. Staff therefore recommends approval of the						
applications, division and red	uctions.					

WATER RESOURCES
RECEIVED

NOV 2 7 2018

DEPARTMENT OF AGRICULTURE 1320 RESEARCH PARK DRIVE MANHATTAN, KS 66502 PHONE: (785) 564-6700

Fax: (785) 564-6777

STATE OF KANSAS

900 SW Jackson, Room 456 Торека, KS 66612 Рнопе: (785) 296-3556 www.agriculture.ks.gov



GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

SOUTHWEST KANSAS GROUNDWATER November 8, 2018
MANAGEMENT DISTRICT NO 3
ATTN JASON NORQUEST
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Water Right, File Nos. 16,157; 20,890; 22,233; 22,576-D2; 22,576-D3; 22,576-DA; 22,576-DB; 22,577-(D1); 22,577-(D2); 22,578-D2; 24,050; 24,813; 28,620; 29,855-D1 and 30,157

Dear Jason:

We are enclosing copies of the applications to change the place of use for the referenced file numbers along with a division request for File No. 22,577 and reductions in place of use for File Nos. 24,050 and 28,620. The ultimate goal of the applications is to remove the overlap in place of use which exists between Sandyhill Enterprises L.L.C.(Neufeld) and Loewens water rights; to create exact overlaps in place of use among water rights owned solely by Loewens (File Nos. 22,577-(D2); 22,233 and 28,620); and to create exact overlaps in place of use owned solely by Sandyhill Enterprises L.L.C.(Neufeld-remaining file numbers).

We are delaying further action for a period of 15 days from the date of this letter to allow you time to submit your recommendations concerning these applications.

Please submit your recommendations within the allowed time, or any authorized extension of time thereof. If you have any questions, please contact me at (785) 564-6635. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

Richelle A. Krueger Environmental Scientist

(Kille a. of

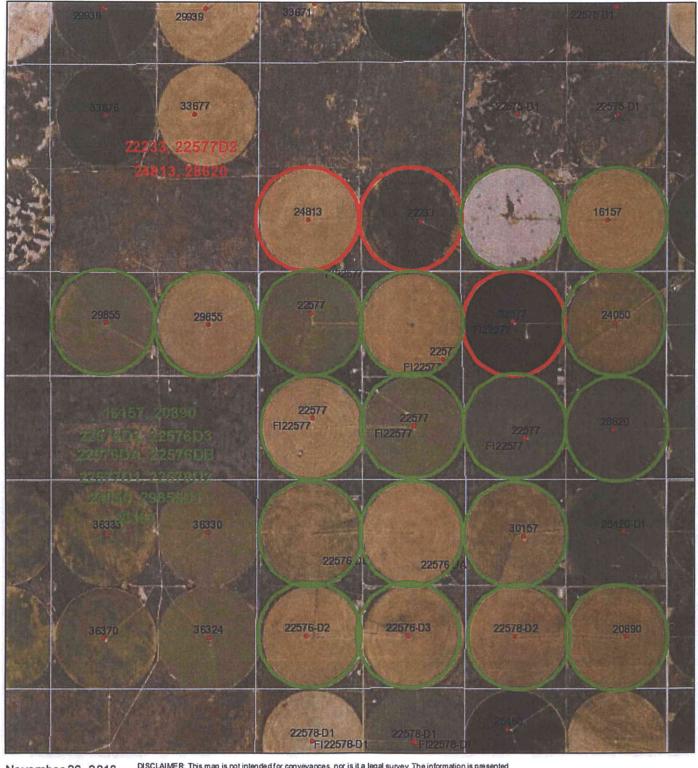
Water Appropriation Program

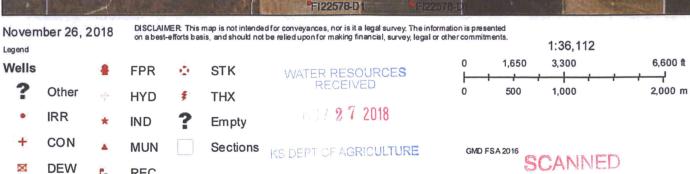
Enclosures

pc: Garden City Field Office



PU changes





DOM F- REC