Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 22576-D2	2. Status Change Date:	3. Change Num:	4. Field Office: 04	5. GMD:
6. Status: Approved Deni	ied by DWR/GMD	Dismiss by Reques	t/Failure to Return	7. Filing Date of Change: 31-AUG-2018
8a. Applicant(s) New to system □	Person ID 61989 Add Seq# 1	8c. Landown New to sy	rstem	Person ID <u>62080</u> Add Seq# <u>1</u>
JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851		РО ВО	IP & MARGARE X 1098 ETTE KS 67877	ET LOEWEN
8b. Landowner(s) New to system □ SANDYHILL ENTERPRIS JACOB NEUFELD 10165 W RIVER RD HOLCOMB KS 67851	Person ID 64846 Add Seq# 1	8d. WUC New to sy	ostem CHANGE	Person IDAdd Seq#
9. Documents and Enclosure(s): ☑ DV ☐ Anti-Reverse Meter ☐ Meter ☐ Conservation Plan Date Requir	Seal	□ N & P Form	☐ Water Tube ☐	o Comply: H & E Letter
10. Use Made of Water From:		To:		
			Date Prepared: 12/0 : Date Entered: 12)	

File No	225	76-I	02	11.	County	FI	Ва	sin: AF	RKAN	SAS F	RIVER			Stre	eam:							F	ormation (Code:	Special Use:
12. Po CHK MOD	ints of Dive	ersion															R	ate and	d Quar			A	dditional		
DEL ENT	PDIV	Qu	alifier		S	Т	R	ID		N	'W		Comn	nent (A	KA Lii	ne)		Rate om/cfs		antity mgy		Rate gpm/c		antity /mgy	Overlap PD Files
MOD	35094	NC S	W1/4		26 26	34W	/ 3		13	13	409	2					965	g.p.m	. 272	2 AF	9	65 g.p	.m. 2	72 AF	NO
		12												-								-			
														P.											
13. Sto	rage: Rate	e				NF	Qua	ntity _					ac/ft	Add	ditional	Rate					_ NF	Addi	tional Qua	antity	ac/ft
Will Co.	itation:					at											with fil								
15. 5YI	R Allocation	n: A	Allocat	tion Type	e	Sta	rt Yea	·		5 YR	Amou	nt		Amou	nt Unit		_ Ba	ase Ac	res _		Cor	mment _			
16. Pla	ace of Use		- 15 4			1	NE	Ξ1/4			NV	N1/4			sv	V1/4			SE	=1/4		Total	Owner	Chg?	Overlap Files
MOD DEL ENT	PUSE	S	Т	R	ID	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		22576-l	DA; 22	; 22576-D2 ; 22576-D3; 576-DB; 22577-D1; 050; 28620; 29855-D1;
ENT	29974	13	26	34W	1	The s								32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00		NO	see above
ENT	17483	22	26	34W	1	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00							X		272.00	8B	NO	see above
ENT:	30897	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	see above
ENT :	24287	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	see above
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	YES	see above
MOD	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	see above
																							-	-	
Base A			Yea	ır:	٨	Minimum	Reas	onable	e Quar	ntity:															

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources M E M O R A N D U M

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 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 Topeka, KS 66612 Phone: (785) 296-3556 www.agriculture.ks.gov

GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

FILE COPY

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

January 2, 2019

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. 22,576-D2



The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, after due consideration of the written application of Jacob 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 January 27, 2009, approving the application to change the point of diversion, by the Findings and Order of the Chief Engineer dated November 1, 2010, determining the interest in Water Right, File No. 22,576, and by the Orders of the Chief Engineer dated March 13, 2014 and March 27, 2015, approving the applications to change the place of use, 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:

			NE1/4			Lr As		NV	V1/4			SV	V1/4		J. 57	SI	Ξ1/4	Skasal	TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	ACRES												
13	268	34W									32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00
22	268	34W	34.00	34.00	34.00	34.00	34.00	34.00	34.00	34.00				4, 84		17.70	7.2		272.00
23	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
24	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	408.00
25	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	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 near the center of the Southwest Quarter (SW¼) of Section 26, more particularly described as being near a point 1,313 feet North and 4,092 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. 22,576-D2 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. 22,576-D2, for permit to appropriate water for beneficial use, is as stated and set forth in the Certificate of Appropriation dated April 29, 1985, as modified and amended by the aforementioned orders.

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
- 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 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564 - 6777.

Ordered this 74 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 17 day of Delmost, 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 day of Jecunber , 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 22,576-D2, dated Jecunber 17, 2018 was 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

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 et al 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

Krueger, Richelle [KDA]

From: Sent: Jason Norquest <norquest@gmd3.org> 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

WATER RESOURCES

RECEIVED

NOV 2 7 2018

KS DEPT OF AGRICULTURE



DOM

PU changes



1:36,112 Legend 6,600 ft 1,650 3,300 Wells **FPR** 0 STK WATER RESOURCES RECEIVED Other 2,000 m 500 1,000 HYD \$ THX 111/27 2018 IRR IND **Empty** CON MUN Sections KS DEPT OF AGRICULTURE SCANNED 1 DEW REC



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
RECEIVED

NOV 27 2018

KS DEPT OF AGRICULTURE

GMD3 Change Review

File No(s).: 16157, 20890, 2	22233, 22576D2, 22576D3, 22576D	A, 22576DB, 22577D1,
22577D2, 22578D2, 24050,	24813, 28620, 29855D1 & 30157.	DWR office: HQ/GC.
App filed to change: PU, D	vivision & reductions.	
Is Landowner(s) correct in W	/RIS: Yes.	
If NO, is documentat	ion included?	
Is Water Use Correspondent	correct in WRIS?	
If NO, is documentate	ion 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	olete 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 o	verlapped in place of
used between the two owne		
	se overlap on WRs: 22233, 22577	
	feld) will have place of use overla	
20890, 22576D2, 22576D3,	22576DA, 22576DB, 22577D1, 225	578D2, 24050, 29855D1
& 30157.		
Is a waiver needed: No.		
	ter review of all available information	
	a rules. Staff therefore recommend	s approval of the
applications, division and re-	ductions.	

WATER RESOURCES
RECEIVED

NOV 2 7 2018

KS DEPT OF AGR!CULTURE

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 Topeka, KS 66612 Phone: (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

Water Appropriation Program

Enclosures

pc: Garden City Field Office

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

10/1/2018 CLM

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.

	ersion a	mu/or p	lace of	use.							1						4:3	6 pm	
																1	AUG 3	1 20	18
						F	ile No	22	576 D2	2			l Kala			Cord	on Cit	y Field	Office
A	pplicati	on is he	ereby n	nade fo	or app		f the C		ingine			the (ch		ne or b	oth).D	ivision	of W	ater Re	esources
u	nder the	e water	right v	vhich is	s the s	ubiect	of this	applic	ation i	n acco	ordance	e with	the cor	ndition	s desc	ribed b	pelow.		
	he sour		THE RESERVE TO					water				ce wat							
	lame ar			HES MARK	and the last			ELD		1, 2, 1			-						
	0165 W hone N					(5 6/	851		Email	addra	ee: io	noh@e	andya	creello	com	-1.84		-	
	lame ar					orresn	onder	t JAC			A STATE OF THE PARTY OF THE PAR		anuya			No.			
	0165 W							it. <u>0710</u>	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,								10-		
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C	wner o	f Land -	NA	ME:	SAND	YHILL	ENTE	RPRIS	SES LI	_C J	ACOB	NEUF	ELD	PLUM				Taulby	
				ESS:								1			77.74				
(1	f there is	more th	an one	landow	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)		En-			La la			
				NE	E1/4			N	N1/4			SV	V¼			SE	1/4		TOTAL
Sec.	Twp.	Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4		NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	
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	this ap	nlication	n is for	a char	nge in	nlace	of use	it is n	ronose	ed that	the nl	ace of	use he	chan	aed to		9		
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	f there is	more th	an one	landow	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
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(I	Twp.	ra Ilsa	Only	Code		Fo	0 \$ 70	00	TR	#		Re	ceint	Date	8/31	lie.	Char	v # 3	751

5.	Presently authorized point	nt of diversion:			
	One in the	Quarter of the	La Latination	Quarter of the	Quarter
		, Township			
	in	_ County, Kansas,	feet North	feet West o	f Southeast corner of section.
		Authorized Quantity			
		er ID No GPS			
		ged This point will be changed			
1		ion: (Complete only if change			
		Quarter of the			
	of Section	, Township	BERNING ST	South Range	(EAA)
	in .	County, Kansas,	foot North	foot West o	f Southeast corner of section
		Proposed Quantity			
L	This point is. Additional	Well Geo Center List oth	ier water right	s that will use this poil	11
Г	Presently authorized poin	at of diversion:			
5.	The state of the s	Quarter of the		Quarter of the	Quarter
		, Township			
	Authorized Date	County, Kansas,	reet North	Death of well	Southeast corner of section.
	Authorized Rate	Authorized Quantity		Depth of well	(feet)
		er ID No GPS			
1		ged This point will be changed			
		ion: (Complete only if change			
		Quarter of the			
		, Township			
1		County, Kansas,			
	Proposed Rate	Proposed Quantity	Hall Hall Hall	Proposed well dept	h (feet)
		Well ☐ Geo Center List oth			
	(please be specific) overlap of adjoining pivots.	No change to water wells.	300	200 100 Nort	th 100 200 300
	If a well, is the test hole log a	attached? Yes No	200	1+1+1=	- + + = 200
	The change(s) (was)(will be)	completed by?	E	-	
	At approval of application		100	1+1+1=	1 + 1 + 1 = 100
	- A approval of approacion		E		
0.	If the point of diversion is a v	vell:	E	E TOTAL OF THE	
	(a) What are you going to d	o with the old well?	West 0	dan mlan mlan	
			E	=	
	na		E	1+1+1	1 1 1 1 1
	(b) When will this be done?		100		
1.	Groundwater Management D	District recommendation attached?	200	- - - - - - - - - - - - - - - - - - - -	
2.	Assisted by tpm	HOUSE BARRIES	300 ETT	<u>diududududu</u> ∓i 200 100 0	100 200 300
3a	feet but within 2,640 feet of the a topographic map or aeri sources, show all wells (inclu of the proposed point of divaddresses of the owners. Finames and addresses of	sion will be relocated more than 30 me existing point of diversion, attacal photograph. For groundwat adding domestic) within one-half mit or surface water sources, show the landowner(s) one-half mit mile upstream from your proper	ch 13b.If the per of the diagral diversine above	roposed point of diversi existing point of diver m shown above in ron. (PLEASE NOTE: represents the po	th Scale: 1 hashmark=10 ft

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

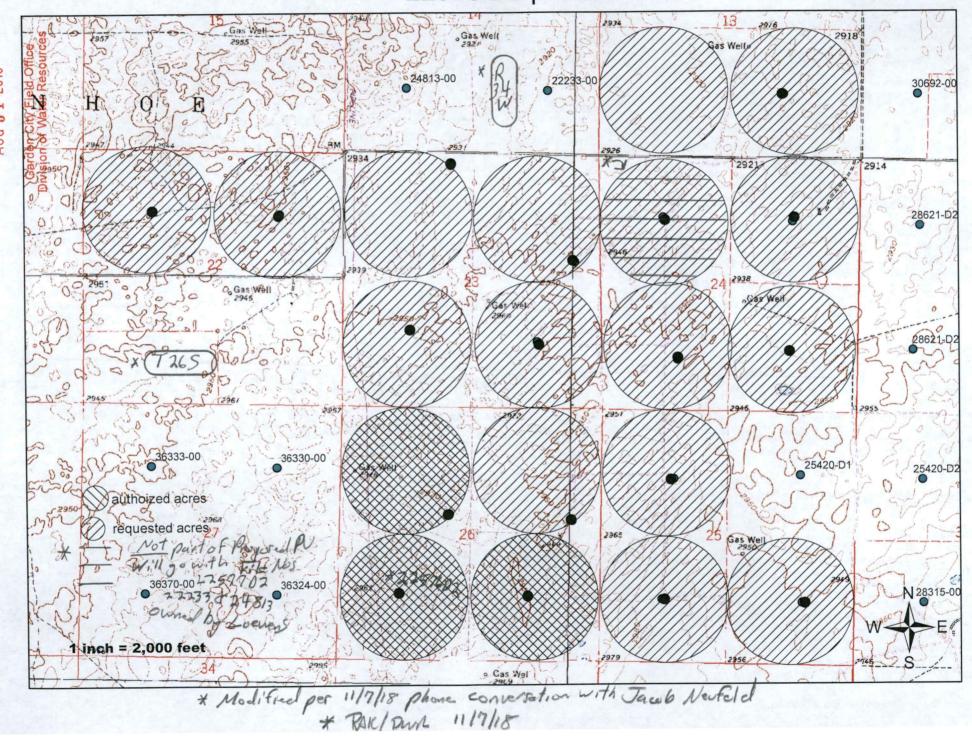
FILE NO. 22576 D2
MAKE ADDITIONAL COPIES AS NECESSARY

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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	NW1/4	SW1/4	SE1/4	ACRES
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	1196					317													
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0	wner o	f Land -		ESS:							Marine.		L Jane	ED.				3 14 5	
														100					
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ec.	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	
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									, 4	24.5		1					- 11-		
C	ontinue	ed: If th	is app	lication	is for	a chai	nge in	place	of use,	it is p	ropose	d that	the pla	ace of	use be	chang	ged to		
C	ontinue wner o	f Land -	NA	AME:	SAND	YHILL	ENTE	RPRIS	SES LI	_C JA	COB	NEUF	the pla	ace of	use be	chang	ged to		
C	ontinue wner o	f Land -	NA	licatior AME: ESS:	SAND	YHILL	ENTE	RPRIS D H	SES LI	_C JA	COB	NEUFI 1	ELD	ace of	use be				
0	wner o	f Land -	ADDR	AME: ESS: NI	SAND 10165	YHILL W RI	ENTE VER R	RPRIS D HO	SES LI OLCOI	LC JA	6785	NEUFI 1 sv	V¼			SI	Ξ½		
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22576 D2 place of use



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File No.

14. If t	he proposed groundwater point of diversion is 300 or fewer fe	Garden City Field Office et from the existing point of diversion, complete the following esource:
	Does the undersigned represent all owners of the currently Yes No (If no, all owners must sign this	authorized place(s) of use identified in this application?
(b)	Will the ownership interest of any owner of the currently a affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this	uthorized place(s) of use identified in this application be adversely application.)
(c)	If this application is not approved expeditiously, will there be ☐ Yes ☐ No (If no, all owners must sign this a	e substantial damage to property, public health or safety? application.)
or a cha		on, a groundwater change in point of diversion greater than 300 feet, ners of the currently authorized place of use, or their duly authorized
age ar	d the owner, the spouse of the owner, or a duly au	firmation and under penalty of perjury, that I am of lawful thorized agent of the owner(s) to make this application on application pertains. I further verify that the statements te.
Dated a	st Sublette, Kansas,	this 30th day of August ,2018.
X	ATT.	× Margarether Rocery
	(Owner)	(Spouse)
	(Please Print)	Margaritha Loewen (Please Print)
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
	f Kansas of 10 Skell	
	reby certify that the foregoing application was signed	in my presence and sworn to before me this 30th day
s. 444	STATE DEBBIE RINEHART	Rephie Rinchart
My Con	nmission Expires My Appl Exp. 2-20	Notary Public
ONLY C	OMPLETE APPLICATIONS WILL BE PROCESSED. To be completed	e, all of the applicable portions of the application form must be completed with
	information; maps, if necessary, must be included; signatures of all opriate fee must be paid.	the appropriate owners' must be affixed to the application and notarized; and
	FEE SCH	IEDULE
	oplication to change the place of use or the point of diversion the schedule below: Make checks payable to: Kansas Depa	under this section shall be accompanied by the application fee set
	(1) Application to change a point of diversion 300 feet or les	s\$100
		0 feet

Page 3

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

14. If th	ne proposed groundwater point of diversion is	300 or fewer feet from	the existing point of diver	sion, complete the following:
(a)	Does the undersigned represent all owners Yes No (If no, all owners	of the currently authori must sign this applica	zed place(s) of use identifition.)	RECEIVED
	[1] [1] [1] [1] [2] [2] [3] [3] [4] [4] [4] [4] [4] [4] [4] [4] [4] [4	quested? s must sign this applica	ation.)	AUG 31 2018
(c)	If this application is not approved expeditiou ☐ Yes ☐ No (If no, all owners	sly, will there be subst must sign this applica	antial damage to property tion.)	Garblich City Field Office Vision of Water Resources
or a cha	pplication proposes a surface water change in unge in place of use, the application must be attach notarized statement authorizing represe	signed by all owners of	roundwater change in poir f the currently authorized p	nt of diversion greater than 300 feet, place of use, or their duly authorized
age an their b	by verify, being first duly sworn upon d the owner, the spouse of the owner, ehalf, in regards to the water right(s) ned in this application are true, correc	or a duly authorize to which this appli	ed agent of the owner	(s) to make this application on
Dated a		, Kansas, this	day of	, 20
,	(44)			
×	Med (Ourner)			(Chausa)
	(Owner)			(Spouse)
	(Please Print)	-	(PI	ease Print)
		<u> </u>	Mary Constitution	an arthurship a
	(Owner)			Spouse)
	(Please Print)		(PI	ease Print)
	(Owner)			Spouse)
	(Please Print)		(PI	ease Print)
State of	Kansas of Funney			
of _Q	eby certify that the foregoing application, 20 18	was signed in my	presence and sworn	to before me this 31 day
	SUE KEENY		Due Keen	M /
My Com	My Appointment Expires June 8, 2022		Nota	ary Rublic
ONLY CO	information; maps, if necessary, must be included;	To be complete, all of signatures of all the appr	the applicable portions of the opriate owners' must be affixed	application form must be completed with ed to the application and notarized; and
the appro	priate fee must be paid.			
		FEE SCHEDULE		
Each ap forth in t	plication to change the place of use or the po he schedule below: Make checks payable to	int of diversion under to Kansas Department	his section shall be accom	panied by the application fee set
	1) Application to change a point of diversion	300 feet or less		\$100
	Application to change a point of diversionApplication to change the place of use	more than 300 feet	******************	\$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, 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. 22576 D2 change application was received on _____ 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. A change application was received on 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 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 The point(s) of diversion authorized herein shall not actually be located more than authorized point(s) of diversion.

Applicable
Not Applicable feet from the previously 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 ☐ 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 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. 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 By: Duly Authorized Designee of the Chief Engineer 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. (Print Name): Division of Water Resources - Kansas Department of Agriculture 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. Date of Issuance: State of Kansas SS For Use by Register of Deeds County of Acknowledged before me on by Signature: _ Notary Public My commission expires: (Notary Seal)

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File No. ___