Kansas Department of Agriculture Division of Water Resources

CHANGE: P/U WORKSHEET

1. File Number: 22576-D3	2. Status Change Date:	3. Change Num:	4. Field Office:	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 <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 & 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 1 SES LLC	8d. WUC New to sy	ostem □	Person IDAdd Seq#
9. Documents and Enclosure(s): DV	VR Meter(s) Date to Comp	ly:	N & P Date to	Comply:
☐ Anti-Reverse Meter ☐ Meter☐ ☐ Conservation Plan Date Requir☐		□ N & P Form		Oriller Copy
10. Use Made of Water From:		To: _	1	
			Date Prepared: 12/03 Date Entered: にしい	

File No. 225	76-I	D3	11.	County:	FI	Bas	sin: AF	RKANS	SAS R	RIVER			Stre	eam:							F	ormation Co	de:	Special Use:
12. Points of Dir CHK MOD DEL PDIV ENT		alifier		S	т	R	ID	,	N	ʻW		Comn	nent (A	NKA Lii	ne)	F			-		Ad Rate			Overlap PD Files
NO CHANGES		1														gp.	HII/CIS	aı	iligy		gpili/c	15 al/III	gy C	overlap PD Files
	2						3				Man S			il.										
																	77					77 (6)		
	-						Ä,			Winds.							H						3 . E	
13. Storage: Ra	te			N	F	Quar	ntity		V			ac/ft	Add	ditional	Rate					_ NF	Addi	tional Quan	ity	ac/ft
14. Limitation:																								
Limitation:				af/yr at					jpm (_			cf	fs) whe	en com	bined	with fil	e num	ber(s)						
15. 5YR Allocation	on:	Allocat	tion Type	e	Sta	rt Year			5 YR	Amou	nt	_	Amou	nt Unit		Ba	ase Ac	res _		Cor	nment _			
16. Place of Use CHK	9				4	NE	1/4			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-D	A; 225	22576-D2; 22576-D3 ; 76-DB; 22577-D1; 50; 28620; 29855-D1;
ENT 29974	13	26	34W	1									32.00	32.00	32.00	32.00	32.00	32.00	32.00	32.00	256.00	8B	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									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
					1		140										No.					-	-	
Base Acres: Comments:		Yea	ır:	Mi	nimum	Reas	onable	Quan	tity:															

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 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

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 WATER RIGHT FILE NO. 22,576-D3



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 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, by the Order of the Chief Engineer dated March 27, 2015, approving the application to change the place of use, and by the Order of the Chief Engineer dated October 29, 2018, 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:

				NI	E1/4			NV	N1/4	1. 4/4		SV	V1/4	1		SI	Ε1/4		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	NW1/4	SW1/4	SE1/4	ACRES
13	268	34W	3680				2005			- 3	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						ATT	14 To		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.

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.

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-D3, 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:

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

Ordered this Theday 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

SATE OF

NOTARY

PUBLIC

The foregoing instrument was acknowledged before me this 17 day of 2018, by Lane P. Letourneau P.C., 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 December , 2018, I hereby certify that the attached Approval of Application for the Change in Place of Use, File No. 22,576-D3, dated December 174-3018 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

4 -- -- -- --

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>

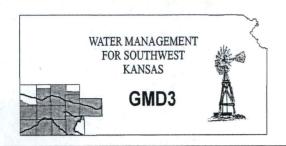
Subject: Request for Recommendation Change in PU File No. 16157 et al Sandyhill Enterprises LLC (Jacob Neufeld);

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: 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

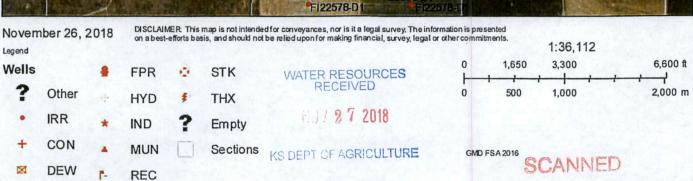
WATER RESOURCES
RECEIVED
NOV 2 7 2018
KS DEPT OF AGRICULTURE



DOM

PU changes







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:

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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	2233, 22576D2, 22576D3, 22576D	A, 22576DB, 22577D1,
	24813, 28620, 29855D1 & 30157.	DWR office: HQ/GC.
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 of	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.		
Both needed to then separa	te ground to then be completely ov	erlapped in place of
used between the two owner	rs, Loewen & Neufeld.	
	e overlap on WRs: 22233, 22577D	
	feld) will have place of use overlap	
20890, 22576D2, 22576D3, 2	22576DA, 22576DB, 22577D1, 225	78D2, 24050, 29855D1
& 30157.		
Is a waiver needed: No.		
	er review of all available information	
	a rules. Staff therefore recommends	approval of the
applications, division and red	uctions.	

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

Krueger, Richelle [KDA]

From:

Meyer, Mike [KDA]

Sent:

Monday, October 29, 2018 1:54 PM

To:

Krueger, Richelle [KDA]; Ireland, Leslie [KDA]

Subject:

22586 D3 and 28620

22596 03 ? Need to check

Good afternoon

Just an fyi, I will be approving today some short move change in pd for these files. There are PU changes in your office that is pending..

fyi

Mike

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 UM

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.

		1400 0	f use.				-										Opm	
						File No	. 22	576 D3	3							AUG :	3 1 20	018
								1 - 7 - 1				3 8 3		-	Gard	en Cit	y Field	Office
Applica	ation is he	reby n	nade f	or app				ngine					ne or b	oth):	IVISIO	n or w	ater R	esource
					L. E. D.	lace o			_		of Dive							
under	the water	right v	hich is	s the s	ubject	of this	applic	ation i	n acco	rdance	e with t	the cor	ndition	s desc	ribed b	pelow.		
The so	ource of su	apply is	s:		⊠ G	Fround	water			Surfac	ce wat	er						
Name	and addre	ess of	Applica	ant: J	АСОВ	NEUF	ELD											
	WRIVER												4 36	17 1174		TOWN.		1 45%
Phone	Number:	(620)	271-82	283		50 E		Email	addre	ss: jac	cob@s	andya	cresllc	.com				
Name	and addre	ess of	Water	Use C	orresp	onden	it: JAC	COB N	EUFE	D		PAT						
10165	WRIVER	RD	HOLC	OMB I	KS 67	851			Marine Land				37.4					
Phone	Number:	()	200				Email	addre	ss:					400			100.00
The pr	esently at	uthoriz	ed pla	ce of u	ise is:													
Owner	of Land -		200		A PARTY OF THE PAR	The state of the s	1000		19-19			ELD						
					WRIV						1		1,4					
(If there	is more th	an one	landov	vner, at	tach su	ppleme	ental sh	eets as	neces	sary.)						ure is		- 1 TV 18-
			NE	E1/4			NV	V¼			SV	V¼	200		SE	=1/4		TOTAL
ec. Tw	o. Range	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACKE
26 26	34w			E		34	34	34	34	34	34	34	34	34	34	34	34	408
																		CALACE.
If this	application of Land -									the pl	ace of	use be	e chan	ged to			A.Z.	
		ADDRI					110				150						6 1 1	*
Owner	I 41-	an one			tach su	ppieme		V¼	neces	sary.)	CV	V¼			SI	-1/		TOTAL
Owner	is more th		INE	E1/4	SE1/	NE1/4	T	SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	NE1/4		SW1/4	SE1/4	ACRE
Owner		NE¼	NW1/4	SW1/4			HATE!					. 4						
Owner		NE¼	NW1/4	SW1/4	OL/4								77		17.55.11			77 12 (6.7
Owner		NE¼	NW¼	SW1/4	OL/4					HAR S	1 + 135h	La mile			1.00	1		
Owner		NE¼	NW¼	SW¼	OL/4							10 T	Tool					
Owner		NE¼	NW¼	SW¼	OL/4													
Owner (If there	o. Range													Olas	1.0			
Owner (If there						e \$_Z	00	_ TR	#		Re	eceipt	Date_	8/31	118	Chec	k#_3	751

5.	Presently authorized point of diversion:	E TO SE	THE RESERVE	Controller equitorise	a lib begin a
	One in the Quarter of the		Quarter of the	the state of the state of	_ Quarter
	of Section, Township		South, Range		(E/W),
	in County, Kansas, fe	eet North _	feet West	of Southeast corner o	f section.
	Authorized Rate Authorized Quantity	A Section	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	s follows:	No change, point bett	er described with GPS a	s follows:
	Proposed point of diversion: (Complete only if change is	s requeste	ed or if existing poin	t is better described	by GPS)
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township				
	in County, Kansas, fe				
	Proposed Rate Proposed Quantity		Proposed well de	pth (feet)	
	This point is: Additional Well Geo Center List other				
		NI NAME		Charles and their allega	projection (see)
6.	Presently authorized point of diversion:				
	One in the Quarter of the		Quarter of the		Quarter
	of Section, Township				
	in muces is to horse. County, Kansas, fe				
	Authorized Rate Authorized Quantity				
	(DWR use only: Computer ID No GPS _		feet North	feet West	
	☐This point will not be changed ☐This point will be changed as	s follows:	No change, point bette	er described with GPS as	follows:
	Proposed point of diversion: (Complete only if change is				
	One in the Quarter of the				NAME OF TAXABLE PARTY.
	of Section, Township				
	in County, Kansas, fe				
	Proposed Rate Proposed Quantity				
	This point is: Additional Well Geo Center List other				THE RESERVE THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED I
L	This point is. A reduction to the Cost Contain Electronia	water right	no triat will add trill pe		
7.	The changes herein are desired for the following reasons?				
	(please be specific)		200 100 No	orth	
	overlap of adjoining pivots. No change to water wells.	300	200 100	100 200	300 ITU
		E		<u> </u>	3
8.	If a well, is the test hole log attached? Yes No	E			3
0.	in a man, to the test hole log attached.	200	-1 + 1 + 1 -	틀ᅦᆠᅦᆠᅦ	200
9.	The change(s) (was)(will be) completed by?	E			=
	At approval of application	100	-1 + 1 + 1 -		100
	The second secon	E			1
10.	If the point of diversion is a well:	E			1
	(a) What are you going to do with the old well?	West 0	#ifun un un un un un	X uduu uu uu uu e	H 0 East
		E			=
	na	100	11111		100
	(b) When will this be done?	100			3100
		F		 - + + + + + +	=
11.	Groundwater Management District recommendation attached?	200	-1+1+1-	= 1 + 1 + 1	200
	☐ Yes ☒ No	E			1
		E		‡antanlantanlanta	3
12.	Assisted by tpm	300		0 100 200	300
130	. If the proposed point of diversion will be relocated more than 300			outh Scale: 1 hashmark=1	0 ft
Isa	feet but within 2,640 feet of the existing point of diversion, attach	13b.If the	proposed point of diver-	sion will be relocated wi	thin 300 feet
	a topographic map or aerial photograph. For groundwater	of the	e existing point of dive	ersion, indicate its loca	ation on the
	sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing	divers	sion. (PLEASE NOTE	relation to the existing: The "X" in center	of diagram
	addresses of the owners. For surface water sources, show the	above	e represents the	presently authorized	point of
	names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property	diver	sion.)		
	lines				

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

SUPPLEMENTAL SHEET

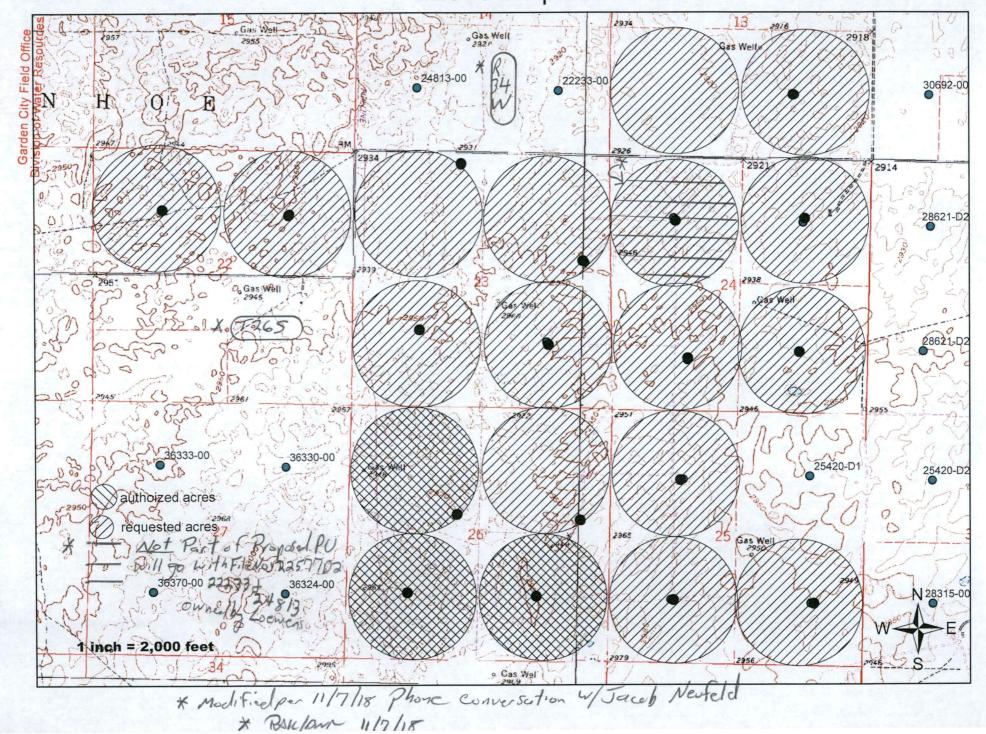
FILE NO. 22576 D3 MAKE ADDITIONAL COPIES AS NECESSARY

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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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- 1				NI	T1/			NI)	N/1/			CI	V1/4	-		CI	Ξ1/4		TOTAL
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sec.	TWP.	Kange	INE/4	NVV 74	SVV 74	SE/4	INE/4	INVV74	3VV/4	3E/4	INE/4	INVV/4	3VV/4	SE/4	INE/4	INVV/4	300/4	SE/4	
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			TOOK	L00.										71.1		(5 k)			
				NE	Ε1/4	7.7		NV	N1/4			SV	V1/4				=1/4		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	NW1/4	SW1/4	SE1/4	ACKE
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					The second							2 1 1 1				The second second	70.000		
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		f Land -	NA	AME: ESS:	SAND 10165	YHILL	ENTE	RPRIS D H	SES LI OLCOM	_C JA	COB	NEUFI 1	ELD	ace of	use be				TOTAL
0	wner o	f Land -	ADDRI	AME: ESS:	SAND 10165	YHILL W RIV	ENTE /ER R	RPRIS D HO	SES LI DLCOM	_C JA	6785	NEUFI 1 sv	ELD V¼			SE	Ξ1/4		
O Sec.		f Land -	NA	AME: ESS:	SAND 10165	YHILL	ENTE	RPRIS D H	SES LI OLCOM	_C JA	COB	NEUFI 1 sv	ELD V¼		use be		Ξ1/4		
O Sec. 22	Twp.	Range 34w	NE1/4	NW1/4	SAND 10165 =½ SW½ 34	YHILL W RIV SE1/4 34	ENTE /ER R NE¼ 34	RPRIS D HO NW1/4 34	SES LI DLCOM V/4 SW/4 34	SE1/4	6785 NE1/4	NEUFI 11 SV NW1/4	V1/4 SW1/4	SE1/4	NE1/4	SE NW1/4	E ¹ / ₄ SW ¹ / ₄	SE1/4	ACRES
O sec. 22	Twp. 26 26	Range 34w 34w	ADDRI	NW1/4	SAND 10165 =1/4 SW1/4	SE1/4 34 34	ENTE /ER R	RPRIS D HO NV NW1/4	SES LI OLCON	C JAMB KS	6785	NEUFI 1 sv	V1/4 SW1/4			SE	SW1/4 34		272 544
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O Sec. 22 23 24	Twp. 26 26 26	Range 34w 34w 34w f Land -	NE½ 34 34 34 34	NEESS: NEESS: NEW1/4 34 34 34 34 34 AME:	SAND 10165 5 8W% 34 34 34 34 34 SAND 10165	YHILL W RIV SE¼ 34 34 34 34 YHILL	ENTE /ER R NE½ 34 34 ENTE	NW NW 34 34 34 RPRIS	SES LIDLCOM N/4 SW/4 34 34 SES LIDLCOM	SE1/4 34	0785 6785 NE1/4 34 34 ACOB	NEUF 1 Sv NW1/4 34 34 NEUF 1	SW1/4 SW1/4 34 34 ELD	SE1/4	NE1/4 34	SI NW1/4 34 34	SW1/4 34 34	SE1/4	272 544 408
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O Sec. 222 23 224 O	Twp. 26 26 26 wner o	Range 34w 34w 34w f Land	NE½ 34 34 34 34	NEESS: NEESS: NEW1/4 34 34 34 34 34 AME:	SAND 10165 54 8W% 34 34 34 34 SAND 10165	YHILL W RIV SE% 34 34 34 34 YHILL	NE½ 34 34 ENTE/ER R	NW/4 RPRIS D HO NW/4 34 34 34 RPRIS D HO NW/4	SES LIDLCOM WWW 34 34 34 SES LIDLCOM WWW SWWW SWWW	SE¼ 34 34 C J/MB KS	NE1/4 34 34 ACOB 6785	NEUFI 1 SV NW¼ 34 34 34 NEUF 1	SW1/4 SW1/4 SW1/4 SW1/4 SW1/4	SE1/4 34 34 SE1/4	NE½ 34 34 NE½	SE NW1/4 34 34 SE NW1/4	34 34 34 34 SW1/4	SE½ 34 34 34	272 544 408 TOTAL
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22576 D3 place of use



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14. If th	ne proposed groundwater point of diversion is 300 or fewer feet fr	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 appli	orized place(s)/of used dentified Inchis application?
(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 app	
(c)	If this application is not approved expeditiously, will there be sul ☐ Yes ☐ No (If no, all owners must sign this appli	
or a cha	oplication proposes a surface water change in point of diversion, ange in place of use, the application must be signed by all owners attach notarized statement authorizing representation).	a groundwater change in point of diversion greater than 300 feet, s of the currently authorized place of use, or their duly authorized
age an	by verify, being first duly sworn upon my oath or affirm of the owner, the spouse of the owner, or a duly author ehalf, in regards to the water right(s) to which this application are true, correct and complete.	ized agent of the owner(s) to make this application on
Dated a		30th day of August, 2018.
Dated a	OUDIENE, Kansas, tris	
XC	This	× Margarethe Boewen
Liter	(Owner)	(Spouse)
	Johan Loewen	Margaritha Loewen
	(Please Print)	(Please Print)
	(Owner)	(Spouse)
	(Please Print)	(Please Print)
-	(Owner)	(Spouse)
	(Please Print)	(Please Print)
State of		
County	of Haskell ss	
of Au	eby certify that the foregoing application was signed in	my presence and sworn to before me this 30^{12} day
	DEBBIE RINEHART	Dohhi Di akat
M. C	My Appt. Exp.	Notary Public
My Com	imission Expires 10 12-20 .	
ONLY CO	DMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all information; maps, if necessary, must be included; signatures of all the a	of the applicable portions of the application form must be completed with
	priate fee must be paid.	opropriate owners. Thus, be alliked to the application and notalized, and
	FEE SCHEDU	JLE
	plication to change the place of use or the point of diversion under	
	he 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 feet	\$200
	(3) Application to change the place of use	\$200

14. If the proposed groundwater point of diversion is 300 or fewer feet fr	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 appli	
 (b) Will the ownership interest of any owner of the currently authoral affected if this application is approved as requested? ☐ Yes ☐ No (If yes, all owners must sign this application) 	AUG 3 1 2018
(c) If this application is not approved expeditiously, will there be sul ☐ 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 apcontained in this application are true, correct and complete.	rized agent of the owner(s) to make this application on
Dated at, Kansas, this	day of, 20
(AH)	11-9-111
(Owner)	Agantha neight
(Owner)	(opodeo)/
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas SS	
County of Finney	and the same transfer that the same property
I hereby certify that the foregoing application was signed in of	my presence and sworn to before me this 314 day
SUE KEENY	Due Keemy
My Commission France My Appointment Expires	Notary Public
My Commission Explicated June 8, 2022	
<u>ONLY COMPLETE APPLICATIONS WILL BE PROCESSED</u> . To be complete, all accurate information; maps, if necessary, must be included; signatures of all the a the 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
FEE SCHEDU	II E
Each application to change the place of use or the point of diversion under	
forth in the schedule below: Make checks payable to: Kansas Departm	ent 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 fee	t
(3) Application to change the place of use	\$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 the Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq., and rules and regulations promulgated thereunder, with the exception of the Conference of File New 2005 CO. limitations of File No. 22576 D3 A 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. 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 ______ foot 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 K.A.R. 5-6-13.

Applicable Not Applicable 7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2018, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
Applicable
Not Applicable 8. Installation of the works for diversion of water shall be completed on or before December 31, 20____, or within any authorized extension of time. By March 1, 20____ the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. ☐ Not Applicable ☐ 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, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of SUMMARY ORDER ISSUED 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)

Page 4

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

File No.