## STATE OF KANSAS

DEPARTMENT OF AGRICULTURE DIVISION OF WATER RESOURCES GARDEN CITY FIELD OFFICE 2508 JOHNS STREET GARDEN CITY, KS 67846-2804



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

# GOVERNOR JEFF COLYER, M.D. JACKIE McClaskey, Secretary of Agriculture

April 4, 2018

THE GARDEN CITY CO PO BOX 597 GARDEN CITY KS 67846

RE: Water Right 26393

Dear Mr. Dumler:

This is to advise you that the Cross Bell Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens

Environmental Scientist III

pc: GMD#3

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GOVERNOR JEFF COLYER, M.D.

JACKIE McClaskey, Secretary of Agriculture

April 4, 2018

HENRY D BENTRUP FARMERS NATIONAL CO PO BOX 1075 DIGHTON KS 67839

RE: Water Right 26393

Dear Mr. Bentrup

This is to advise you that the Cross Bell Farms has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced application.

You can find the complete application posted by water right file number as referenced above at www.agriculture.ks.gov/divisions-programs/dwr/water-appropriation/notices

You are notified on this proposed change in point of diversion so that you may furnish this office with any comments or other information you may want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free to call this office. If you would prefer, an appointment could be arranged for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

Thomas P. Makens Environmental Scientist III Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

# **DWR FIELD OFFICE APPLICATION FOR APPROVAL** TO CHANGE THE PLACE OF **USE AND/OR THE** POINT OF DIVERSION

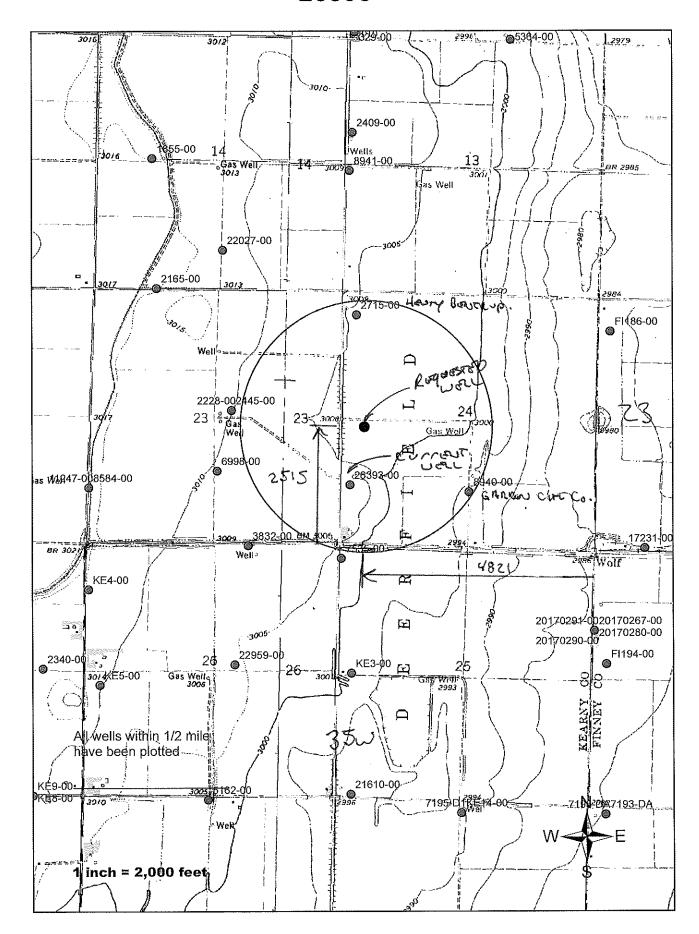


### STATE OF KANSAS

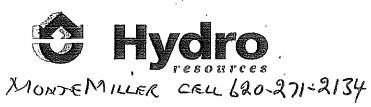
Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed

				piace			1										REC	EIVE	Ð
						F	ile No.	26393	3										
. #	Application is hereby made for approval of the Chief Engineer to change the (check one or both):												1	APR 02 2018					
	☐ Place of Use ☐ Point of Diversion												,	Garden City Flow					
	Division of the water right which is the subject of this application in accordance with the conditions describe													ivision	elbW≊	iter Re	OIIICE Sources		
	The sour						round				Surfac								
•	ne soui	CE OI SU	рріў із	٠.		<u> </u>	ound	vator			Odijao	o man							
. 1	Name ar	ame and address of Applicant: CROSS BELL FARMS																	
	411 ROAD Y DEERFIELD KS 67838																		
		Phone Number: <u>(620)271-2134</u> Email address:																	
1	Name ar	d addre	ss of \	<i>N</i> ater	Use C	orresp	onden	t: <u>CRC</u>	OSS BI	ELL F	<u>ARMS</u>								
_	2411 RO																		
	Phone N								Email	addres	ss:								
	The pres	•																	
(	Owner of Land NAME: CROSS BELL FARMS  ADDRESS: 2411 ROAD Y DEERFIELD KS 67838																		
,	96 ()			•															
(	If there is	more to	an one			acn su	ppieme			Heces:	sary.)				T				TOTAL
			NE%			NW:			1			V¼ SW¼ SE¼		SE¼ NE¼ NW¼ SW¼			TOTAL ACRES		
Sec.	Twp.	Range	NE¼	NW¼	SW¼	SE1/4	NE¼	NW¼	SW1/4	SE¼	NE¼	NVV%	SW¼	SE/4	1915.74	140074	377/4	35/4	
																			1,000
				****															
. 1	If this ap	nlication	ı ie for	a cha	nae in	nlace	of use	it is n	ronose	ed that	the pla	ace of	use be	e chan	aed to	:			
	Owner o										p								
	O 11O. O							-											
(	(If there is								eets as	neces	sary.)								
			NE%			NW¼			SW¼			SE¼			TOTAL				
Sec	. Twp.	Range	NE1/4		1	SE1/4	NE¼	NW1/4	SW1/4	SE¼	NE¼	NW¼	SW¼	SE¼	NE1/4	NW1/4	SW1/4	SE1/4	ACRES
		4./***																	
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				<u> </u>		<u>L</u>	<u> </u>	<u> </u>		<u> </u>	IL			I	JI	· <del></del>		<del>'</del>	
							っ	(Y)							4/01	/ 18	~·		12A
	For Offi	ce Use	Only:	Code		Fe	e \$ <u></u>	<u></u>	_ TR	#		Re	eceipt	Date_	1/2/	10	Chec	:К# <u>/</u> `	* ~ O



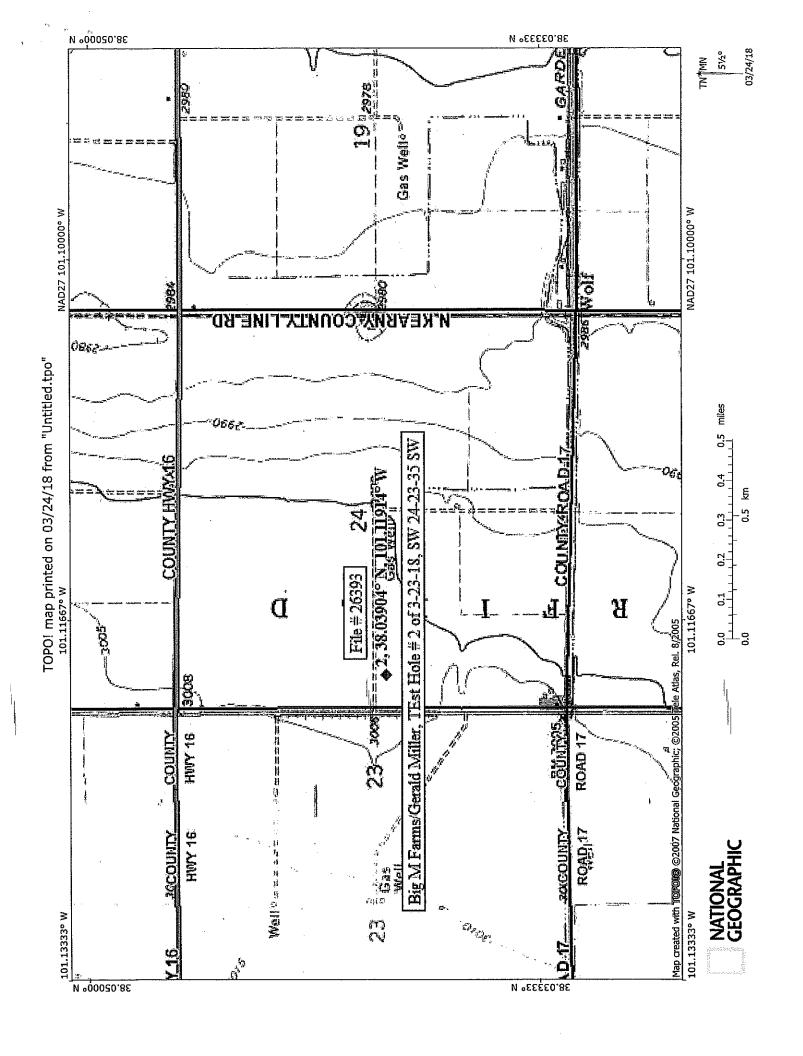
3795 W. Jones Ave. Garden City, KS 67846 PH: 620-277-2389



PO Box 639 Garden City, KS 67846 Fax: 620-277-0224

Customer	Name:	Bin M Farms/G	erald Mille	v	WO#:	13466	Date: 3	3-23-18
Street Add		2201 CENT			Test #:		E LOG:	Yes
City, State	): '	GARDENCILL				Dale Gu	inn	
County:	Kearny	Quarter: SW	Section:	24	Township:	23	Range:	<i>35</i>
Location:				GPS:	N38.0390	04 W101,	11914	
Rig#:	10002		Elevation: 3	006'	Static WL:	169'	Estimated?	
<del>-</del>					Proposed W	ell Depth	_386 <u> </u>	
				hand be a second	: : <b>: :</b> : : : : : : : : : : : : : : :	**************	0 10	

Rig#:	10002	?	_	Elevation: 3006' Static WL: 169' Estimated?
<del>-</del>				Proposed Well Depth へんと
				WIELL LUCATION 201 SUAR
		Footage		
%	From	Pay	То	Description of Strata
	0		2	Too Soil
	2		40	Brown Sandy Clay
	40		60	Sand fine to med convse some small gravel
	60	<u></u>	73	Sand fine to med course some small grove I wifew clay leadings
	73		91	Brown Clay
	91.		102	Sand fine to meed
	102		118	Fine Sand w/Some clay ledges Sand fine to med some course
	118 :		127	Sand fine to med some course
	127		140	Brown Clay
	140	<u> </u>	165	Gray Clay
	165		192	Brown Clay
10	192	8	200	Fine Sand w/few clay stringers
25	200	10	210	Sand fine to med course few small gravel
	210		224	Brown Clay
/5	224	12	234	Sand fine to med w/some clay stringers
25	236	26	262	Sand fine to med course small gravel
10	262	8	270	Sand fine to med w/some clay stringers of few line rock strips
	270		283	Brown Clay
10	283	14	277	Brown Clay Fine Sand w / few clay stringers
15	297	35	332	Sand fine few med w/ few alay ledges
	332		337	Brown Sundy Clay
5	337	4	34/	Brown sandy clay w/ many sand strips
3 <i>0</i>	342	14	356	Sand fine to med course w/Tan Rock
5	356	10	366	Soupstone & Sundstone w/some rock ledges
	366		380	Black Shale ulfew Gody Soopstone
				Super Gel X -1
				Gront -2
				Brut. Play 3/4 -6 Perma Play -1
				Prima Place -1
			j	
				7/797
				<u> </u>



# 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. 82</i> h the exception of those conditions expressly contained by limitations of File No. 26393	2a-701 et. se	eq., and rules a	nd regulatio	ns promulgated	thereunder,
1.	A change application was received on diversion authorized under the above-referenced file nu	ımber be cha	requestin anged as descril	g that the poed in the a	lace of use and pplication.	/ or point of
2.	On and after the effective date of this summary order, the on the topographic map accompanying the application	e authorized to change th	place(s) of use e place of use.	shall be loc ☐ Applicab	ated substantial le □ Not App	ly as shown dicable
3.	The change in point of diversion shall not impair existing previously authorized. The point of diversion authorize radius of the authorized point(s) of diversion. ☐ Applic	d by this sun	nmary order sha	the same so Il be located	ource or sources d within a <u>300</u>	of water as foot
4.	The point(s) of diversion authorized herein shall not actua authorized point(s) of diversion.   Applicable	lly be locate Not Applicat	d more than	· · · · · · · · · · · · · · · · · · ·	feet from th	e previously
5.	As required by K.A.R. 5-3-5d, if the works for diversion tube or other device suitable for making water leve accordance with K.A.R. 5-6-13.	el measurer	ments shall be	e of 100 ga installed, o	llons per minute perated and m	e or more, a aintained in
6.	The owner of the authorized place(s) of use shall December 31, 2018, or before the first use of water operated and maintained in accordance with K.A.R. 5 and K.A.R. 5-3-5e, the owner shall maintain records ar water diverted annually to the Chief Engineer by March Applicable    Not Applicable	r, whichever -1-4 through nd report the	occurs first. I 5-1-12. As red reading of the v	he water flo quired by K. vater flow m	ow meter shall so.A. 82a-732, a eter and the total	be installed, s amended,
7.	Installation of the works for diversion of water shal authorized extension of time. By March 1, 20 <u>19</u> the ap for diversion has been completed, on the form provided ☐ Applicable ☐ Not Applicable	oblicant shall	l notifv the Chief	Engineer th	nat construction	r within any of the works
8.	The completed well log shall be submitted with the re	quired notic	ce. 🗌 Appli	cable [	] Not Applicable	
9.	All diversion works into which any type of chemical or oth- with an in-line, automatic, quick-closing check valve ca check valve(s) shall be installed, operated and main Applicable	pable of pre	venting pollutior	າ of the sour	ce of the water	supply. The
10.	Additional Conditions are attached.					
11.	In accordance with K.S.A. 82a-708a, as amended, and I water appropriated under the above-referenced file nu limitations, as amended and/or supplemented by this S Appropriation Law and the Rules and Regulations procesult in civil penalties pursuant to K.S.A. 82a-737, as water or appropriation right or any other enforcement as	umber are re Summary Ore mulgated th amended, a	esponsible for co der, and with ap ereunder. Failu .nd/or the suspe	mpliance w plicable pro re to compl	rith its terms, co visions of the <i>Ki</i> y with these pro	nditions and ansas Water visions may
;	Administrative Appeal and Effective Date of Order			OR OFFICE U		
lf vo	ou are aggrieved by this order, pursuant to K.S.A. 82a-1901,				PROVED AN	<u>D</u>
you	may request an evidentiary hearing before the Chief gineer or request administrative review by the Secretary of		SUIVIIV	IART URI	DER ISSUED	
Agr	iculture. A request for hearing by the Chief Engineer must be					
adn	d within 15 days of service of this Order and a request for ninistrative review by the Secretary must be filed within 30	By:	Duly Authori	zed Designee	of the Chief Engine	er
day	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.	and the second s				
File	any request with Kansas Department of Agriculture, gal Division, 1320 Research Park Drive, Manhattan, KS	, , ,	rint Name): Division of Water Re	sources - Kar	sas Department of	Agriculture
665	02. Failure to timely request a hearing or review may	Date o	f Issuance:			
pre	clude review under the Kansas Judicial Review Act.  For Use by Register of Deeds		of Kansas		) ) SS	
		County	<i>t</i> of		)	
			wledged before i			
		by				
		Signa	ature.			
		Oigile	ature:	No	tary Public	
		Мусс	ommission expir	es;		
D/v	R 1-121 (Revised 07/10/2017)	Page 4			(Notary Seal)	
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