

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 9, 2018

Southwest Kansas Groundwater  
Management District No 3  
409 Campus Drive, Suite 106  
Garden City KS 67846

Re: Water Right file number 30585

Dear Mr. Norquest;

Brookover Land has applied to relocate the well authorized by the above water right number. There are two neighboring wells within ½ mile of the requested.

We are delaying action for 15 days on the change application to allow you time to review and provide a recommendation if you feel one is warranted.

Thank you and as always feel free to call or write us at any time.

Sincerely;

Thomas P Makens

TPM:tpm



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 point(s) of diversion and/or place of use.

RECEIVED  
 9:27AM  
 APR 09 2018

File No. 30585

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):  
 Place of Use       Point of Diversion  
 under the water right which is the subject of this application in accordance with the conditions described below.  
 The source of supply is:       Groundwater       Surface water

Garden City Field Office  
 Division of Water Resources

2. Name and address of Applicant: BROOKOVER LAND ENTERPRISES  
PO BOX 917 GARDEN CITY KS 67846-0917  
 Phone Number: (    )      Email address: \_\_\_\_\_  
 Name and address of Water Use Correspondent: BROOKOVER LAND ENTERPRISES  
PO BOX 917 GARDEN CITY KS 67846-0917  
 Phone Number: (    )      Email address: \_\_\_\_\_

3. The presently authorized place of use is:  
 Owner of Land ---- NAME: BROOKOVER LAND ENTERPRISES  
 ADDRESS: PO BOX 917 GARDEN CITY KS 67846-0917  
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES		
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:  
 Owner of Land ---- NAME: no change to acres irr or to feedlot  
 ADDRESS: \_\_\_\_\_  
 (If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼				

For Office Use Only: Code \_\_\_\_\_ Fee \$ 200 TR # \_\_\_\_\_ Receipt Date 4/9/10 Check # 132482

5. **Presently authorized point of diversion:**  
 One in the ncw2 Quarter of the w2 Quarter of the se Quarter  
 of Section 32, Township 23 South, Range 33 W,  
 in Finney County, Kansas, 1350 feet North 2240 feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ Depth of well \_\_\_\_\_ (feet)  
 (DWR use only: Computer ID No. 5 GPS \_\_\_\_\_ feet North \_\_\_\_\_ feet West)  
 This point will not be changed  This point will be changed as follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the sw Quarter of the sw Quarter of the se Quarter  
 of Section 32, Township 23 South, Range 33 W,  
 in Finney County, Kansas, 621 feet North 2633 feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

6. **Presently authorized point of diversion:**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Authorized Rate \_\_\_\_\_ Authorized Quantity \_\_\_\_\_ 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 follows:  No change, point better described with GPS as follows:  
**Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)**  
 One in the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter of the \_\_\_\_\_ Quarter  
 of Section \_\_\_\_\_, Township \_\_\_\_\_ South, Range \_\_\_\_\_ (E/W),  
 in \_\_\_\_\_ County, Kansas, \_\_\_\_\_ feet North \_\_\_\_\_ feet West of Southeast corner of section.  
 Proposed Rate \_\_\_\_\_ Proposed Quantity \_\_\_\_\_ Proposed well depth (feet) \_\_\_\_\_  
 This point is:  Additional Well  Geo Center List other water rights that will use this point \_\_\_\_\_

7. The changes herein are desired for the following reasons?  
 (please be specific) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 old well needs to be replaced

13a. If the proposed point of diversion will be relocated within 100 feet of the existing point of diversion, indicate its location on the diagram below in relation to the existing point of diversion. (PLEASE NOTE: The "X" in center of diagram below represents presently authorized point of diversion.)

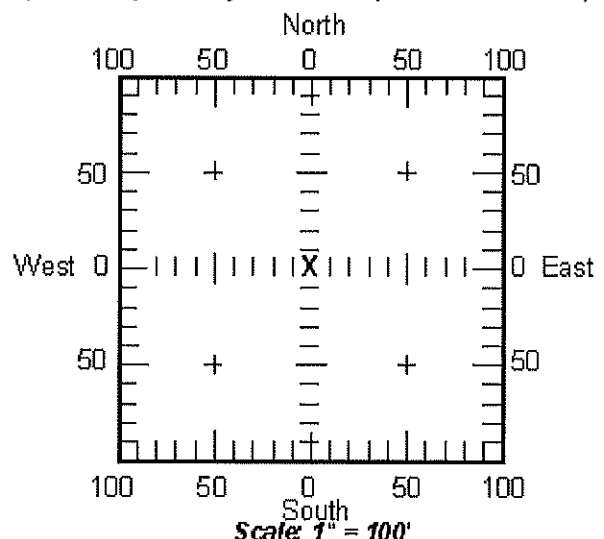
8. If a well, is the test hole log attached?  Yes  No

9. The change(s) (was)(will be) completed by?  
April 30 2018

10. If the point of diversion is a well:  
 (a) What are you going to do with the old well?  
plug  
 (b) When will this be done? 2018

11. Groundwater Management District recommendation attached?  Yes  No

12. Assisted by tpm



13b. If the proposed point of diversion will be relocated more than 100 feet but within 1320 feet from the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines.





TOPO! map printed on 03/29/18 from "Untitled.tpo"

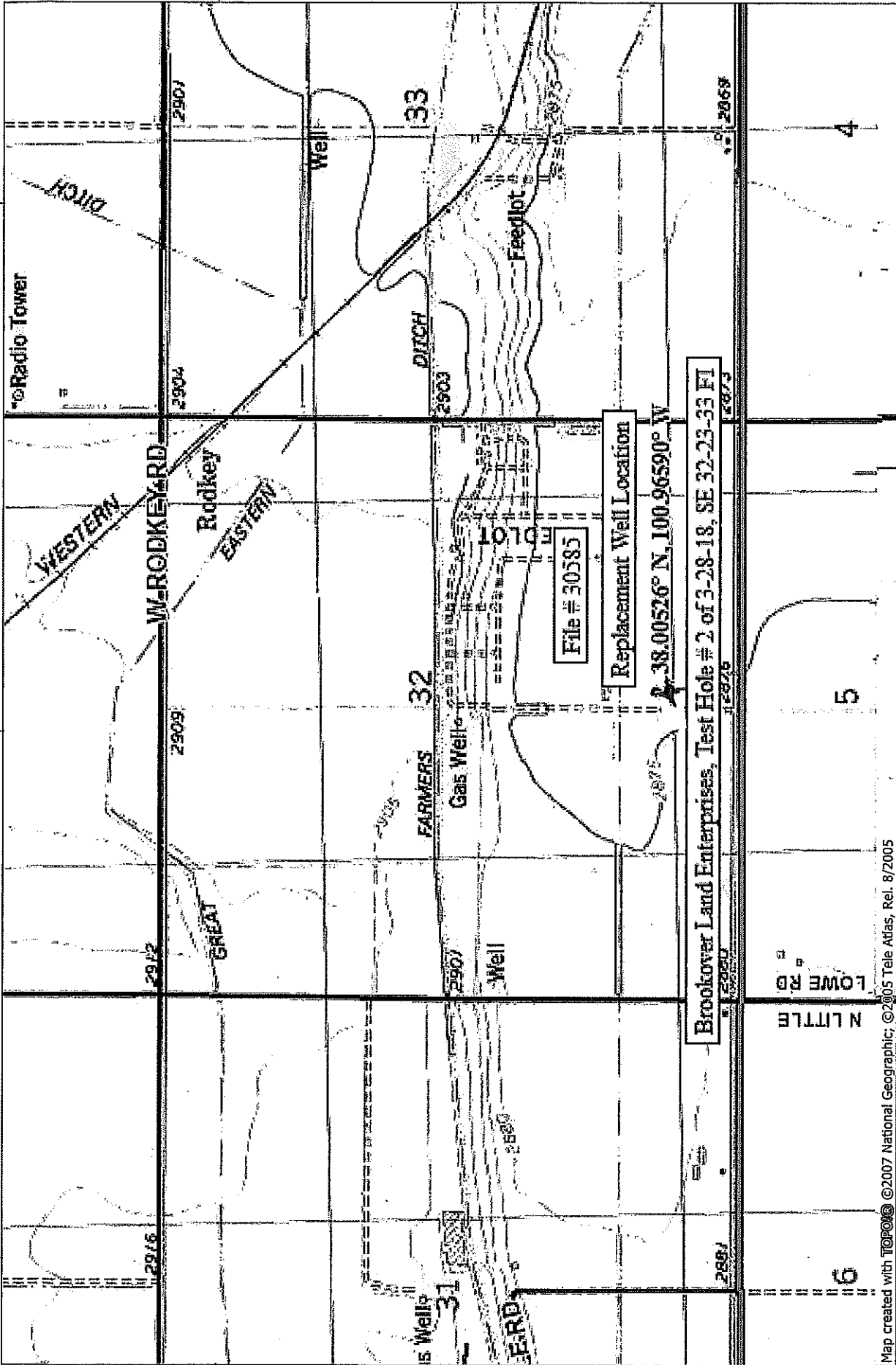
100.98333° W

100.96667° W

NAD27 100.95000° W

38.01667° N

38.01667° N



Map created with TOPO! © 2007 National Geographic, © 2005 Tele Atlas, Rel. 8/2005

100.98333° W

100.96667° W

NAD27 100.95000° W

NATIONAL GEOGRAPHIC



TN MN 5 1/2° 03/29/18





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



**Hydro**  
 resources

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

BRIAN PRICE 620-260-6963

MAR 29 2018

Customer Name: Brookover Land Enterprises  
 Street Address: P.O. Box 917  
 City, State: GARDEN CITY KS. 67846  
 County: Finney Quarter: SE Section: 32  
 Location: \_\_\_\_\_ Township: 23 Range: 33  
 Rig #: 10002 Elevation: 2866'

WO#: 13477 Date: 3-28-18  
 Test #: 2 E LOG: No  
 Driller: Dale Guinn  
 GPS: N38.00526 W100.96590  
 Static WL: 142' Estimated? \_\_\_\_\_  
 Proposed Well Depth: 360

WELL LOCATION

20' Sump

%	Footage			Description of Strata
	From	Pay	To	
	0		2	Top Soil
	2		11	Brown Sandy Clay
	11		23	Sand fine to med course small few med gravel
	23		41	Brown Sandy clay w/few fine sand strips
	41		47	Sand fine to med course
	47		72	Brown Sandy Clay
	72		124	Sand fine to med course w/couple clay ledges
	124		131	Gray Clay
	131		140	Brown Sandy Clay
10	140	12	154	Fine sand w/some clay stringers
30	154	76	230	Sand fine to med course small gravel - Drilled loose - w/ few clay stringers - used water -
5	230	9	239	Brown Sandy clay w/many sand strips
25	239	24	263	Sand fine to med - Drilled loose & used water -
5	263	21	284	Fine sand + Clay Mixed
5	284	19	303	Brown Sandy clay w/some fine sand ledges
10	303	11	314	Fine Sand w/few clay ledges
35	314	26	340	Sand fine to med course w/brown & tan rock - Drilled loose -
	340		360	Black Shale w/some Hard Gray Rock ledges
				094354
				Super Gel X -1
				GROUT -3
				Bent. Plug 3/4 -6
				Perma Plug -1





14. If the proposed groundwater point of diversion is 300 or fewer feet from existing point of diversion, complete the following:
- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?  
 Yes     No    (If no, all owners must sign this application.)
  - (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?  
 Yes     No    (If yes, all owners must sign this application.)
  - (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?  
 Yes     No    (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at GARDEN CITY, Kansas, this 9TH day of APRIL, 2018.

Brian L. Spicer manager BFL  
 (Owner)

(Please Print)

(Owner)

(Please Print)

(Owner)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

(Spouse)

(Please Print)

State of Kansas }  
 County of FINNEY } SS

I hereby certify that the foregoing application was signed in my presence and sworn to before me this 9TH day of APRIL, 2018.



Catherine Reinert  
 Notary Public

My Commission Expires 9-14-18

**ONLY COMPLETE APPLICATIONS WILL BE PROCESSED.** To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

**FEE SCHEDULE**

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: Kansas Department of Agriculture

- (1) Application to change a point of diversion 300 feet or less ..... \$100
- (2) Application to change a point of diversion more than 300 feet ..... \$200
- (3) Application to change the place of use ..... \$200