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

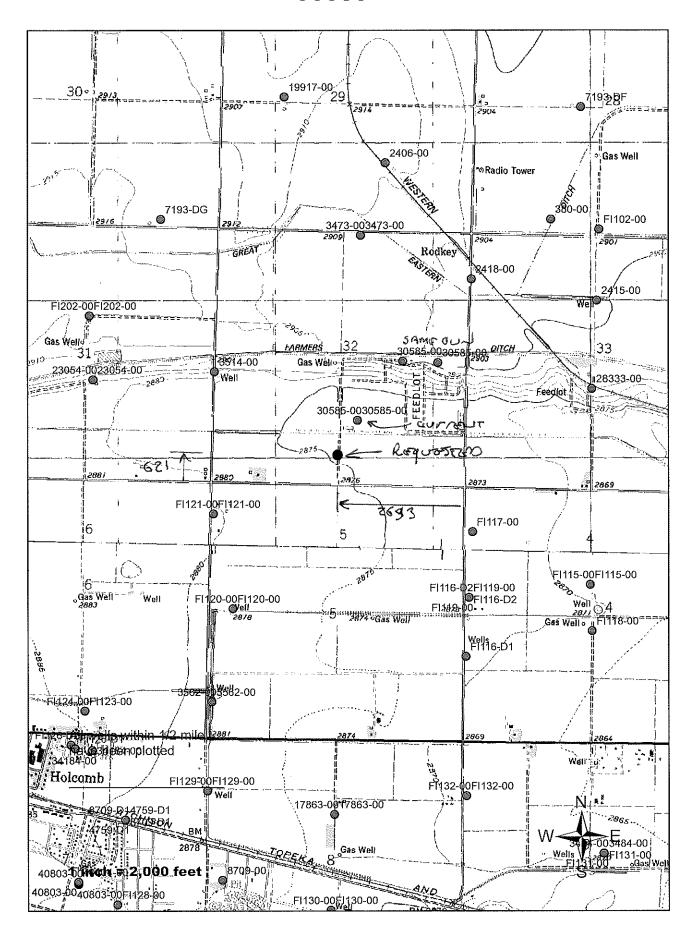


STATE OF KANSAS

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.

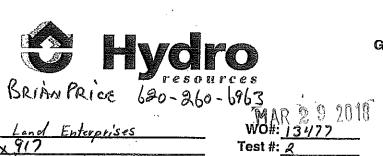
thai	agraph No n 100 feet, nt(s) of dive	or if p	olace o	of use	will be	e char	ted. (ged, i	Compl nclude	ete all e a top	l other ograpl	appli nic ma	cable p or d	portio letailed	ns. If I plat	chang showir	je in p ng the	autho RI	divers rized a ECEI	
				•		F	ile No	. <u>3058</u>	5								AP	R 09	2018
1.	1. Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office Division of Water Resources under the water right which is the subject of this application in accordance with the conditions described below.																		
	The source						round				Surfac								
2.	PO BOX 917 GARDEN CITY KS 67846-0917 Phone Number: () Email address: Name and address of Water Use Correspondent: BROOKOVER LAND ENTERPRISES																		
3.	PO BOX 917 GARDEN CITY KS 67846-0917 Phone Number: () Email address:																		
	(II tilolo is		ui. 0110		:1/4 ::1/4	auon ou	ppioni	<u> </u>	V1/4			sv	V¼			SI	1/4		TOTAL
Se	ec. Twp.	Range	NE1/4	NW1/4	SW1/4	SE¼	NE1/4	NW1⁄4	SW1/4	SE1/4	NE1/4	NW¼	SW1/4	SE1/4	NE¼	NW1/4	SW1/4	SE1/4	ACRES
	<u>.</u>																		
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 tr	an one			uach se	ppierri		N¼	neces	Sary.)	Sh	V¼			S	E¼		TOTAL
s	ec. Twp.	Range	NE1/4	·	SW1/4	SE1/4	NE¼	T	1	SE1/4	NE¼	NW1/4		SE1/4	NE1/4	NW1/4		SE1/4	ACRES
		w.n.																	
			L	L	I		l	1	<u> </u>	<u> </u>					<u> </u>	, /			
	For Offic	e Use	Only:	Code		Fe	e \$	00	TR	#		Re	eceipt	Date _	4/	9/18	Chec	:k#	32482

5.	Presently author	rized point of o	diversion:					
	One in the	ncw2	Quarter of the	w2	Quart	er of the	se	Quarter
	of Section	32	, Township	23	South	ı, Range	33	 W,
	in <u>Finney</u>	Cou	inty, Kansas, <u>1350</u>	feet No	rth <u>2240</u> 1	feet West of S	outheast corr	ner of section.
			Authorized Quantity					
ĺ			No. <u>5</u> G					
	☐This point will no	ot be changed	⊠This point will be chan	ged as follo	vs: 🔲 No change	, point better de	escribed with G	PS as follows:
	Proposed point	of diversion: (Complete only if char	<u>ıge is requ</u>	ested or if exis	ting point is l	better descril	bed by GPS)
	One in the	sw	Quarter of the	sw	Quart	er of the	se	Quarter
	of Section	32	, Township	23	South	ı, Range	33	W,
			inty, Kansas, <u>621</u>					
			Proposed Quantity					
	This point is: 🔲 /	Additional Well	☐ Geo Center List	other wate	r rights that will ι	ise this point_		•
6.	Presently author	ized point of o	<u>liversion:</u>					
	One in the		Quarter of the		Quart	er of the		Quarter
			, Township					
			nty, Kansas,					
	Authorized Rate _		Authorized Quantity	<i></i>	Depth o	f well	(fe	et)
	(DWR use only:	Computer ID I	No G	PS	feet No	orth	feet W	lest)
	☐This point will no	ot be changed [☐This point will be chan	ged as follov	vs: 🔲 No change,	point better de	scribed with G	PS as follows:
	Proposed point	of diversion: (Complete only if char	ige is requ	ested or if exist	ting point is t	oetter describ	ped by GPS)
	One in the		Quarter of the		Quart	er of the		Quarter
	of Section		, Township		South	, Range		(E/W),
	in	Cou	nty, Kansas,	feet No	th f	eet West of S	outheast corn	er of section.
			_ Proposed Quantity					
L	This point is: 🗌 A	Additional Well	☐ Geo Center List	other wate	rights that will u	se this point _		·
7.)	for the following reaso	<u>ـ</u>	If the proposed proposed proposed in the diagram below (PLEASE NOTE represents presents prese	ng point of div ow in relation to E: The "X" i	version, indicated the existing prince to the existing prince of the contertion of decided and the context of t	te its location on oint of diversion. diagram below
					100	50 0		100
8.	If a well, is the test	hole log attache	ed? ⊠ Yes □ No					
9.	The change(s) (wa	s)(will be) comp	leted by?		50 -	+ =	+ -	50
10.	If the point of diver	sion is a well:		-	West 0 - 11		111111	0 East
	(a) What are you	going to do with	the old well?		E	_	•	
					50 =			50
	plug			-	-		T -	
	(b) When will this	be done? <u>2018</u>		_		<u> </u>	<u> </u>	
					100	50 _0.	50	100
11,	Groundwater M		District recommenda	tion		Sout Scale: 1"	in ' = 100 '	
12.	Assisted by tpm	es 🛛 No		13b.	If the proposed p 100 feet but w diversion, attach	ooint of diversi	on will be relo	existing point of
					For groundwater within one-half m names and mail water sources, landowner(s) on upstream from you	sources, show nile of the propoling addresses show the na ne-half mile do	wall wells (incosed point of cosed point of cosed point of cosed comes and adownstream and cownstream and cowns	luding domestic) liversion and the rs. For surface ldresses of the



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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:	Brookou	ver Lan	d Enterprises	wo#: \\ \\ \\ \\ \\ \\ \ \ \ \ \ \ \ \ \ \	Date: <u>3-2</u> 8-18
Street Add	dress:	P.O. Box 917			Test #: 2	ELOG: No
City, State		GARO	En Cir-6	Ks. 67846	Driller: D∞/€ G	ninn
County:	Finner	Quarter	: SE	Section: 32	Township: 🤌 ദ	Range: 33
Location:				GF	S: N38,00526 W100,	76590
Rig #:	10002	1	_	Elevation: 2866	Static WL: 142	Estimated?
					Proposed Well Depth	360
			Ý.	WELLLOCATION	388	20' Sump
	1	Footage	+			
%	From	Pay	To		Description of Strata	
	0	•	2	Top Soil		
	2		11	Brown Sandy Clay		
	11		23.	Sand fine to ma	d course small few ,	ned gravel
	23		41	11. Srown Sandy Clay	w/few fine sand str.	é.5
	41		47	Sand fine to med	course	
	47	<u> </u>	72	Brown Sandy Clay		
	72		124	Sand fine to med	course w/couple clay	12019-5
	124	<u> </u>	131	Gray Clay	•	
	131		140	Brown Sandy Clas	×	
10.	140	12	154	Fine Sand w/som	a clay Stringers	
30	154	76	230	Sund fine to med	course small grovel -	Dilled 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 4 use	1 water -
5	263	21.	284	Fine Sand + Clay 1	Vixed .	
5	284	19	303	Brown Sandy Clay w	ul some fine sand Led	9 05
10	303	11	314	Fine Sand w /few	clay ladges	
35	314	26	340	Sand fine to me	1 course w/brown &	tan rock - Drilled bose
	340		360	Black Shale W/Som	e Hard Gray Rock ledg	5
						094354
			<u> </u>		Super Gel	
_					Gront	- 3
					Bent. Plag	3/4 -6
			,		Prima Plug	
					<u> </u>	
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<u> </u>						
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SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

provisio With the	mmary Order is issued under authority of K.S.A. 82 ns of the <i>Kansas Water Appropriation Law, K.S.A.</i> exception of those conditions expressly contained tations of File No. 30585	82a-701 et. sea., and rules and requ	lations promulgated thereunder.
1. A c	hange application was received on	requesting that t number be changed as described in t	he place of use and / or point of he application.
2. On	and after the effective date of this summary order, to the topographic map accompanying the application	the authorized place(s) of use shall b	e located substantially as shown
p	e change in point of diversion shall not impair existing previously authorized. The point of diversion authorized adius of the authorized point(s) of diversion. App	zed by this summary order shall be loo	ne source or sources of water as cated within a 300 foot
4. The	e point(s) of diversion authorized herein shall not actual the point(s) of diversion. Applicable	ually be located more than] Not Applicable	feet from the previously
t	required by K.A.R. 5-3-5d, if the works for diversior ube or other device suitable for making water leaccordance with K.A.R. 5-6-13.	n is a well with a diversion rate of 10 evel measurements shall be installe ☐ Not Applicable	00 gallons per minute or more, a ed, operated and maintained in
[] c a v	e owner of the authorized place(s) of use shall December 31, 2018, or before the first use of wat operated and maintained in accordance with K.A.R. and K.A.R. 5-3-5e, the owner shall maintain records a vater diverted annually to the Chief Engineer by Marc Applicable	er, whichever occurs first. The wat 5-1-4 through 5-1-12. As required b and report the reading of the water flo	er flow meter shall be installed, by K.S.A. 82a-732, as amended, bw meter and the total quantity of
f	tallation of the works for diversion of water shauthorized extension of time. By March 1, 20 <u>19</u> the a or diversion has been completed, on the form provide Applicable \sum Not Applicable	applicant shall notify the Chief Engine	eer that construction of the works
8. The	completed well log shall be submitted with the r	required notice. Applicable	
V	diversion works into which any type of chemical or ot vith an in-line, automatic, quick-closing check valve o check valve(s) shall be installed, operated and ma Applicable	capable of preventing pollution of the	source of the water supply. The
10. Add	ditional Conditions are attached. 🔲 Yes 🔲 N	10	
v li A r	accordance with K.S.A. 82a-708a, as amended, and vater appropriated under the above-referenced file initations, as amended and/or supplemented by this Appropriation Law and the Rules and Regulations presult in civil penalties pursuant to K.S.A. 82a-737, a vater or appropriation right or any other enforcement	number are responsible for complian Summary Order, and with applicable romulgated thereunder. Failure to co Is amended, and/or the suspension o	ce with its terms, conditions and e provisions of the <i>Kansas Water</i> omply with these provisions may
If you ar you may Enginee Agricult filed with adminis days pur review r File any Legal D 66502.	re aggrieved by this order, pursuant to K.S.A. 82a-1901, request an evidentiary hearing before the Chief er or request administrative review by the Secretary of ure. A request for hearing by the Chief Engineer must be in 15 days of service of this Order and a request for trative review by the Secretary must be filed within 30 ursuant to K.S.A. 77-531. Any request for administrative must state a basis for review pursuant to K.S.A. 77-527. request with Kansas Department of Agriculture, invision, 1320 Research Park Drive, Manhattan, KS failure to timely request a hearing or review may be review under the Kansas Judicial Review Act. For Use by Register of Deeds	By: Duly Authorized Des (Print Name): Division of Water Resources Date of Issuance: State of Kansas County of Acknowledged before me on by)
			Notary Public
		My commission expires:	A()
DWR 1-1	21 (Revised 07/10/2017)	Page 4	(Notary Seal) File No.

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 aut ☐ Yes ☐ No (If no, all owners must sign this app	
 (b) Will the ownership interest of any owner of the currently auth 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 so ☐ Yes ☐ No (If no, all owners must sign this app	
If the application proposes a surface water change in point of diversion, or a change in place of use, the application must be signed by all owne agent (attach notarized statement authorizing representation).	
I hereby verify, being first duly sworn upon my oath or affir 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 ap- contained in this application are true, correct and complete.	prized agent of the owner(s) to make this application on pplication pertains. I further verify that the statements
Dated at Kansas, thi	s 47H day of APRIL , 20 18.
* Miar Dice manger BH	
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
(Owner)	(Spouse)
(Please Print)	(Please Print)
State of Kansas County of SS	
I hereby certify that the foregoing application was signed in r	my presence and sworn to before me this 2771 day of
NOTARY PUBLIC - State CATHERINE R	ENERS Christer
My Commission Expires	Notary Public
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, a accurate information; maps, if necessary, must be included; signatures of all the the appropriate fee must be paid.	
FEE SCHEE	
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departre (1) Application to change a point of diversion 300 feet or less.	ment of Agriculture \$100
(2) Application to change a point of diversion more than 300 fe(3) Application to change the place of use	